

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service
Business and Defense Services Administration
Civil Aeronautics Board
Consumer and Marketing Service
Education Office
Federal Aviation Administration
Federal Communications Commission
Federal Power Commission
Federal Register Administrative Committee
Federal Reserve System
Fish and Wildlife Service
General Services Administration
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Justice Department
Land Management Bureau
National Highway Safety Bureau
Public Health Service
Small Business Administration
Treasury Department
Wage and Hour Division

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Now Available

LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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

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Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Cereal Leaf Beetle

REGULATED AREAS

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

§ 301.84-2a Regulated areas.

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

ILLINOIS

Champaign County. The entire county.
Christian County. The entire county.
Clark County. The entire county.
Coles County. The entire county.
Cook County. The entire county.
Cumberland County. The entire county.
De Witt County. The entire county.
Douglas County. The entire county.
Du Page County. The entire county.
Edgar County. The entire county.
Effingham County. All that portion of the county lying north of T. 6 N.
Fayette County. The entire county.
Ford County. The entire county.
Grundy County. The entire county.
Iroquois County. The entire county.

Jasper County, T. 8 N., R. 8 E.; and all of T. 8 N., R. 9 E. lying within Grove Township.
 Kankakee County, The entire county.
 Kendall County, T. 35 N., R. 8 E. (All of Seward Township).
 Livingston County, The entire county.
 Macon County, The entire county.
 McLean County, The entire county.
 Menard County, Secs. 6, 7, 18, 19, and 30, T. 18 N., R. 4 W.; and T. 18 N., R. 5 W. (area known as Road District No. 2).
 Montgomery County, The entire county.
 Moultrie County, The entire county.
 Piatt County, The entire county.
 Sangamon County, All that portion of the county lying east of the east line of R. 6 W.
 Shelby County, The entire county.
 Vermillion County, The entire county.
 Will County, The entire county.
 Woodford County, T. 25 N., R. 1 E. (All of Kansas Township).

KENTUCKY

Adair County, The entire county.
 Anderson County, The entire county.
 Barren County, The entire county.
 Bath County, The entire county.
 Boone County, The entire county.
 Bourbon County, The entire county.
 Boyd County, The entire county.
 Boyle County, The entire county.
 Bracken County, The entire county.
 Breathitt County, The entire county.
 Breckinridge County, The entire county.
 Bullitt County, The entire county.
 Campbell County, The entire county.
 Carroll County, The entire county.
 Carter County, The entire county.
 Casey County, The entire county.
 Clark County, The entire county.
 Clay County, The entire county.
 Clinton County, The entire county.
 Edmonson County, The entire county.
 Elliott County, The entire county.
 Estill County, The entire county.
 Fayette County, The entire county.
 Fleming County, The entire county.
 Floyd County, The entire county.
 Franklin County, The entire county.
 Gallatin County, The entire county.
 Garrard County, The entire county.
 Grant County, The entire county.
 Grayson County, The entire county.
 Green County, The entire county.
 Greenup County, The entire county.
 Hardin County, The entire county.
 Harrison County, The entire county.
 Hart County, The entire county.
 Henry County, The entire county.
 Jackson County, The entire county.
 Jefferson County, The entire county.
 Jessamine County, The entire county.
 Johnson County, The entire county.
 Kenton County, The entire county.
 Knott County, The entire county.
 Laclede County, The entire county.
 Laurel County, The entire county.
 Lawrence County, The entire county.
 Lee County, The entire county.
 Leslie County, The entire county.
 Lewis County, The entire county.
 Lincoln County, The entire county.
 Madison County, The entire county.
 Magoffin County, The entire county.
 Marion County, The entire county.
 Martin County, The entire county.
 Mason County, The entire county.
 Meade County, The entire county.
 Menifee County, The entire county.
 Mercer County, The entire county.
 Metcalfe County, The entire county.
 Montgomery County, The entire county.
 Morgan County, The entire county.
 Nelson County, The entire county.
 Nicholas County, The entire county.
 Oldham County, The entire county.
 Owen County, The entire county.
 Owsley County, The entire county.

Pendleton County, The entire county.
 Perry County, The entire county.
 Powell County, The entire county.
 Pulaski County, The entire county.
 Robertson County, The entire county.
 Rockcastle County, The entire county.
 Rowan County, The entire county.
 Russell County, The entire county.
 Scott County, The entire county.
 Shelby County, The entire county.
 Spencer County, The entire county.
 Taylor County, The entire county.
 Trimble County, The entire county.
 Washington County, The entire county.
 Wayne County, The entire county.
 Wolfe County, The entire county.
 Woodford County, The entire county.

VIRGINIA

Alleghany County, The entire county.
 Augusta County, The entire county.
 Bath County, The entire county.
 Frederick County, The entire county.
 Highland County, The entire county.

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

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.84-2a, effective April 14, 1970.

The purpose of this revision is to add to the regulated area all or portions of the following previously nonregulated counties: Christian, Coles, Cumberland, De Witt, Du Page, Effingham, Fayette, Jasper, Kendall, Macon, Menard, Montgomery, Sangamon, and Woodford in Illinois; Adair, Barren, Breckinridge, Clinton, Edmonson, Grayson, Knott, Laurel, Leslie, Metcalfe, Perry, Pulaski, Russell, and Wayne in Kentucky; and Augusta, Bath, and Frederick in Virginia. The regulated area was also extended in some previously regulated counties in Illinois. No changes in the regulated area were made in the other quarantined States.

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

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

This document imposes restrictions that are necessary in order to prevent the dissemination of the cereal leaf beetle and should be made effective promptly

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

Done at Hyattsville, Md., this 25th day of September, 1970.

JOSEPH F. SPEARS,
 Acting Director,
 Plant Protection Division.

[F.R. Doc. 70-13108; Filed, Sept. 30, 1970; 8:48 a.m.]

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

[Valencia Orange Reg. 333]

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

Limitation of Handling

§ 908.633 Valencia Orange Regulation 333.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this 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 Valencia oranges 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 Valencia oranges; 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 29, 1970.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 2, 1970, through October 8, 1970, are hereby fixed as follows:

- (i) District 1: 276,000 cartons;
- (ii) District 2: 324,000 cartons;
- (iii) District 3: Unlimited movement.

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

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

Dated: September 30, 1970.

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

[F.R. Doc. 70-13230; Filed, Sept. 30, 1970;
11:26 a.m.]

PART 912—GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT IN FLORIDA

Reporting Shipments Outside

Notice was published in the FEDERAL REGISTER issue of September 10, 1970 (35 F.R. 14266), that the Department was giving consideration to a proposed amendment to the rules and regulations (Subpart—Rules and Regulations, 7 CFR 912.120-912.150) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The amendment was proposed by the Indian River Grapefruit Committee, established under said amended marketing agreement and order, as the agency to administer the terms and provisions thereof. No written data, views, or arguments were filed with respect to said proposal during the period specified therefor in the notice.

After consideration of all relevant matter presented, including that in the no-

tice, it is hereby found that amendment, as hereinafter set forth, of said rules and regulations is in accordance with said amended marketing agreement and order and will tend to effectuate the declared policy of the act and contribute to more effective operations under said marketing agreement and order. Therefore, said rules and regulations are hereby amended by adding a new § 912.151 to read as follows:

§ 912.151 Reporting shipments outside the regulation area.

Prior to shipment of each lot of grapefruit, the handler shall provide the Indian River Grapefruit Committee, or its designated agent, a copy of the shipping manifest applicable to such lot. Such manifest shall indicate whether such fruit is to be transported to a point or points outside the regulation area or within the regulation area, and shall be certified by the handler to the committee as to the correctness of such information shown thereon.

It is hereby found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) volume shipments of the current crop of Indian River grapefruit will begin soon and to be of maximum benefit the provisions of this amendment should become effective as soon as possible to contribute to more effective operations under the amended marketing agreement and order, (2) the effective date hereof will not require of handlers any preparation that cannot be completed prior thereto, and (3) this amendment was recommended by members of the Indian River Grapefruit Committee in an open meeting at which all interested persons were afforded an opportunity to submit their views.

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

Dated, September 28, 1970, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer and
Marketing Service.

[F.R. Doc. 70-13173; Filed, Sept. 30, 1970;
8:53 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk) Department of Agriculture

[Milk Order No. 4]

PART 1004—MILK IN THE MIDDLE ATLANTIC MARKETING AREA

Order Suspending Certain Provisions

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Middle Atlantic marketing area.

It is hereby found and determined that for the month of September 1970 the following provisions of the order no longer tend to effectuate the declared policy of the Act and are hereby suspended:

The provisions of paragraph (c) of § 1004.15 (Producer) which follow the parenthetical text "(other than a producer-handler plant)" as it appears in the first sentence.

As suspended, paragraph (c) of § 1004.15 reads as follows:

§ 1004.15 Producer.

(c) A dairy farmer with respect to milk which is diverted to a nonpool plant (other than a producer-handler plant).

Statement of consideration. The suspension removes all limitations on milk diversions for the month of September 1970. Diversion otherwise is limited to not more than 10 days' production of an individual producer or in the alternative, in the case of a cooperative association which diverts for its account to nonpool plants, not more than 15 percent of the volume of milk of all members of such cooperative associations received at all pool plants during the month. Likewise, a proprietary handler may divert milk under the alternative 15 percent limitation, the milk of his nonmember producers.

The suspension was requested by the Inter-State Milk Producers' Cooperative, Inc., a major milk producer's organization representing a substantial number of producers on the market.

Suspension of these provisions is necessary because of the unusual marketing conditions which developed during September.

A substantial portion of producers' milk is marketed as Class I through the schools in the city of Philadelphia during the school year. A school teachers strike in the city, however, caused a delay in the opening of the schools in September. The affect of this strike was that school cafeterias did not open until September 21. Because of this, it was necessary for the association to divert to nonpool plants additional volumes of milk which normally would have been packaged as Class I by plants and distributed to these schools. Petitioner estimates that it will be necessary to divert over 18 percent of the milk of its patrons during September because of this market situation, thereby exceeding the 15-percent standard allowed.

This action permits the most efficient handling of reserve milk direct from farm to manufacturing plants and assures continuing producer status during September for dairy farmers long associated with the fluid market.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

(b) This suspension order does not adversely affect handlers and does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (35 F.R. 14655). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective with respect to producer milk deliveries during September 1970.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended to be effective with respect to all milk deliveries during September 1970.

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

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 25, 1970.

J. PHIL CAMPBELL,
Acting Secretary.

[F.R. Doc. 70-13107; Filed, Sept. 30, 1970;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9486; Admt. Nos. 21-35, 37-25, 121-68, 127-20, 135-21, 145-12]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

PART 37—TECHNICAL STANDARD ORDER AUTHORIZATIONS

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

PART 127—CERTIFICATION AND OPERATIONS OF SCHEDULED AIR CARRIERS WITH HELICOPTERS

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT

PART 145—REPAIR STATIONS

Reporting Requirements for Manufacturers; Failures, Malfunctions, and Defects; Extension of Effective Date

The purpose of these amendments is to further extend the effective date of Amendments 21-29, 37-19, 121-58, 127-15, 135-15, and 145-9 to the Federal Aviation Regulations which require manufacturers to notify the FAA of any failure, malfunction, or defect in any product, part, or article manufactured by them that could result in a hazard to flight.

Amendments 21-29, 37-19, 121-58, 127-15, 135-15, and 145-9 were published in

the FEDERAL REGISTER on February 19, 1970 (35 F.R. 3154) to become effective April 2, 1970. The effective date was first extended to July 2, 1970, by Amendments 21-30, 37-20, 121-59, 127-16, 135-16, and 145-10 (35 F.R. 5319, Mar. 31, 1970) and later extended to October 2, 1970 by Amendments 21-33, 33-22, 121-63, 127-18, 135-19, 145-11 (35 F.R. 10653, July 1, 1970).

Subsequently, however, it has come to the attention of the FAA that some of the reporting requirements set forth in Amendments 21-29, 37-19, 121-58, 127-15, 135-15, and 145-9, are ambiguous and may also require duplicate reporting of certain failures, malfunctions and defects. For these reasons, the FAA considers it necessary to clarify the reporting requirements and to remove any requirement that could result in duplicate reporting. It is contemplated that the amendments necessary to accomplish the foregoing will be issued in the very near future.

In view of the foregoing and the imminence of the October 2, 1970, effective date, the FAA has determined that there is a need for a further extension of the effective date of the new regulations.

Since this amendment is an extension of the effective date of a new requirement and imposes no additional burden on any person, I find that notice and public procedure thereon are unnecessary and that good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing, the effective date of Amendments 21-29, 37-19, 121-58, 127-15, 135-15, and 145-9 published in the FEDERAL REGISTER (35 F.R. 3154) on February 19, 1970, is extended to November 30, 1970.

(Secs. 313(a), 603, 604, and 607 of the Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423, 1424, and 1425; sec. 6(c) of the Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on September 28, 1970.

K. M. SMITH,
Acting Administrator.

[F.R. Doc. 70-13204; Filed, Sept. 30, 1970;
8:52 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Parole Board Directive 6]

PART 2—PAROLE, RELEASE, SUPERVISION, AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Revocation by Board

Under and by virtue of the authority vested in the United States Board of Parole and the Youth Correction Division thereof by Title 18 of the United States Code (particularly Chapter 311 and Part IV and Subpart V of Part 0 of Chapter I of Title 28 of the Code of Fed-

eral Regulations), Parole Board Directive No. 2, 28 F.R. 10750, is hereby amended to read as follows:

§ 2.40 Revocation by the Board.

A prisoner who is retaken pursuant to a warrant issued by the Board or a member thereof shall, while being held in custody under authority of such warrant awaiting possible return to a Federal institution, be afforded a preliminary interview by an official designated by the Board. Following receipt of a summary or digest of the preliminary interview, the Board shall afford the prisoner an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board. If the prisoner requests a local hearing prior to return to a Federal institution in order to facilitate the retention of counsel or the production of witnesses, and if he has not been convicted of a crime committed while under community supervision, and if he denies that he has violated any condition of his release, he shall be afforded a local revocation hearing reasonably near the place of the alleged violation (or one of the alleged violations if more than one is alleged). Otherwise, he shall be given a revocation hearing after he is returned to a Federal institution. Following the revocation hearing, the Board may then or at any time within its discretion revoke and terminate the order of parole or mandatory release or modify the terms and conditions thereof. Whenever a parole or mandatory release is thus revoked, the prisoner may be required to serve all or any part of the remainder of the term for which he was sentenced, less such good time as he may earn following his recommitment.

The amendment made by this directive shall be effective upon the publication of this directive in the FEDERAL REGISTER.

Dated: August 31, 1970.

GEORGE J. REED,
Chairman,
United States Board of Parole.

WILLIAM F. HOWLAND, Jr.,
Chairman, Youth Correction Division,
United States Board of Parole.

[F.R. Doc. 70-13131; Filed, Sept. 30, 1970;
8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 785—HOURS WORKED Miscellaneous Amendments

Pursuant to the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004) and Secretary's Order No. 19-67 (32 F.R. 12980), Part 785 of Title 29, Code of Federal Regulations is amended to revoke § 785.51 and to make minor changes in § 785.1, § 785.4, and § 785.8.

This change shall be effective immediately upon publication.

1. Section 785.1 is amended to read as follows:

§ 785.1 Introductory statement.

Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) requires that each employee, not specifically exempted, who is engaged in commerce, or in the production of goods for commerce, or who is employed in an enterprise engaged in commerce, or in the production of goods for commerce receive a specified minimum wage. Section 7 of the Act (29 U.S.C. 207) provides that persons may not be employed for more than a stated number of hours a week without receiving at least one and one-half times their regular rate of pay for the overtime hours. The amount of money an employee should receive cannot be determined without knowing the number of hours worked. This part discusses the principles involved in determining what constitutes working time. It also seeks to apply these principles to situations that frequently arise. It cannot include every possible situation. No inference should be drawn from the fact that a subject or an illustration is omitted. If doubt arises inquiries should be sent to the Administrator of the Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210, or to any area or Regional Office of the Division.

2. Section 785.4 is amended to read as follows:

§ 785.4 Application to Walsh-Healey Public Contracts Act.

The principles set forth in this part are also followed by the Administrator of the Wage and Hour Division in determining hours worked by employees performing work subject to the provisions of the Walsh-Healey Public Contracts Act.

3. Section 785.8 is amended to read as follows:

§ 785.8 Effect of custom, contract, or agreement.

The principles are applicable, even though there may be a custom, contract, or agreement not to pay for the time so spent with special statutory exceptions discussed in §§ 785.9 and 785.26.

4. Section 785.51 is revoked.

(52 Stat. 1060; 29 U.S.C. 201-219)

Signed at Washington, D.C., this 25th day of September 1970.

ROBERT D. MORAN,
Administrator,
Wage and Hour Division.

[P.R. Doc. 70-13132; Filed, Sept. 30, 1970; 8:49 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER C—MEDICAL CARE AND EXAMINATIONS

PART 34—MEDICAL EXAMINATION OF ALIENS

Dangerous Contagious Disease

A notice of proposed rulemaking regarding amendment of § 34.2(b) of Title 42, Code of Federal Regulations, was published in the FEDERAL REGISTER June 13, 1970, 35 F.R. 9292. The proposal was to eliminate certain diseases from the list of dangerous contagious diseases contained in § 34.2(b). Affliction with any disease eliminated from the list would no longer constitute a basis for issuance of a Class A certificate or notification under § 34.7 of Title 42.

Data, views, and arguments were invited to be submitted within 30 days after publication of the notice in the FEDERAL REGISTER and notice was given of the intention to make the regulations effective upon publication. No comments were received.

1. Paragraph (b) of § 34.2 Definitions, Title 42, Code of Federal Regulations, is amended to read as follows:

§ 34.2 Definitions.

(b) *Dangerous contagious disease.* Any of the following diseases:

- (1) Chancroid.
- (2) Gonorrhoea.
- (3) Granuloma inguinale.
- (4) Leprosy, infectious.
- (5) Lymphogranuloma venereum.
- (6) Syphilis, infectious stage.
- (7) Tuberculosis, active.

2. This amendment shall be effective upon publication.

(Sec. 215, 53 Stat. 690; Sec. 234, 66 Stat. 198; 42 U.S.C. 216, 8 U.S.C. 1224)

Dated: August 5, 1970.

VERNON E. WILSON,
Administrator, Health Services
and Mental Health Administration.

Approved: August 20, 1970.

ELLIOT L. RICHARDSON,
Secretary.

[P.R. Doc. 70-13009; Filed, Sept. 30, 1970; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18244; FCC 70-1013]

PART 1—PRACTICE AND PROCEDURE

Nondiscrimination in Employment Practices of Broadcast Licensees

Memorandum opinion and order modifying report and order, 35 F.R. 8825.

In the matter of petition for rule making to require broadcast licensees to show nondiscrimination in their employment practices, RM-1144.

1. By report and order adopted May 20, 1970, released June 3, 1970, 23 F.C.C. 2d 430, 35 F.R. 8825, the Commission adopted a rule requiring broadcast licensees to file annual statistical reports of their employment makeup. These reports were to show the numbers of certain minority group employees and their sex in listed job categories. The job categories were those utilized by the Equal Employment Opportunity Commission in its form EEO-1.

2. On July 6, 1970, the United Church of Christ's Office of Communication, Board for Homeland Ministries, and Committee for Racial Justice Now, and The Board of National Missions of the United Presbyterian Church in the U.S.A., filed a petition for reconsideration. In this petition, it is urged that the EEOC job categories fall short of giving an adequate and effective profile of minority employment practices in the broadcast industry. Petitioners urge that the present EEOC job categories are irrelevant to the categories of work performed in the broadcast industry, and that, since only a small percentage of the radio broadcasters and 80-90 percent of television broadcasters now file EEO-1 forms, it is unrealistic to argue that stations would be overburdened by having to file a report requiring a different system of job categorization. They request that the Commission reconsider its use of the EEOC job categories and instead adopt the job categories recommended by petitioners in their reply comments dated October 3, 1969 (i.e., those of the NAEB).

3. In response to this petition, we have reviewed the question, including discussions with the EEOC. We do not believe that use of the NAEB job categories, which are themselves not a complete breakdown of jobs in commercial broadcasting, would be an improvement warranting a change. Since most television stations and many aural broadcasters now use the EEO-1 forms, there is a decided advantage in simplicity to our use of the same categories for racial data. We have determined to use that form (with slight instruction variations) in preference to the form attached to our June 3 order, primarily to give a better statistical picture of employment by sex and to avoid discrepancies in the two forms. Our revised instructions take into account certain special broadcast jobs, i.e., "comboman", and "on-the-air talent." They also utilize EEOC reporting periods. As time goes on and events warrant it, further revision and/or specific instructions may be issued. The revised form is attached hereto as an appendix.¹

4. Along with the Report and Order, infra, we released tentative instructions which stated in paragraph 8 thereof that we would issue special instructions applicable to the annual employment statistics to be supplied by networks. We are taking this opportunity to revise paragraph 8 of the instructions to advise the networks of their reporting responsibilities under

¹ Filed as part of the original document.

this rule. We have determined that networks should use the same forms as are to be used for station statistics.²

5. To avoid any possible misconception that networks herein covered might not be required to file equal employment opportunity programs as described in appendix B of the Report and Order, *infra*,³ we are hereby revising subsection I of the new section VI in FCC Forms 301, 303, 309, 311, 314, 315, 340, and 342 to read as follows:

I. Submit as Exhibit No. the applicant's equal employment opportunity program for the station, and its network operation if the applicant operates a network, indicating specific practices to be followed in order to assure equal employment opportunity for Negroes, Orientals, American Indians, and Spanish Surnamed Americans in each of the following aspects of employment practice: Recruitment, selection, training placement, promotion, pay, working conditions, demotion, layoff and termination. The program should reasonably address itself to such specific practices as the following, to the extent they are appropriate in terms of station size, location, etc. A program need not be filed if the station has less than five full-time employees or if it is in an area where the relevant minorities are represented in such insignificant numbers that a program would not be meaningful. In the latter situation, a statement of explanation should be filed.

6. We wish to take this opportunity to comment again on the nature of the showing required under new section VI by the relatively small stations. Of course, such stations need not formulate elaborate or formal programs in hiring, promotion, etc. All that is required is that where the small station is operating in an area with substantial minority, it take appropriate and practical steps, in view of its size, to assure that it does afford an equal opportunity to the minority groups to obtain employment and to advance.

7. For the reasons set forth in the foregoing paragraphs, and considerations discussed in prior Commission opinions, the petition for reconsideration is denied; effective upon further instruction: *It is further ordered*, That Form 395 and its accompanying instructions are amended as a set forth in the appendix hereto⁴ and *it is further ordered*, That subsection I of new section VI in FCC Forms 301, 303, 309, 311, 314, 315, 340, and 342 is revised as set forth in paragraph 5 above.

Adopted: September 23, 1970.

Released: September 28, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-13133; Filed, Sept. 30, 1970;
8:50 a.m.]

² In addition to those networks which are also licensees, we believe that under section 403, we should obtain information as to equal employment programs and reports, and statistical information for those networks such as Mutual Broadcasting Co., which are not licensees. We will notify those networks separately as to the appropriate time for filing this material.

³ Filed as part of the original document.

⁴ Commissioner Bartley dissenting and issuing a statement which is filed as part

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Special Allowances

Paragraph (c) of § 177.4 *Special allowances*, which deals with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Public Law 91-95) is amended to provide for the payment of such an allowance for the period July 1, 1970, through September 30, 1970, inclusive.

As so amended § 177.4 reads as follows:

§ 177.4 Special allowances.

(c) *Promulgation of special allowances.* * * *

(5) For the period July 1, 1970, through September 30, 1970, inclusive, a special allowance is authorized to be paid in an amount equal to the rate of 2 percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141)

Dated: September 24, 1970.

T. H. BELL,
Acting Commissioner
of Education.

Approved: September 29, 1970.

ELLIOT L. RICHARDSON,
Secretary.

[F.R. Doc. 70-13195; Filed, Sept. 30, 1970;
8:52 a.m.]

Title 49—TRANSPORTATION

Chapter V—National Highway Safety Bureau, Department of Transportation

[Docket No. 2-12; Notice 3]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Safety Standard No. 207—Seating Systems—Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses

The purpose of this amendment to Motor Vehicle Safety Standard No. 207 is to extend its application to multipurpose passenger vehicles, trucks and buses, to require a seat to remain in its adjusted position during load application, and to clarify and restructure the standard.

of the original document; Commissioner Robert E. Lee concurring and issuing a statement which is filed as part of the original document; Commissioner Wells dissenting.

A notice of proposed rulemaking on the subject of amending Motor Vehicle Safety Standard No. 207, and extending it to multipurpose passenger vehicles, trucks and buses was published on September 20, 1969 (34 F.R. 14661).

The need for adequately anchored seating is clear. A seat that tears loose on impact adds to the hazards that are inherent in crash situations. Each seat must remain in place if it is to afford any protection to its occupant. Standard No. 207 accordingly established strength requirements for the anchorage of occupant seats, required that a means be provided for keeping folding seats and seat backs in place, and prescribed strength requirements for seat backs and seat back restraints. The proposal to extend the standard's application to additional types of vehicles is part of an overall effort to afford occupants of these vehicles protection equal to that now available to occupants of passenger cars. The extension of Standard No. 207 is closely allied with the extension of standards for seat belt installation (208) and anchorages (210) to these other vehicle types.

Most of the comments favored the extended application of the standard. Some persons who objected voiced the fear that the seat system requirements would eliminate some seating configurations in multipurpose passenger vehicles and walk-in van-type trucks. Although manufacturers of these vehicles may have to make design changes, it has been determined that strength and convenience in this case are not incompatible, and that the provision of adequate seats is not impracticable for such vehicles. It should also be noted that if a seat is not intended for use while the vehicle is in motion, and therefore provides no designated seating position under the amended definition of that term in section 571.3 of Title 49 CFR, the requirements of this standard do not apply to it.

Several respondents observed that the requirements of S4.2 that a seat sustain the required force "in each position to which it can be adjusted" would impose a substantial burden on power seats, whose "positions" may be very numerous. The intent of the paragraph is to insure that a seat would be able to sustain the specified force in any position that is usable in actual operations, although the manufacturer may choose to test it only in its most vulnerable positions. Thus, the manufacturer may use whatever means are at his disposal to meet the minimum requirements; the standards are not intended to dictate either the nature or the quantity of manufacturer testing. The requirement has been reworded slightly and language has been added to make it clear that the force specified by subparagraph (d) is applied to the seat only in the rearmost position.

The requirement that the seat withstand the load without leaving its adjusted position has been retained, but in response to another group of comments it has been decided to allow non-locking suspension type seats to travel normally during application of the loads required by S4.2. Any other method

of testing would not accurately reflect the actual performance characteristics of such seats.

Several comments questioned the utility of requiring a seat back restraint release to be readily accessible if its use is not required for normal exit from the vehicles. There appears to be merit to this argument with respect to the need for rear seat occupants to use the release and the paragraph has been altered accordingly.

One comment stated that subparagraph S4.3.2.1 of the proposal should be amended to require the restraint on a rearward-facing seat to withstand a rearward load equal to eight times the weight of the pivoting or folding portion of the seat. This suggestion has merit, and the subparagraph has been amended by the addition of a new subparagraph dealing expressly with rearward-facing seats.

Several comments requested that addition of language permitting "approved physical demonstrations" or "approved dynamic tests" in place of the static loading requirements in S4.2 and S4.3. For several reasons, that language has not been added to the amended Standard No. 207. The Bureau adheres to the procedures specified in the standard in its own testing, and it is therefore essential that the procedures be set forth with precision. However, if a manufacturer develops test procedures which are equal to those in the standard, in the sense that the results can be accurately correlated with the standard's requirements, nothing in the Act or in the standard prevents him from using his tests to determine that his product conforms to the standard. The Bureau wishes to encourage new developments in the field of testing, and does not intend that the amended standard should inhibit them.

The proposal has been further changed by incorporating the substance of the test procedures in SAE J879b into the text of the standard and by adopting the accompanying drawings as figures 1-5 of the standard.

Effective date. January 1, 1972.

Several comments indicated that the proposed effective date of January 1, 1971, would leave many manufacturers unable to comply, particularly with respect to multipurpose passenger vehicles and trucks. Therefore, it has been determined that there is good cause for specifying an effective date more than 1 year after the date of publication.

(Secs. 103 and 119 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1407, and the delegation of authority by the Secretary of Transportation to the Director of the National Highway Safety Bureau, 49 CFR 1.51)

Issued on September 23, 1970.

CHARLES H. HARTMAN,
Acting Director.

MOTOR VEHICLE SAFETY STANDARD No. 207
SEATING SYSTEMS—PASSENGER CARS, MULTI-PURPOSE PASSENGER VEHICLES, TRUCKS AND BUSES

S1. Purpose and scope. This standard establishes requirements for seats, their attachment assemblies, and their installation to minimize the possibility of their failure by forces acting on them as a result of vehicle impact.

S2. Application. This standard applies to passenger cars, multipurpose passenger vehicles, trucks and buses.

S3. Definition. "Occupant seat" means a seat that provides at least one designated seating position.

S4. Requirements.

S4.1 Driver's seat. Each vehicle shall have an occupant seat for the driver.

S4.2 General performance requirements. When tested in accordance with S5, each occupant seat, other than a side-facing seat or a passenger seat on a bus, shall withstand the following forces:

(a) In any position to which it can be adjusted—20 times the weight of the seat applied in a forward longitudinal direction;

(b) In any position to which it can be adjusted—20 times the weight of the seat applied in a rearward longitudinal direction;

(c) For a seat belt assembly attached to the seat—the force specified in subparagraph (a), if it is a forward facing seat, or subparagraph (b), if it is a rearward facing seat, in each case applied simultaneously with the forces imposed on the seat by the seat belt assembly when it is loaded in accordance with section S4.2 of Federal Motor Vehicle Safety Standard No. 210; and

(d) In its rearmost position—a force that produces a 3,300 inch-pound moment about the seating reference point for each designated seating position that the seat provides, applied to the upper cross-member of the seat back or the upper seat back, in a rearward longitudinal direction for forward-facing seats and in a forward longitudinal direction for rearward-facing seats.

S4.2.1 Seat adjustment. Except for vertical movement of nonlocking suspension type occupant seats in trucks or buses, the seat shall remain in its adjusted position during the application of each force specified in S4.2.

S4.3 Restraining device for hinged or folding seats or seat backs. Except for a passenger seat in a bus or a seat having a back that is adjustable only for the comfort of its occupants, a hinged or folding occupant seat or occupant seat back shall be equipped with a self-locking device for restraining the hinged or folding seat or seat back and a control for releasing that restraining device.

S4.3.1 Accessibility of release control. The control for releasing the restraining device shall be readily accessible to the

occupant of a seat equipped with the device and, if access to the control is required for exit from the vehicle, to the occupant of a designated seating position immediately behind the seat.

S4.3.2 Performance of restraining device.

S4.3.2.1 Static force.

(a) Once engaged, the restraining device for forward-facing seat shall not release or fail when a forward longitudinal force equal to 20 times the weight of the hinged or folding portion of the seat is applied through the center of gravity of that portion of the seat.

(b) Once engaged, the restraining device for a rearward facing seat shall not release or fail when a rearward longitudinal force equal to 8 times the weight of the hinged or folding portion of the seat is applied to the center of gravity of that portion of the seat.

S4.3.2.2 Acceleration. Once engaged, the restraining device shall not release or fail when the device is subjected to an acceleration of 20 g. in the longitudinal direction opposite to that in which the seat folds.

S4.4 Labeling. Seats not designated for occupancy while the vehicle is in motion shall be conspicuously labeled to that effect.

S5. Test procedures.

S5.1 Apply the forces specified in S4.2 (a) and S4.2(b) as follows:

S5.1.1 If the seat back and the seat bench are attached to the vehicle by the same attachments, secure a strut on each side of the seat from a point on the outside of the seat frame in the horizontal plane of the seat's center of gravity to a point on the frame as far forward as possible of the seat anchorages. Between the upper ends of the struts place a rigid cross-member, in front of the seat back frame for rearward loading and behind the seat back frame for forward loading. Apply the force specified by S4.2(a) or S4.2(b) horizontally through the rigid cross-member as shown in figure 1.

S5.1.2 If the seat back and the seat bench are attached to the vehicle by different attachments, attach to each component a fixture capable of transmitting a force to that component. Apply forces equal to 20 times the weight of the seat back horizontally through the center of gravity of the seat back, as shown in figure 2, and apply forces equal to 20 times the weight of the seat bench horizontally through the center of gravity of the seat bench, as shown in figure 3.

S5.2 Develop the moment specified in S4.2(d) as shown in figure 4.

S5.3 Apply the forces specified in S4.3.2.1 (a) and (b) to a hinged or folding seat as shown in figure 1 and to a hinged or folding seat back as shown in figure 5.

S5.4 Determine the center of gravity of a seat or seat component with all cushions and upholstery in place and with the head restraint in its fully extended design position.

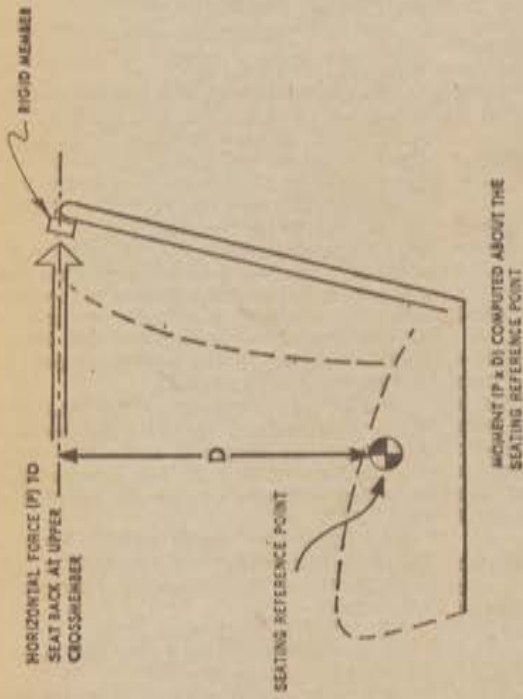


FIGURE 4

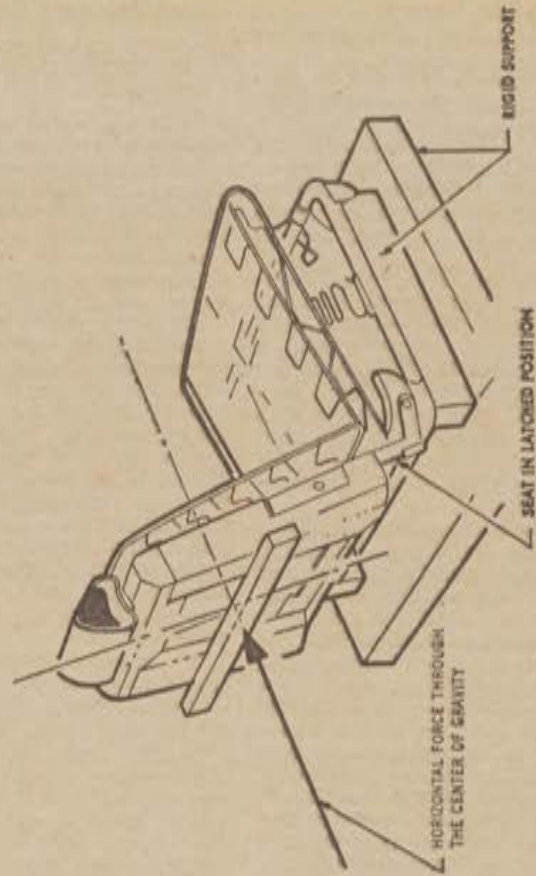


FIGURE 5

[F.R. Doc. 70-12979; Filed, Sept. 30, 1970; 8:45 a.m.]

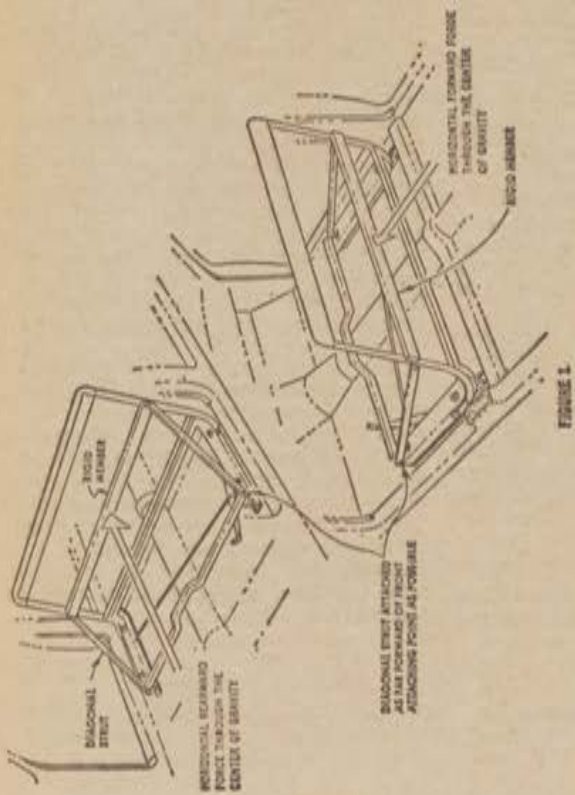


FIGURE 1

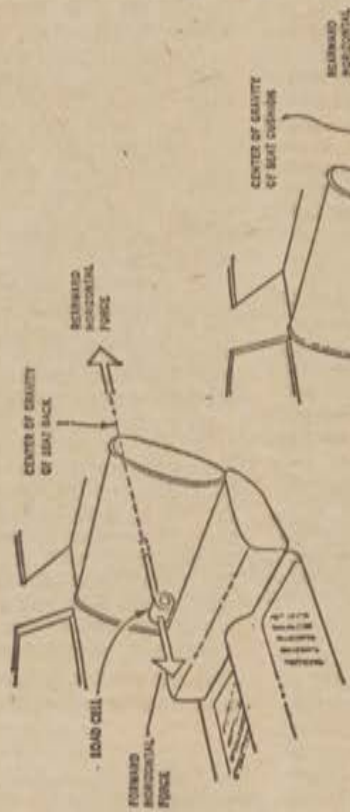


FIGURE 2



FIGURE 3

[Docket No. 2-14; Notice 3]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Safety Standard No. 210—Seat Belt Assembly Anchorages—Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses

The purpose of this amendment to § 571.21 of Title 49, Code of Federal Regulations, is to extend the application of Motor Vehicle Safety Standard No. 210, Seat Belt Assembly Anchorages, to multipurpose passenger vehicles, trucks and buses, to clarify the language of the standard, and to specify more definite performance requirements and test procedures. A notice of proposed rulemaking on this subject was published September 20, 1969 (34 F.R. 14658).

The proposed inclusion of multipurpose passenger vehicles, trucks and buses drew a large number of comments, many of them from manufacturing and trade associations. The American Trucking Association, representing truck operators, stated that the value of seat belts in trucks had not been established, that the costs would outweigh any benefits, and that truck drivers would not wear the belts. The Recreational Vehicle Institute, representing manufacturers of several types of multipurpose passenger vehicles, stated that the design and expected use of seats in their vehicles would present substantial technical difficulties in addition to the economic difficulties which many small manufacturers may encounter. After consideration of these arguments and others of a similar nature, no cause has been found to restrict the application of the amended standard. All available evidence indicates that the installation of seat belts and seat belt anchorages in multipurpose passenger vehicles, trucks and buses will produce safety benefits similar to those observed in studies of passenger car accidents.

Several of the changes suggested by the notice of proposed rulemaking were the subject of comments. The notice proposed to clarify the location of the anchorages by specifying that the angle between a horizontal line and a line from the anchorage to the seating reference point had to be not less than 30° and not more than 60°. Several comments regarded this range as too narrow. After reconsideration, the range has been broadened to between 20° and 75°, a range similar to that recently proposed by two international standards organizations. It is felt that this range sets safe limits on the seat belt angles without sacrificing the definiteness sought in the notice of proposed rulemaking.

The notice proposed that anchorages be located at least 15 inches apart laterally. Several respondents argued that they knew of no safety risk resulting from anchorage spacing, and suggested narrower spacing. Although extremely narrow spacing may increase compressive forces on the pelvis, there appears to be merit to the argument for spacing narrower than that proposed in the no-

tice. Accordingly, the requirements have been revised to read "at least 13.75 inches apart laterally for outboard seats" and "at least 6.75 inches apart laterally for center seats."

The test procedures in the proposed rule specified a rate of load application of between 2 and 4 inches per minute. There was a consensus among respondents that the rate was too slow to be representative of crash conditions. Re-evaluation of the procedures, in the light of all comments, indicates that static strength is best demonstrated by requiring the anchorage to withstand the required load for a specified time. The load is therefore required to be maintained for 10 seconds. Although it is expected that the 10-second maintenance period will eliminate most effects of variation in the rate of load application, as further insurance the standard retains broad boundaries for the rate and time of load application.

Requirements for seat belt assembly anchorages for side-facing seats were specified in the notice of proposed rulemaking. Two manufacturers of multipurpose passenger vehicles pointed out that no standard test procedures have been developed for side-facing seats and that the test procedures proposed by the notice would not produce meaningful results. For this reason, anchorages for side-facing seats are exempted from the performance requirements of the standard, although their installation is still required for each designated seating position on a side-facing seat. It is expected that adequate test procedures will be developed in the near future.

The notice incorporated, by reference, Society of Automotive Engineers Standard J787b, "Motor Vehicle Seat Belt Anchorage," September 1966. Drawings from Standard J787b, along with other relevant material, have been assimilated into the amended standard, and references to it have therefore been deleted.

The procedures in S5 of the proposed rule provide that a body block "or an approved equivalent device" should be used to test for compliance. To avoid any suggestion that the Bureau will be using devices other than those depicted in the standard, the quoted phrase has been deleted.

Effective date. In consideration of the foregoing, Motor Vehicle Safety Standard No. 210 in section 571.21 of Title 49 of the Code of Federal Regulations is amended, effective January 1, 1971, for passenger cars and July 1, 1971, for multipurpose passenger vehicles, trucks and buses, as set forth below. The amendment requires no new installations for passenger cars and the docket comments did not indicate that the changes made in the standard would make an effective date of January 1, 1971 unreasonable for passenger car manufacturers. For these reasons there is good cause for finding that an earlier effective date than 180 days after issuance of these amendments is in the public interest.

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

1392, 1407 and the delegation of authority from the Secretary to the Director of the National Highway Safety Bureau at 49 CFR 1.51)

Issued on September 23, 1970.

CHARLES H. HARTMAN,
Acting Director.

MOTOR VEHICLE SAFETY STANDARD No. 210

SEAT BELT ASSEMBLY ANCHORAGES—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS AND BUSES

S1. Purpose and scope. This standard establishes requirements for seat belt assembly anchorages to insure their proper location for effective occupant restraint and to reduce the likelihood of their failure.

S2. Application. This standard applies to passenger cars, multipurpose passenger vehicles, trucks and buses.

S3. Definition. "Seat belt anchorage" means the device for transferring seat belt assembly loads to the vehicle structure.

S4. Requirements.*** S4.1 Type.**

S4.1.1 Seat belt anchorages for a type 2 seat belt assembly shall be installed for each forward-facing outboard designated seating position, except in—(1) trucks having a gross vehicle weight rating of more than 10,000 pounds, (2) convertibles, (3) open-body type vehicles, (4) buses, and (5) walk-in van-type trucks.

S4.1.2 Seat belt anchorages for a type 1 or a type 2 seat belt assembly shall be installed for each designated seating position except a passenger seat in a bus or a designated seating position for which seat belt anchorages for a type 2 seat belt assembly are required by S4.1.1.

S4.2 Strength.

S4.2.1 Except for side-facing seats, the anchorage for a type 1 seat belt assembly or the pelvic portion of a type 2 seat belt assembly shall withstand a 5,000-pound force when tested in accordance with S5.1.

S4.2.2 The anchorage for a type 2 seat belt assembly shall withstand 3,000-pound forces when tested in accordance with S5.2.

S4.2.3 Permanent deformation or rupture of a seat belt anchorage or its surrounding area is not considered to be a failure, if the required force is sustained for the specified time.

S4.2.4 Except for common seat belt anchorages for forward-facing and rearward-facing seats, floor-mounted seat belt anchorages for adjacent designated seating positions shall be tested by simultaneously loading the seat belt assemblies attached to those anchorages.

S4.3 Location. As used in this section, "forward" means in the direction in which the seat faces, and other directional references are to be interpreted accordingly.

S4.3.1 Seat belt anchorages for type 1 seat belt assemblies and the pelvic portion of type 2 seat belt assemblies.

S4.3.1.1 In an installation in which the seat belt does not bear upon the seat

frame, a line from the seating reference point to the nearest belt contact point on the anchorage for a nonadjustable seat, or from a point 2.5 inches forward of and 0.375 inch above the seating reference point to the nearest belt contact point on the anchorage for an adjustable seat in its rearmost position, shall extend forward from the anchorage at an angle with the horizontal of not less than 20° and not more than 75°.

S4.3.1.2 In an installation in which the belt bears upon the seat frame, the seat belt anchorage, if not on the seat structure, shall be aft of the rearmost belt contact point on the seat frame with the seat in the rearmost position. The line from the seating reference point to the nearest belt contact point on the seat frame shall extend forward from that contact point at an angle with the horizontal of not less than 20° and not more than 75°.

S4.3.1.3 In an installation in which the seat belt anchorage is on the seat structure, the line from the seating reference point to the nearest belt contact point on the anchorage shall extend forward from that contact point at an angle with the horizontal of not less than 20° and not more than 75°.

S4.3.1.4 Anchorages for an individual seat belt assembly shall be located at least 13.75 inches apart laterally for outboard seats and at least 6.75 inches apart laterally for other seats.

S4.3.2 *Seat belt anchorages for the upper torso portion of type 2 seat belt assemblies.*

With the seat in its full rearward and downward position and the seat back in its most upright position, the seat belt anchorage for the upper end of the upper torso restraint shall be located within the acceptable range shown in figure 1, with reference to a two dimensional manikin described in SAE Standard J826 (November 1962) whose "H" point is at the seating reference point and whose torso line is at the same angle from the vertical as the seat back.

S5. *Test procedures.* Each vehicle shall meet the requirements of S4.2 when tested according to the following procedures. Where a range of values is specified, the vehicle shall be able to meet the requirements at all points within the range.

S5.1 *Seats with type 1 or type 2 seat belt anchorages.* With the seat in its rearmost position, apply a force of 5,000 pounds in the direction in which the seat faces to a pelvic body block as described in figure 2, restrained by a type 1 or the pelvic portion of a type 2 seat belt assembly, as applicable, in a plane parallel to the longitudinal centerline of the vehicle, with an initial force application angle of not less than 5° nor more than 15° above the horizontal. Apply the force at the onset rate of not more than 50,000 pounds per second. Attain the 5,000-pound force in not more than 30 seconds and maintain it for 10 seconds.

S5.2 *Seats with type 2 seat belt anchorages.* With the seat in its rearmost position, apply forces of 3,000 pounds in the direction in which the seat faces

simultaneously to pelvic and upper torso body blocks as described in figures 2 and 3, restrained by a type 2 seat belt assembly, in a plane parallel to the longitudinal centerline of the vehicle, with an initial force application angle of not less than 5° nor more than 15° above the horizontal. Apply the forces at the onset rate of not more than 30,000 pounds per second. Attain the 3,000-pound forces in not more than 30 seconds and maintain them for 10 seconds.

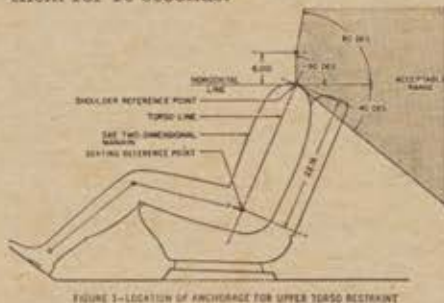


FIGURE 1—LOCATION OF ANCHORAGE FOR UPPER TORSO RESTRAINT

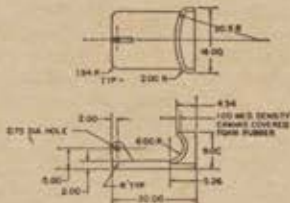


FIGURE 2—BODY BLOCK FOR LAP BELT ANCHORAGE



FIGURE 3—BODY BLOCK FOR COMBINATION SHOULDER AND LAP BELT ANCHORAGE

[F.R. Doc. 70-12978; Filed, Sept. 30, 1970; 8:45 a.m.]

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1030; Amdt. 5]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized To Operate Over Tracks of Atchison, Topeka and Santa Fe Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 24th day of September 1970.

Upon further consideration of Service Order No. 1030 (34 F.R. 11211, 15250, 35 F.R. 5334, 10661), and good cause appearing therefor:

It is ordered, That:

Section 1033.1030 Service Order No. 1030 (Chicago, Rock Island and Pacific Railroad Co., authorized to operate over

tracks of the Atchison, Topeka and Santa Fe Railway Co.), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., September 30, 1970.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 370, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

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

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,
Acting Secretary.

[F.R. Doc. 70-13139; Filed, Sept. 30, 1970; 8:50 a.m.]

[Sixth Revised S.O. 1041]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 25th day of September 1970.

It appearing, that an acute shortage of certain plain boxcars exists on the railroads named in section (a) paragraph (1) herein; that shippers located on the lines of these carriers are being deprived of such cars required for loading, resulting in a severe emergency and causing grain elevators to be unable to accept newly harvested grain, or to store grain on the ground, thus creating economic loss; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1041 Service Order No. 1041.

(a) *Distribution of boxcars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules,

regulations, and practices with respect to its car service:

(1) Return to owners empty, except as otherwise authorized in paragraphs (2) and (4) herein, all plain boxcars which are listed in the Official Railway Equipment Register, ICC R.E.R. 376, issued by E. J. McFarland, or reissues thereof, as having mechanical designation XM, with inside length 44 feet 6 inches or less and equipped with doors less than 9 feet wide, owned by the following railroads:

The Atchison, Topeka and Santa Fe Railway Co.
Burlington Northern Inc.
Chicago, Rock Island and Pacific Railroad Co.
Chicago and North Western Railway Co.
Soo Line Railroad Co.

(2) Except as otherwise provided in paragraph (4) herein, boxcars described in paragraph (1) herein may be loaded to stations on the lines of the owning railroad, or to any other station which is closer to the owner than the station at which loaded. After unloading at a junction with the car owner, such cars shall be delivered to the car owner at that junction, either loaded or empty.

(3) Boxcars described in paragraph (1) herein shall not be back-hauled empty, from a junction with the car owner.

(4) Boxcars described in paragraph (1) herein located at a point other than a junction with the car owner shall not be back-hauled empty, except for the purpose of loading to a junction with the car owner to a station on the lines of the car owner.

(5) Junction points with the car owner shall be those listed by the car owner in the Official Railway Equipment Register, ICC R.E.R. No. 376, issued by E. J. McFarland, or reissues thereof, under the heading "Freight Connections and Junction Points."

(6) In determining distances to the car owner from the points of loading or unloading, tariff distances applicable via the lines of the carriers obligated under Car Service Rules 1 and 2 to move the car shall be used.

(7) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded boxcar for movements contrary to the provisions of paragraphs (2) or (4) of this section.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., September 30, 1970.

(d) *Expiration date.* This order shall expire at 11:59 p.m., October 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

It is further ordered, That a copy of this order and direction shall be served

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[F.R. Doc. 70-13140; Filed, Sept. 30, 1970;
8:50 a.m.]

[Revised S.O. 1043; Corrected Amdt. 1]

PART 1033—CAR SERVICE

Regulations for Return of Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 23d day of September 1970.

Upon further consideration of Revised Service Order No. 1043 (35 F.R. 11402) and good cause appearing therefor:

It is ordered, That:

Section 1033.1043 *Service Order No. 1043* (Regulations for return of hopper cars) be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., September 30, 1970.

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[F.R. Doc. 70-13141; Filed, Sept. 30, 1970;
8:50 a.m.]

[S.O. 1049]

PART 1033—CAR SERVICE

Regulations for Return of Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service

Board, held in Washington, D.C., on the 23d day of September 1970.

It appearing, that an acute shortage of hopper cars exists on the railroads named in section (a) paragraph 1 herein; that shippers located on the lines of these carriers are being deprived of hopper cars required for loading, resulting in an emergency, forcing curtailment of their operations, and thus creating great economic loss and reduced employment of their personnel; that coal stockpiles of several utility companies are being depleted; that hopper cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owners; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1049 *Service Order No. 1049.*

(a) *Regulations for return of hopper cars.* Each common carrier by railroad subject to the Interstate Commerce Act, with the exception of those carriers named in Service Order No. 1043 (Service Order No. 1043 remains in effect, and carriers named therein must continue to comply with its provisions), shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Exclude from all loading and return to owner empty, except as otherwise authorized in paragraphs (2) and (3), all hopper cars owned by the following railroads:

The Akron Canton & Youngstown Railroad Co.
Chicago, Rock Island and Pacific Railroad Co.
Gulf, Mobile and Ohio Railroad Co.
Illinois Central Railroad Co.
Missouri-Kansas-Texas Railroad Co.
Missouri Pacific Railroad Co.
The Pittsburg & Shawmut Railroad Co.
The St. Louis-San Francisco Railway Co.
Western Maryland Railway Co.

(2) Hopper cars described in paragraph (1) herein may be loaded to stations on the lines of the owning railroad, provided such loading is available at unloading point. Backhauling of empties is prohibited.

(3) For the purpose of improving car utilization and the efficiency of railroad operations, or alleviating inequities or hardships, modifications may be authorized by the Chief Transportation Officer of the car owner. Such modifications must be confirmed in writing to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for submission to R. D. Pfahler, Director, Bureau of Operations, Interstate Commerce Commission.

(4) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded hopper car for movements contrary to the provisions of paragraphs (2) and (3) of this section.

(b) The term "hopper cars" as used in this order, means freight cars having a mechanical designation "HD", "HM", "HK", or "HT" in the Official Railway Equipment Register, ICC R.E.T. No. 376, issued by E. J. McFarland, or reissues thereof.

(c) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(d) *Effective date.* This order shall become effective at 11:59 p.m., September 30, 1970.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,
Acting Secretary.

[F.R. Doc. 70-13142; Filed, Sept. 30, 1970; 8:50 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

Certain National Wildlife Refuges

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ARIZONA AND CALIFORNIA

HAVASU NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots, and gallinules on the Havasu National Wildlife Refuge, Arizona and California, is permitted as follows: Ducks, coots, and gallinules, from October 3 through November 11, 1970, inclusive, and from November 26, 1970, through January 17, 1971, inclusive; geese, from November 26, 1970, through January 10, 1971, inclusive, but only on the areas designated by signs as open to hunting. These open areas, comprising 13,200 acres, is delineated on maps available at refuge headquarters, Needles, Calif., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots, and gallinules subject to the following special condition:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation.

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, Part 32, and are effective through January 17, 1971.

IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots, and gallinules on the Imperial National Wildlife Refuge, Arizona and California, is permitted as follows: Ducks, coots, and gallinules, from October 3 through November 11, 1970, inclusive, and from November 26, 1970, through January 17, 1971, inclusive; geese, from November 26, 1970, through January 10, 1971, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 16,500 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

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, Part 32, and are effective through January 17, 1971.

COLORADO

ALAMOSA NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe on the Alamosa National Wildlife Refuge, Colo., is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Ducks, coots and mergansers: October 1, 1970, through January 14, 1971, inclusive.

(2) Canada geese: October 31, 1970, through January 17, 1971, inclusive. Hunting of Canada geese is restricted to those persons who have secured a special Colorado State permit for the Special San Luis Valley Goose Hunt.

(3) Mourning doves: October 1 through October 30, 1970, inclusive.

(4) Sora and Virginia rails: October 1 through November 9, 1970, inclusive.

(5) Wilson's snipe: October 1 through November 4, 1970, inclusive.

This open area, comprising 3,267 acres, is delineated on maps available at refuge headquarters, Alamosa, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe, subject to the following special conditions:

(1) A special permit is required for persons hunting ducks and coots during the Special San Luis Valley Season, October 1 through October 18, 1970, inclusive.

(2) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead ducks.

(3) Boats—The use of boats is prohibited.

(4) Admittance—Entrance to the open area and parking of vehicles will be restricted to designated parking areas.

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, Part 32, and are effective through January 17, 1971.

BROWNS PARK NATIONAL WILDLIFE REFUGE

Public hunting of ducks, coots, and mergansers on the Browns Park National Wildlife Refuge, Colo., is permitted from October 10, 1970, through January 10, 1971, inclusive; geese, from November 14 through December 20, 1970, inclusive; but only on the area designated by signs as open to hunting. This open area, comprising 1,775 acres, is delineated on maps available at refuge headquarters, Grey-stone, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots and mergansers subject to the following special condition:

(1) Vehicle travel within the refuge will be restricted to designated routes and parking areas where hunters must check in and out of the hunting area.

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, Part 32, and are effective through January 10, 1971.

MONTE VISTA NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe on the Monte Vista National Wildlife Refuge, Colo., is permitted in accordance with conditions as outlined below, but only on the area designated by signs as open to hunting:

(1) Ducks, coots and mergansers: October 1, 1970, through January 14, 1971, inclusive.

(2) Canada geese: October 31, 1970, through January 17, 1971, inclusive. Hunting of Canada geese is restricted to those persons who have secured a special Colorado State permit for the Special San Luis Valley Goose Hunt.

(3) Mourning doves: October 1 through October 30, 1970, inclusive.

(4) Sora and Virginia rails: October 1 through November 9, 1970, inclusive.

(5) Wilson's snipe: October 1 through November 4, 1970, inclusive.

This open area, comprising 5,314 acres, is delineated on maps available at refuge headquarters, Monte Vista, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese, ducks, coots, mergansers, mourning doves, sora and Virginia rails, and Wilson's snipe subject to the following special conditions:

(1) A special permit is required for persons hunting ducks and coots during the Special San Luis Valley Season, October 1 through October 18, 1970, inclusive.

(2) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead ducks.

(3) Boats—The use of boats is prohibited.

(4) Admittance—Entrance to the open area and parking of vehicles will be restricted to designated parking areas.

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, Part 32, and are effective through January 17, 1971.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, and coots on the Flint Hills National Wildlife Refuge, Kans., is permitted as follows: Ducks and coots, from October 17 through December 13, 1970, inclusive, and from December 20 through December 31, 1970, inclusive; geese, from October 17 through December 30, 1970, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 5,165 acres, is delineated on maps available at refuge headquar-

ters, Burlington, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots subject to the following special conditions:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Dogs—Not to exceed two per hunter may be used only to retrieve.

(3) Blinds—Only temporary blinds, constructed above ground of natural vegetation, are permitted.

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, Part 32, and are effective through December 31, 1970.

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, and coots on the Kirwin National Wildlife Refuge, Kans., is permitted as follows: Ducks and coots, from October 17 through December 13, 1970, inclusive, and from December 20 through December 31, 1970, inclusive; geese, from October 17 through December 30, 1970, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,300 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots subject to the following special condition:

(1) Blinds—Temporary blinds, constructed above ground from natural vegetation, are permitted. Digging of holes or pits to serve as blinds is prohibited.

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, Part 32, and are effective through December 31, 1970.

QUIVIRA NATIONAL WILDLIFE REFUGE

Public hunting of ducks, coots, gallinules, and mergansers on the Quivira National Wildlife Refuge, Kans., is permitted from October 17 through December 13, 1970, inclusive, and from December 20 through December 31, 1970, inclusive; geese, from October 17 through December 30, 1970, inclusive. Hunting of mourning doves, snipe, and woodcock is permitted when the respective seasons are concurrent with the waterfowl seasons as designated by the Kansas Forestry, Fish and Game Commission. Hunting shall be only on the areas designated by signs as open to hunting. These open areas, comprising 7,990 acres, are delineated on maps available at refuge headquarters, Stafford, Kans., and from the Regional Director, Bureau of Sport Fish-

eries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, coots, gallinules, geese, mourning doves, snipe, and woodcock subject to the following special conditions:

(1) Blinds—Only temporary blinds constructed above ground of natural vegetation are permitted.

(2) Dogs—Not to exceed two per hunter may be used only for retrieving.

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, Part 32, and are effective through December 31, 1970.

NEW MEXICO

BITTER LAKE NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots, and sandhill cranes on the Bitter Lake National Wildlife Refuge, N. Mex., is permitted as follows: Ducks, geese and coots, from October 24, 1970 through January 17, 1971, inclusive, but only on the area, comprising 3,320 acres, designated by signs as open to hunting; sandhill cranes, from October 31, 1970, through January 10, 1971, inclusive, but only on the area, comprising 2,520 acres, designated by signs as open to hunting. These open areas are delineated on maps available at refuge headquarters, Roswell, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots, and sandhill cranes.

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, Part 32, and are effective through January 17, 1971.

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Public hunting of snow, blue, and Ross' geese only on the Bosque del Apache National Wildlife Refuge, N. Mex., is permitted each day from January 1 through January 17, 1971, but only on the area designated by signs as open to hunting. This open area, Unit B comprising 1,300 acres, is delineated on maps available at refuge headquarters, San Antonio, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese subject to the following special conditions:

(1) Bag and possession limit: 2 geese, which may not include more than 1 Ross' goose.

(2) Shooting hours shall be from sunrise to noon.

(3) Hunting is permitted only from the assigned blind, with no more than

three hunters per blind. Blinds assigned on a first-come basis.

(4) Hunters shall check in 1 hour before sunrise and check out at the station in person no later than 12:30 p.m.

(5) During a 1-day hunt period, no hunter shall take to or fire more than 4 rounds of ammunition while hunting from the assigned blind.

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, Part 32, and are effective through January 17, 1971.

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, and coots on the Tishomingo National Wildlife Refuge, Okla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots subject to the following special conditions:

(1) Ducks and coots may be hunted in Zone 1 from sunrise to 12 noon on Tuesdays, Thursdays, Saturdays, and Sundays from October 17 through November 29, 1970, inclusive, and from December 12, 1970, through January 5, 1971, inclusive; in Zone 2 from November 14, 1970, through January 5, 1971, inclusive. Geese may be hunted from one-half hour before sunrise to 12 noon on Tuesdays, Thursdays, Saturdays and Sundays from November 14 through December 27, 1970, inclusive. The entire 3,170 acres will be closed to hunting on Christmas and New Years.

(2) Each hunter shall be limited to eight shells in possession when entering Zone 3, and 25 shells in possession when entering Zone 1 of the Management Unit.

(3) Sky-busting (shooting at waterfowl far beyond reasonable killing range) is against area regulations. Hunters in violation will be removed from the blinds and their season's hunting privileges will be revoked.

(4) In Zone 3, 35 goose blinds are provided, and hunters will be assigned to blinds by applying for a blind reservation. Temporary blinds may not be constructed in Zone 3. Eight duck blinds are provided in Zone 1, and hunters will be assigned to these blinds on a first-come first-choice basis. Construction of temporary blinds may be done in the pothole area in Zone 1. These blinds may be placed where desired after giving due consideration to safety and hunting opportunities of other sportsmen, but blinds must be at least 80 yards apart.

(5) Hunting of geese in Zone 3 is by application, and actual blind assignment is determined by a punchboard. Hunters will be accepted into Zone 1 on a first-come first-choice basis. All hunters, upon entering or leaving the area, shall report

at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

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, Part 32, and are effective through January 5, 1971.

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

Public hunting of ducks, coots, mergansers, and whistling swans on the Bear River Migratory Bird Refuge, Utah, is permitted from October 3, 1970, through January 3, 1971, inclusive; and geese, from October 24 through December 20, 1970, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 12,855 acres, is delineated on maps available at refuge headquarters, Brigham City, Utah, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots, mergansers, and whistling swans subject to the following special conditions:

(1) Area A—No hunting is permitted from roadways or within 100 yards of any roadway.

Area B—No hunting is permitted from roadways or adjacent area as posted by signs.

(2) The use of boats is permitted except that airthrust boats may not be used in Unit 2 on weekends and holidays. Airthrust boats may be launched only from designated boat ramps. Boats may be left at designated areas 1 week prior to and during the hunting season. All boats and trailers must be removed within 2 weeks after the close of the hunting season.

(3) Parking—Hunters may park cars only at designated areas within the refuge.

(4) Checking in and out—Each hunter who enters Area A is requested to register at the checking station and check out before leaving the refuge. Those hunting in Area B are not required to register on entering or leaving the refuge.

(5) Routes of travel: To reach open hunting areas, travel is permitted on foot or bicycle over roads between Units 1 and 2 and Units 2 and 3. Travel by boats from checking station using the canal between Units 1 and 2, or down main river channel into Unit 2, or using the canal between Units 2 and 3. Travel by boats and trailers over dike roads to designated parking and launching areas. Airthrust boats may use designated travel lanes across a closed portion of the refuge leading to the open area south and southwest of the refuge.

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, Part 32,

and are effective through January 3, 1971.

FISH SPRINGS NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Fish Springs National Wildlife Refuge, Utah, is permitted from October 3, 1970, through January 3, 1971, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 1,587 acres, is delineated on maps available at refuge headquarters, Dugway, Utah, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks and coots.

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, Part 32, and are effective through January 3, 1971.

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots, and mergansers on the Pathfinder National Wildlife Refuge, Wyoming, is permitted as follows: Ducks, coots, and mergansers, from October 3 through October 31, 1970, inclusive; geese, from November 18, 1970, through January 17, 1971, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,760 acres, is delineated on maps available at refuge headquarters, Walden, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots, and mergansers subject to the following special condition:

(1) Blinds—The construction of permanent blinds or pits is not permitted. Portable blinds may be used but not left on the refuge.

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, Part 32, and are effective through January 17, 1971.

SEEDSKADEE NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, coots and mergansers on the Seedskadee National Wildlife Refuge, Wyo., is permitted as follows: Ducks, coots, and mergansers, from October 3 through December 31, 1970, inclusive; geese, from October 17 through December 13, 1970, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 12,370 acres, is delineated on maps available at refuge headquarters, Green River, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots and mergansers.

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, Part 32, and are effective through December 31, 1970.

R. F. STEPHENS,
*Acting Regional Director,
Albuquerque, N. Mex.*

SEPTEMBER 25, 1970.

[F.R. Doc. 70-13129; Filed, Sept. 30, 1970;
8:49 a.m.]

PART 32—HUNTING

**Sand Lake National Wildlife Refuge,
S. Dak.**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

SOUTH DAKOTA

SAND LAKE NATIONAL WILDLIFE REFUGE

Public hunting of waterfowl on the Sand Lake National Wildlife Refuge is permitted only on the areas designated by signs as open to hunting. These open areas, totalling 160 acres, are designated on a map available from the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111.

Hunting shall be in accordance with all applicable State regulations concerning the hunting of waterfowl subject to the following conditions:

(1) The open season for hunting geese on the refuge is from October 3, 1970, through December 16, 1970, inclusive. The open season for hunting ducks and coots on the refuge is from October 3, 1970, through December 11, 1970, inclusive.

(2) Hunting will be from established blind sites only, without cost, with each site restricted to not to exceed three hunters, and on a first-come, first-served basis. Blind sites and their use are more specifically described on a map and a list of regulations available at each of the hunting sites.

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, Part 32, and are effective through December 16, 1970.

R. W. BURWELL,
*Regional Director, Bureau of
Sport Fisheries and Wildlife.*

SEPTEMBER 24, 1970.

[F.R. Doc. 70-13083; Filed, Sept. 30, 1970;
8:46 a.m.]

PART 32—HUNTING

**Lacassine and Sabine National
Wildlife Refuges, La.**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

LOUISIANA

LACASSINE NATIONAL WILDLIFE REFUGE

Public hunting of waterfowl is permitted on Lacassine National Wildlife Refuge only on the area designated by signs as open to hunting. The open area comprises 6,400 acres or approximately 20 percent of the total refuge area and is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Waterfowl hunting shall be in accordance with applicable State and Federal regulations subject to the following special conditions:

(1) Waterfowl hunting is permitted 5 half-days per week, Wednesday through Sunday, during the periods November 7-29, 1970, and December 12, 1970-January 10, 1971, except no hunting Christmas day, December 25.

(2) Shooting hours: One-half hour before sunrise to 12 noon daily. Hunters may enter the refuge 2 hours prior to shooting time and must depart the hunting area by 1 p.m.

(3) Temporary blinds of native vegetation may be constructed or portable blinds can be carried in for each hunt.

(4) During the waterfowl season only, small boats may be left on the area at the owners risk provided they do not block traffic and provided they are removed from the refuge not later than January 10, 1971. Airboats may not be used on the refuge.

(5) The use of retriever dogs is permitted and encouraged but they must be under control at all times.

(6) Hunting is not permitted within refuge waterways and hunters must station themselves a minimum of 50 yards inland from all streams and canals. Hunting along lake and pond edges is permissible.

(7) All guns must be encased or dismantled while traveling through waterways.

(8) Hunters shall not interfere with any refuge trapper during his daily rounds nor disturb any trap or set.

SABINE NATIONAL WILDLIFE REFUGE

Public waterfowl hunting on the Sabine National Wildlife Refuge is permitted only in areas designated by signs as open to hunting. These areas, comprising approximately 10,000 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Waterfowl hunting shall be in accordance with all applicable State and Federal regulations except for the following special conditions:

(1) Waterfowl hunting is permitted 5 half-days per week, Wednesday through Sunday, during the periods November 7-29, 1970, and December 12, 1970-

January 10, 1971, except no hunting Christmas Day, December 25.

(2) Shooting hours: One-half hour before sunrise until 12 noon daily. Hunters may enter the hunting area 2 hours prior to legal shooting time and must depart the hunting area by 1 p.m.

(3) Firearms must be encased or dismantled when carried in transit through refuge canals.

(4) Temporary blinds of native vegetation may be constructed or portable blinds can be carried in for each hunt.

(5) Use of retriever dogs is permitted, but must be under control of hunter at all times.

(6) Livestock, fur bearers, and trapping equipment present in the hunting areas shall not be molested or disturbed by hunters.

(7) Running lights will be required on all boats using refuge canals before sunrise.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 10, 1971.

W. L. TOWNS,
*Acting Regional Director,
Bureau of Sport Fisheries and Wildlife.*

SEPTEMBER 23, 1970.

[F.R. Doc. 70-13082; Filed, Sept. 30, 1970;
8:46 a.m.]

PART 32—HUNTING

**Certain National Wildlife Refuges in
Idaho; Correction**

In F.R. Doc. 70-11874, appearing at page 14219 of the issue for Wednesday, September 9, 1970, the following additions should be made:

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Add the following special condition under Kootenai National Wildlife Refuge and before Minidoka National Wildlife Refuge:

Special Condition: Hunting permitted only on Wednesdays, Saturdays, and Sundays.

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

Add the following special condition under Kootenai National Wildlife Refuge and before Minidoka National Wildlife Refuge:

Special Condition: Pheasants may be hunted only on Wednesdays, Saturdays, and Sundays.

TRAVIS S. ROBERTS,
*Deputy Regional Director, Bu-
reau of Sport Fisheries and
Wildlife.*

SEPTEMBER 23, 1970.

[F.R. Doc. 70-13080; Filed, Sept. 30, 1970;
8:45 a.m.]

PART 32—HUNTING

PART 33—SPORT FISHING

Upper Mississippi River Wildlife and Fish Refuge, Ill., and Certain Other States

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The public hunting of migratory game birds on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin, is permitted on the areas designated by signs as "open" to hunting. Hunting of migratory game birds is not permitted on the areas designated by signs as closed to hunting. The open areas comprising 153,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111.

Hunting shall be subject to the following special conditions:

(1) Hunting of migratory game birds on designated open areas concurrent with applicable State and Federal seasons is permitted.

(2) The hunting of migratory game birds shall be in accordance with all applicable State regulations which are adopted herein and made a part of this regulation.

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, Part 32, and are effective until March 1, 1971.

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

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The public hunting of upland game birds, upland game animals, and raccoon, groundhogs, foxes, and crows on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin is permitted on the areas designated by signs as open to hunting. Restricted hunting of these species is also permitted on the areas designated by signs as closed to hunting. The open areas comprising 153,000 acres, and the closed areas comprising 41,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111.

Hunting shall be subject to the following special conditions:

(1) Hunting on designated open areas concurrent with applicable State seasons is permitted, but only during the period from the first day of the earliest fall State game bird or game animal season applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first.

(2) Hunting on designated closed areas concurrent with applicable State seasons is permitted, but only during the period from the first day after the close of the last hunting season for ducks applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first.

(3) The hunting of upland game birds, upland game animals, and raccoon, groundhogs, fox, and crows shall be in accordance with all applicable State regulations which are adopted herein and made a part of this regulation.

(4) Except with permission in writing obtained from the Refuge Manager, the discharge of guns of all types is prohibited on all lands and waters of the Upper Mississippi River Wildlife and Fish Refuge during the period from March 1 until the first day of the earliest Fall state game bird or game animal season applicable to the geographic area concerned.

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, Part 32, and are effective until March 1, 1971.

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

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The public hunting of deer on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin is permitted on the areas designated by signs as open to hunting. Restricted hunting of deer is also permitted on the areas designated by signs as closed to hunting. The open areas comprising 153,000 acres, and the closed areas comprising 41,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111.

Hunting shall be subject to the following conditions:

(1) Bow and gun deer hunting on designated open areas is permitted concurrent with applicable State seasons.

(2) Bow and gun deer hunting on designated closed areas concurrent with applicable State seasons is permitted, but only during the period from the first day after the close of the last hunting season for ducks applicable to the geo-

graphic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first.

(3) The hunting of white-tailed deer shall be in accordance with all applicable State regulations which are adopted herein and made a part of this regulation.

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, Part 32, and are effective until March 1, 1971.

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

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

Sport fishing, commercial fishing, and the taking of frogs, turtles, crayfish, and clams on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin, is permitted on all water areas of the refuge. The refuge water areas comprising 125,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. All fishing is subject to the following conditions:

(1) During the open season from January 1, 1971, through December 31, 1971, and unless further restrictions are imposed by this regulation, all fish, frogs, turtles, crayfish, and clams shall be taken in accordance with all applicable state regulations and seasons which are adopted herein and made a part hereof.

(2) All sport and commercial fishing and all travel by boat or any other means across, through, or on the Spring Lake Closed Area of the Upper Mississippi River Wildlife and Fish Refuge in Carroll County, Ill., is prohibited from October 1 through December 20.

(3) All persons, including their helpers, exercising the privilege of commercial fishing on the Spring Lake Closed Area must possess a valid commercial fishing permit issued by the Refuge Manager authorizing such commercial fishing, and must comply with all conditions as prescribed by the Refuge Manager which are set forth in the permit.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective from January 1, 1971, through December 31, 1971.

Dated: September 23, 1970.

R. W. BURWELL,
Regional Director.

[F.R. Doc. 70-13081; Filed, Sept. 30, 1970; 8:45 a.m.]

PART 32—HUNTING

**Kirwin National Wildlife Refuge,
Kans.**

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

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

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of pheasants, quail, cottontail rabbits, crows, and fox squirrels on the Kirwin National Wildlife Refuge, Kans., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,300 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kans., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of pheasants, quail, cottontail rabbits, crows, and fox squirrels subject to the following special conditions:

(1) The open season for hunting pheasants on the refuge extends from November 14, through December 31, 1970, inclusive.

(2) The open season for hunting quail on the refuge extends from November 21, 1970, through January 21, 1971, inclusive.

(3) The open season for hunting crows on the refuge extends from October 17, 1970, through January 21, 1971, inclusive.

(4) The open season for hunting cottontail rabbits and fox squirrels on the refuge shall be only on those days during the open season for the hunting of pheasants and quail.

(5) Shotguns and bow and arrows are legal weapons. Rifles or handguns will not be permitted.

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, Part 32, and are effective through January 21, 1971.

KEITH S. HANSEN,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kans.

SEPTEMBER 21, 1970.

[F.R. Doc. 70-13130; Filed, Sept. 30, 1970; 8:49 a.m.]

PART 32—HUNTING

Bosque del Apache National Wildlife Refuge, N. Mex.

On page 13582 of the FEDERAL REGISTER of August 26, 1970, there was published a notice of a proposed amendment to 50 CFR 32.31. The purpose of this amendment is to provide public hunting of big game on certain areas of the National Wildlife Refuge System, as legislatively permitted.

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

Since this amendment benefits the public by relieving existing restrictions on hunting of big game, it shall become effective upon publication in the FEDERAL REGISTER. (Sec. 7, 80 Stat. 929, 16 U.S.C. 715i; sec. 4, 80 Stat. 927, 16 U.S.C. 668dd (c) (d).)

1. Section 32.31 is amended by the following addition:

§ 32.31 List of open areas; big game.

NEW MEXICO

Bosque del Apache National Wildlife Refuge.

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 24, 1970.

[F.R. Doc. 70-13077; Filed, Sept. 30, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Valentine National Wildlife Refuge, Nebr.

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

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

NEBRASKA

VALENTINE NATIONAL WILDLIFE REFUGE

In F.R. volume 34, number 145, appearing on page 12489 of the issue for

Thursday, July 31, 1969, subparagraph (1) relating to open season for sport fishing is corrected to read:

(1) The open season for sport fishing on the refuge during daylight hours only, from January 1, 1970 through December 31, 1970, in those waters posted as open, except that all fishing is prohibited from the opening day of the regular State duck hunting season until December 15, 1970.

NED I. PEABODY,
Refuge Manager, Valentine National Wildlife Refuge, Valentine, Nebr.

SEPTEMBER 23, 1970.

[F.R. Doc. 70-13078; Filed, Sept. 30, 1970; 8:45 a.m.]

PART 33—SPORT FISHING

Valentine National Wildlife Refuge, Nebr.

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

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

NEBRASKA

VALENTINE NATIONAL WILDLIFE REFUGE

In F.R. Volume 35, Number 147, appearing on page 12209 of the issue for Thursday, July 30, 1970, subparagraph (1) relating to open season for sport fishing is corrected to read:

(1) The open season for sport fishing on the refuge during daylight hours only, from January 1, 1971, through December 31, 1971, in those waters posted as open, except that all fishing is prohibited from the opening day of the regular State duck hunting season until December 15, 1971, or until the end of the regular State duck season, whichever is earlier.

NED I. PEABODY,
Refuge Manager, Valentine National Wildlife Refuge, Valentine, Nebr.

SEPTEMBER 23, 1970.

[F.R. Doc. 70-13079; Filed, Sept. 30, 1970; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 53]

EXEMPTION FROM VARIOUS EXCISE TAXES FOR THE UNITED STATES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 4293 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 511, 917; 26 U.S.C. 4293, 7805).

RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

In order to set forth criteria under which the Secretary may authorize an exemption for the United States from excise taxes imposed by chapters 31 (retailers excise taxes) and 32 (manufacturers excise taxes), and subchapter B (communications) of chapter 33 of the Internal Revenue Code of 1954, the following new part 53 is added to subchapter D, chapter I:

§ 53.4293 Statutory provisions; exemption for United States.

Sec. 4293. *Exemption for the United States.* The Secretary may authorize exemption from the taxes imposed by chapters 31 and 32 and subchapter B of chapter 33, as to any particular article, or service or class of articles or services, to be purchased for the exclusive use of the United States, if he determines that the imposition of such taxes with respect to such articles or services, or class of articles or services will cause substantial burden or expense which can be avoided by

granting tax exemption and that full benefit of such exemption, if granted, will accrue to the United States.

§ 53.4293-1 Certain purchases for the exclusive use of the United States.

(a) *General.* The Secretary may authorize exemption from the taxes imposed by chapters 31 (retailers excise taxes) and 32 (manufacturers excise taxes) and subchapter B (communications) of chapter 33, as to any particular article or service, or class of articles or services, to be purchased for the exclusive use of the United States, if he determines (1) that the imposition of such taxes with respect to such articles or services, or class of articles or services, will cause substantial burden or expense which can be avoided by granting tax exemption, and (2) that the full benefit of such exemption, if granted, will accrue to the United States.

(b) *Criteria for exemption—(1) In general.* The Secretary will not authorize an exemption pursuant to section 4293 from any of the taxes imposed by chapter 31 or 32 or by subchapter B of chapter 33, unless the criteria set forth in this paragraph are satisfied.

(2) *Article or service must be purchased directly by and for the exclusive use of the United States.* The article or service must be purchased directly by and for the exclusive use of the United States and not for the purpose of resale. Articles or services purchased by a contractor or other person pursuant to a contract to perform work on behalf of, or to furnish articles or materials to the United States are not articles or services purchased directly by the United States.

(3) *Substantial administrative burden or expense.* It must be shown by the applicant that the imposition of a tax on a particular article or service, or class of articles or services, would cause a substantial administrative burden or expense to the United States which could be reduced or eliminated by granting an exemption. The fact that the imposition of the tax would increase the dollar cost of a purchase is not a consideration in qualifying such purchase for exemption. There must be continuous transactions by the Government involving substantial administrative costs which could be reduced or eliminated if the exemption were granted. Thus, for example, a purchase of a single truck by the Department of the Interior would not qualify for an exemption from payment of the motor vehicle excise tax (section 4061) since the purchase would not cause a substantial administrative burden or expense to the United States.

(4) *Benefit will accrue to the United States.* It must be shown that the full benefit of an exemption, if granted, would accrue to the United States. Thus, for example, an officers' club of one of the United States armed forces is not

entitled to an exemption from the tax on communications services because such tax is paid by the membership dues or assessments or from profits derived from revenue-producing activities of the officers' club and is not paid from funds of the United States.

[P.R. Doc. 70-12721; Filed, Sept. 30, 1970; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 971]

LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, hereinafter set forth, which was recommended by the South Texas Lettuce Committee, established pursuant to Marketing Agreement No. 144 and Marketing Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee are in accord with the committee's marketing policy and reflect its appraisal of the composition of the 1970-71 crop of lettuce in the Lower Valley and the marketing prospects for the season. The proposed grade, pack, and container requirements are needed in the interest of orderly marketing so as to improve returns to producers. The proposals with respect to special purpose shipments are designed to meet the different requirements for other than normal channels of trade.

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

§ 971.311 Limitation of shipments.

During the period October 16, 1970, through March 31, 1971, no person shall handle any lot of lettuce grown in the production area unless such lettuce meets the requirements of paragraphs (a), (b), (c), and (f) of this section, or unless such

lettuce is handled in accordance with paragraphs (d) or (e) of this section. Further, no person may package lettuce during the above period on any Sunday.

(a) *Grade.* Eighty percent U.S. No. 1, or better quality, with not more than 10 percent serious damage including not more than 5 percent affected by decay on any portion of the head exclusive of the wrapper leaves. Individual containers may have not less than 60 percent U.S. No. 1 quality and not more than double the specified tolerance for serious damage, including not more than three heads affected by decay in any portion of the head exclusive of the wrapper leaves.

(b) *Sizing and pack.* (1) Lettuce heads, packed in container Nos. 7303, 7306, or 7313, if wrapped, may be packed only 18, 20, 22, 24, or 30 heads per container; if not wrapped, only 18, 24, or 30 heads per container.

(2) Lettuce heads in container No. 85-40 may be packed only 24 heads per container.

(c) *Containers.* Containers may be only—

(1) Cartons with inside dimensions of 10 inches x 14 $\frac{1}{4}$ inches x 21 $\frac{5}{16}$ inches (designated as carrier container No. 7303), or

(2) Cartons with inside dimensions of 9 $\frac{3}{4}$ inches x 14 inches x 21 inches (designated as carrier container Nos. 7306 and 7313), or

(3) Cartons with inside dimensions of 21 $\frac{1}{2}$ inches x 16 $\frac{3}{8}$ inches x 10 $\frac{1}{4}$ inches (designated as carrier container No. 85-40—flat pack).

(d) *Minimum quantity.* Any person may handle up to, but not to exceed two cartons of lettuce a day without regard to inspection, assessment, grade, size, and pack requirements, but must meet container requirements. This exception may not be applied to any portion of a shipment of over two cartons of lettuce.

(e) *Special purpose shipments.* Lettuce not meeting grade, size or container requirements of paragraphs (a), (b), or (c) of this section may be handled for any purpose listed, if handled as prescribed, in this paragraph. Inspection and assessments are not required on such shipments.

(1) For relief, charity, experimental purposes, or export to Mexico, if, prior to handling, the handler pursuant to §§ 971.120-971.125 obtains a Certificate of Privilege applicable thereto and reports thereon.

(2) For export to Mexico, if the handler of such lettuce loads or transports it only in a vehicle bearing Mexican registration (license).

(f) *Inspection.* (1) No handler may handle any lettuce for which an inspection certificate is required unless an appropriate inspection certificate has been issued with respect thereto.

(2) No handler may transport, or cause the transportation of, by motor vehicle, any shipment of lettuce for which an inspection certificate is required unless each such shipment is accompanied by a copy of an inspection certificate or by a copy of a shipment release form (SPI-23) furnished by the

inspection service verifying that such shipment meets the current grade, size, pack, and/or container requirements of this section. A copy of the inspection certificate, or shipment release form applicable to each truck lot shall be available and surrendered upon request to authorities designated by the committee.

(3) For administration of this part, an inspection certificate or shipment release form required by the committee as evidence of inspection is valid for only 72 hours following completion of inspection, as shown on such certificate or form.

(g) *Definitions.* (1) "Wrapped" heads of lettuce refers to those which are enclosed individually in parchment, plastic, or other commercial film (cf. AMS 481) and then packed in cartons or other containers.

(2) "U.S. No. 1" and "serious damage" have the same meaning as in the U.S. Standards for Grades of Lettuce (§§ 51.2510-51.2531 of this title).

(3) Other terms used in this section have the same meaning as when used in Marketing Agreement No. 144 and this part.

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

Dated: September 28, 1970.

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

[F.R. Doc. 70-13106; Filed, Sept. 30, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration
[14 CFR Part 71]

[Airspace Docket No. 70-WA-10]

WASHINGTON, D.C., TERMINAL
CONTROL AREA

Notice of Proposed Rule Making

The Washington, D.C., Terminal Control Area (TCA), was suspended on August 21, 1970 (35 F.R. 13513) due to operational problems which resulted in excessive delays to departing aircraft. Under this NPRM the Federal Aviation Administration is considering an amendment that will establish a revised airspace configuration for that TCA.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 60 days after publication of this notice in the FEDERAL REGISTER

will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket will be available for examination at the office of the Regional Air Traffic Division Chief.

The operational problems which resulted in the suspension of the Washington TCA involved relatively few aircraft. More specifically, a certain few of the departing aircraft reported experiencing difficulty in achieving a rate of climb sufficient to assure flight above the floor of the TCA or to cross over the VFR corridor. These isolated instances had a domino effect upon other departing traffic with the result that the delays were amplified and the problems compounded to culminate in substantial delays to the multitude of flights scheduled to depart from Washington National Airport.

Due to these difficulties, the FAA decided to suspend the implementation of the Washington TCA and explore means to improve the operation. To that end, the views of the airspace users were sought in a meeting held in Washington on August 24, 1970. At this meeting, it was pointed out by the various user representatives that the airspace configuration used for the Washington TCA on August 20, 1970, was extremely complex and posed both operational and charting problems. It was agreed that the FAA and the concerned airspace user representatives would attempt to develop an alternative plan aimed at resolving some of the problems encountered in the August 20 implementation. At a second FAA/industry meeting on September 2, 1970, industry representatives presented as a proposal to FAA a revised airspace configuration for the Washington Terminal Area. The airspace configuration proposed by the industry group is a simplified version of the TCA airspace which was unsuccessfully implemented on August 20, 1970. It is easier to chart and more readily understood by pilots. The industry group proposed that this airspace be established as a Terminal Radar Service Area within which all pilots would be encouraged to participate voluntarily in a program which would provide radar separation to all participants.

The FAA, after giving careful consideration to all these matters, is now proposing that the revised airspace configuration developed by the industry group be adopted as a TCA for the Washington National/Andrews complex. This should provide the necessary level of safety and also should resolve the operational problems encountered by some departing aircraft on August 20. The airspace involved will not be established as a Terminal Radar Service Area on an interim basis, pending regulatory action, for the reasons that FAA does not have the capability to provide such service.

The FAA believes that the risk of mid-air collision in this airspace can be reduced to the greatest degree only by establishing a regulatory environment, wherein, all aircraft are known to the controller. In this instance, we are going one step beyond the general rulemaking procedures. The experience of August 20 indicates that the ultimate airspace configuration must be specifically tailored to meet aircraft performance and user needs and to preclude a recurrence of the substantial delays which occurred. Accordingly, it is believed that more meaningful comments and suggestions will result after the airspace users have actually participated in the proposal as though it were a reality.

The FAA urges that all interested pilots prior to submission of their comments on this proposal conduct their operations in the Washington/Andrews terminal area on the basis that the TCA proposal in this notice is a reality, instead of a proposal.

Specifically, all pilots are urged not to enter the proposed TCA without an ATC clearance, and pilots in aircraft without transponders are urged to avoid the TCA entirely except under conditions provided for under the rule. Pilots who elect to voluntarily participate in this program will be provided with separation from other participating aircraft just as though the airspace has been designated by rule.

The FAA will publicize the voluntary program through all appropriate aeronautical media including the issuance of charts, briefings, and material published in the Airman's Information Manual.

It is important to again urge that all pilots comply with this proposed rule since this will provide such users with the necessary operational experience to evaluate the impact of this proposal in terms of increased safety, operational feasibility and economic factors. This operational experience may result in further refinements to the airspace configuration proposed in this notice.

In consideration of the foregoing and for reasons stated in Docket No. 9880 (35 F.R. 7782) it is proposed to amend Federal Aviation Regulations § 71.401(a) Group I Terminal Control Areas by changing the Washington, D.C., terminal control area to read as follows:

WASHINGTON, D.C., TERMINAL CONTROL AREA

PRIMARY AIRPORTS

1. Washington National Airport (lat. 38° 51'05" N., long. 77°02'20" W.).
2. Andrews AFB (lat. 38°48'40" N., long. 76°52'05" W.).

BOUNDARIES

AREA A

That airspace extending upward from the surface to and including 6,500 feet MSL within a 7-mile radius of the Washington, D.C., VOR and within a 7-mile radius of the Andrews, Md., VORTAC, excluding the airspace bounded on the north by lat. 38°45'50" N., on the east by long. 76°54'25" W., on the south by a 7-mile radius circle of the Andrews VORTAC, and on the west by long. 76°59'30" W.; and excluding that airspace bounded by a line beginning at lat. 38°50'20" N., long. 77°05'40" W.; to lat. 38°47'26" N., long. 77°09'15" W.; thence along an arc 7

miles in radius from the Washington VOR to the Herndon VOR 126° T (133° M) radial, thence to lat. 38°51'00" N., long. 77°08'10" W., thence to the point of beginning; and excluding Prohibited Area P-56.

AREA B

That airspace extending upward from 1,500 feet MSL to and including 6,500 feet MSL within a 10-mile radius of the Washington VOR and a 10-mile radius of the Andrews VORTAC, excluding Area A.

AREA C

That airspace extending upward from 2,500 feet MSL to and including 6,500 feet MSL between the 10-mile and 15-mile radius circles of the Washington VOR and the Andrews VORTAC.

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

Issued in Washington, D.C., on September 18, 1970.

WILLIAM M. FLENER,

Director, Air Traffic Service.

[F.R. Doc. 70-12968; Filed, Sept. 30, 1970; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

National Highway Safety Bureau

[49 CFR Part 571]

[Docket No. 2-1; Notice No. 2]

OCCUPANT PROTECTION IN INTERIOR IMPACT

Passenger Cars, and Multipurpose Passenger Vehicles, Trucks and Buses

Correction

In F.R. Doc. 70-12686 appearing at page 14936 in the issue for Friday, September 25, 1970, in column 1 on page 14937, the fourth line in the last paragraph reading "10,000 pounds or less. These lighter ve-" should be transposed to the paragraph directly above following the fourth line reading "with gross vehicle weight ratings of".

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 73]

[Docket No. 19028; FCC 70-1041]

MAIN STUDIO LOCATION OF FM AND TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

1. This proceeding looks principally toward amendment of the FM main studio location rules for FM broadcast stations (§ 73.210(a)(2)) to make clear when specific Commission authority is required for FM main studio relocation

outside the community of license, and toward conforming those rules with the corresponding rules for television broadcast stations (§ 73.613), which require specific Commission authority for main studio relocation outside the community of license. Editorial changes are also proposed in § 1.538(a)(3) and (4) to align those provisions with the amended FM and TV main studio location rules proposed. In addition, we contemplate deletion of § 73.257(b)(5), which specifies when a formal application (FCC Form 301) must be filed for authority to change main studio location. It appears more appropriate to place this requirement in the FM main studio rules themselves and in § 1.538(a)(3) than in this section, relating to changes in equipment and antenna system.

2. Section 73.210(a)(2) of the rules, which requires the main studio of an FM station to be located within the community it is primarily licensed to serve, also provides that the main studio may be located at the transmitter site irrespective of its location. This latter provision has been found to be misleading, susceptible of being understood by FM licensees to imply that specific Commission approval is not needed for relocating the main studio to a transmitter site outside the community of license. That inference may or may not be valid under existing rules, depending on where the transmitter is located. Section 73.257(b)(5) of the rules, providing that FM licensees must obtain specific authority for a main studio move "to a different city from that specified in the license" (using Form 301 in applying therefor), in effect requires specific authority for a studio move to a transmitter site in another city. However, it does not expressly set forth this requirement. As a result, these rules have generated uncertainty among some FM licensees as to whether main studio relocation at a transmitter site removed from the city of license requires specific approval and led others to assume that it did not. We intend to amend them to remove any basis for uncertainty as to when specific Commission authority is required for FM main studio relocation.

3. We also propose to amend the FM main studio rules, which were originally patterned after the corresponding AM rules (§ 73.30), to conform instead with those governing TV main studio relocations, which require specific authority for moving a main studio outside the community of license, whether that be at the antenna site or elsewhere. From a propagation standpoint, the FM and TV broadcast services are very similar. Experience gained over the past 10 years with AM, FM, and TV main studio relocation problems, particularly those concerning main studio accessibility and de facto station relocation, convinces us that it is desirable not to permit either FM or TV main studio relocation outside the community of license without our consideration and grant of a formal application establishing that the location does not defeat the intent and purposes of the main studio rules.

4. The main studio rules are intended to make broadcast stations readily accessible to the people in the communities which they are primarily licensed to serve, and they constitute one of the essential ways that the Commission has for insuring that stations realistically meet their obligation to serve their communities of license as outlets for local self-expression. Since location of a station's main studio within the corporate limits of the community of license can reasonably be expected to satisfy those goals, relocation of a station's main studio within the community is permitted without specific authority under all the AM, FM, and TV main studio rules (with prompt notification of the Commission required under the AM and TV rules) and should, we believe, continue to be permitted for all broadcast stations on that basis.

5. On the other hand, location of a station's main studio outside the community of license, is sufficient, in our judgment, to raise a question as to whether the station can in fact meet its obligations to the community of license. We therefore believe it important to consider such proposed moves before, rather than after, they are accomplished. We feel, however, that an exception should continue to be made to permit AM main studio relocation at a transmitter site outside the community of license without specific authority. Because of technical considerations governing AM transmitter site selection, AM transmitter sites are usually in open countryside, in close proximity to the community of license. This allows for studio relocation at the transmitter site without raising questions of studio accessibility or de facto station relocation, and we have had no significant problems in this regard.

6. The amendments proposed also provide that neither FM or TV licensees need obtain specific authority to move their main studios from a location outside the community of license to one within the community. It is sufficient, we believe, to require that we are notified of such moves, for they may be presumed to be in the public interest. However, the proposed amendments would require application and Commission authority before the main studio is moved from one point outside of the principal community to another point outside of it, which could be much farther away and mean less accessibility to the community.

7. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303(r), and 307 (b) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before November 2, 1970, and reply comments on or before November 17, 1970. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In

reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

9. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all documents, reply comments, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: September 23, 1970.

Released: September 28, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

1. In § 1.538(a), subparagraphs (3) and (4) are amended to read as follows:

§ 1.538 Application for modification of license.

(a) * * *

(3) Change in main studio location of an FM or television station to a location outside the principal community;

(4) Change in main studio location of an AM station to a location outside the principal community (other than to the authorized transmitter site);

2. In § 73.210, the headnote is amended, and paragraph (a) is amended to revise subparagraph (2), to redesignate subparagraph (3) as subparagraph (4) and to add a new subparagraph (3) to read as follows:

§ 73.210 Station location, main studio location, and program origination.

(a) * * *

(2) The main studio of an FM broadcast station shall be located in the principal community to be served. Where the principal community to be served is a city, town, village or other political subdivision, the main studio shall be located within the corporate boundaries of such city, town, village or other political subdivision. Where the principal community to be served does not have specifically defined political boundaries, applications will be considered on a case-to-case basis in the light of the particular facts involved to determine whether the main studio is located within the principal community to be served.

(3) Where an adequate showing is made that good cause exists for locating a main studio outside the principal community to be served and that to do so would be consistent with the operation of the station in the public interest, the Commission will permit the use of a main studio location other than that specified in subparagraph (2) of this paragraph. No relocation of a main studio to a point outside the principal community to be served, or from one such point outside the community to another, may be made without first securing a modification of construction permit or license. FCC Form 301 shall be used to apply therefor. The main studio may, however, be relocated within the principal community to be served or be

moved from a location outside the community to one within it without specific authority, but the Commission shall be notified promptly of any such relocation.

§ 73.257 [Amended]

3. In § 73.257(b), subparagraph (5) is deleted and subparagraphs (6) and (7) are redesignated as subparagraphs (5) and (6).

4. In § 73.613, paragraph (b) is amended to read as follows:

§ 73.613 Main studio location.

(b) Where an adequate showing is made that good cause exists for locating a main studio outside the principal community to be served and that to do so would be consistent with the operation of the station in the public interest, the Commission will permit the use of a main studio location other than that specified in paragraph (a) of this section. No relocation of a main studio to a point outside the principal community to be served, or from one such point outside the community to another, may be made without first securing a modification of construction permit or license. FCC Form 301 shall be used to apply therefor. The main studio may, however, be relocated within the principal community to be served or be moved from a location outside the community to one within it without specific authority, but the Commission shall be notified promptly of any such relocation.

[F.R. Doc. 70-13134; Filed, Sept. 30, 1970; 8:50 a.m.]

[47 CFR Part 2]

[Docket No. 18978; RM-979]

CALCULATION OF NECESSARY BANDWIDTH AND MEASUREMENT OF OCCUPIED BANDWIDTH FOR FREQUENCY MODULATED MICROWAVE RADIO RELAY SYSTEMS

Order Extending Time for Filing Comments

1. The Commission is in receipt of a request from the American Telephone and Telegraph Co. (A.T. & T.), asking that the time for filing reply comments in this proceeding be extended. The times for filing in this proceeding were previously extended from September 2, 1970, and September 14, 1970, to September 10, 1970, and September 22, 1970, for comments and reply comments, respectively.

2. A.T. & T. refers to difficulties it has incurred in obtaining copies of comments filed in this proceeding. It states that timely orders were placed for these documents, but that copies of comments filed by all parties were not received until September 21, 1970.

3. Due to the highly complex and technical nature of this proceeding and the fact that copies of all comments filed herein were not received until September

PROPOSED RULE MAKING

21, 1970, A.T. & T. states that the September 22, 1970, filing date for reply comments does not allow sufficient time for it to study, analyze, and, if necessary, respond to the comments.

4. In view of the difficulties outlined by the petitioner and in view of the Commission's desire that time be afforded to ensure adequate study of the issues involved, it is felt that good cause has been shown for an extension of time, and that

a grant of the petition would be in the public interest.

5. *Accordingly, it is ordered,* That the request of the American Telephone and Telegraph Co. is granted and that the time for filing reply comments in this proceeding is extended from September 22, 1970, to October 5, 1970.

6. This action is taken pursuant to authority found in section 5(d)(1) of the Communications Act of 1934, as

amended, and § 0.251(b) of the Commission's rules.

Adopted: September 24, 1970.

Released: September 25, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] HENRY GELLER,
General Counsel.

[F.R. Doc. 70-13135; Filed, Sept. 30, 1970;
8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

EVERETT MCKINLEY BEATY

Notice of Granting of Relief

Notice is hereby given that Everett McKinley Beaty, 7012 Virginia Circle, Charlotte, N.C., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on December 17, 1952, in the U.S. District Court for the Western District of North Carolina of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Everett M. Beaty because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Everett M. Beaty to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Everett M. Beaty's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Everett M. Beaty be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of September 1970.

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

[F.R. Doc. 70-13109; Filed, Sept. 30, 1970; 8:48 a.m.]

EUGENE W. CHRISTIANSEN

Notice of Granting of Relief

Notice is hereby given that Eugene W. Christiansen, 453 Western Avenue, Lynn, Mass. 01904, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on November 10, 1960, in Carroll County, N.H., Superior Court; his conviction on November 17, 1960, in York County, Maine, Superior Court; and his conviction on September 19, 1957, in the District Court of Southern Essex, Lynn, Mass., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Eugene W. Christiansen because of such convictions, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Eugene W. Christiansen to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Eugene W. Christiansen's application and:

(1) I have found that the convictions were made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by 26 CFR 178.144: *It is ordered*, That Eugene W. Christiansen be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[F.R. Doc. 70-13110; Filed, Sept. 30, 1970; 8:48 a.m.]

AARON BARNARD CURLS, JR.

Notice of Granting of Relief

Notice is hereby given that Aaron Barnard Curls, Jr., 4733 Hulse Lane, Lakeland, Fla. 33802 has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 28, 1961, in the U.S. District Court for the Northern District of Alabama, Northeast Division of Huntsville, Ala., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Curls, Jr. because of such conviction to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C. Appendix), because of such conviction, it would be unlawful for Aaron Barnard Curls, Jr. to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Curls, Jr.'s application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Aaron Barnard Curls, Jr. be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of September 1970.

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

[F.R. Doc. 70-13111; Filed, Sept. 30, 1970; 8:48 a.m.]

WILLIAM W. EASTMAN**Notice of Granting of Relief**

Notice is hereby given that Mr. William W. Eastman, Post Office Box 7, Nisswa, Minn. 56468, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 8, 1953, in the U.S. District Court, Minneapolis, Minn., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. William W. Eastman, because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Eastman to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. William W. Eastman's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Mr. William W. Eastman be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[F.R. Doc. 70-13112; Filed, Sept. 30, 1970;
8:48 a.m.]

ERNEST FELICE**Notice of Granting of Relief**

Notice is hereby given that Ernest Felice, 23935 West Outer Drive, Melvindale, Mich. 48122, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction

on or about January 22, 1934, in the Circuit Court for the County of Oakland, Mich., and his conviction on or about January 24, 1945, in the U.S. District Court for the Eastern District of Michigan, Southern Division, of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ernest Felice because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Ernest Felice to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ernest Felice's application and:

(1) I have found that the convictions were made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by 26 CFR 178.144, *It is ordered*, That Ernest Felice be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 18th day of September 1970.

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

[F.R. Doc. 70-13113; Filed, Sept. 30, 1970;
8:48 a.m.]

JOHN JOSEPH FINN**Notice of Granting of Relief**

Notice is hereby given that John Joseph Finn, 14780 Liberal, Detroit, Mich., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on September 16, 1930, in the Allen County Court of Common Pleas, Lima, Ohio, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for John J. Finn because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammuni-

tion, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for John J. Finn to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered John J. Finn's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That John J. Finn be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 22d day of September, 1970.

[SEAL] VERNON D. ACREE,
*Acting Commissioner of
Internal Revenue.*

[F.R. Doc. 70-13114; Filed, Sept. 30, 1970;
8:48 a.m.]

HENRY GILMORE**Notice of Granting of Relief**

Notice is hereby given that Henry Gilmore, 4854 Cope Street, Detroit, Mich. 48215, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 28, 1958, in the Recorder's Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Gilmore because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Gilmore to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Henry Gilmore's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Henry Gilmore be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of September 1970.

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

[P.R. Doc. 70-13115; Filed, Sept. 30, 1970;
8:48 a.m.]

EARL HAGERMAN

Notice of Granting of Relief

Notice is hereby given that Earl Hagerman, Route 4, Elkton, Md. 21921, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on November 28, 1962, in Magistrate's Court, Elkton, Md., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Hagerman because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Hagerman to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Earl Hagerman's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the

applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Earl Hagerman be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[P.R. Doc. 70-13116; Filed, Sept. 30, 1970;
8:48 a.m.]

CLARE WELLINGTON HALL

Notice of Granting of Relief

Notice is hereby given that Mr. Clare Wellington Hall, 1485 East Moore Road, Saginaw, Mich., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on May 28, 1934, in the Circuit Court for Saginaw County, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Clare W. Hall because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Clare W. Hall to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Clare W. Hall's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Clare W. Hall be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition,

receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of September, 1970.

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

[P.R. Doc. 70-13117; Filed, Sept. 30, 1970;
8:48 a.m.]

HAROLD W. YOUNG

Notice of Granting of Relief

Notice is hereby given that Harold W. Young, 81 Hamilton Avenue, Apartment 5, Muskegon, Mich. 49440, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on August 29, 1957, in the Circuit Court of the County of Muskegon, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Young because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Harold W. Young to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Young's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Harold W. Young be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[P.R. Doc. 70-13118; Filed, Sept. 30, 1970;
8:48 a.m.]

HARRISON W. HARP**Notice of Granting of Relief**

Notice is hereby given that Harrison W. Harp, 3349 Pio Nono Circle, Macon, Ga. 31206 has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on May 9, 1941, in the United States District Court, Middle Judicial District of Georgia, Macon, Ga., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Harp because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Harp to receive, possess, or transport in commerce, or affecting commerce, any firearm.

Notice is hereby given that I have considered Harrison W. Harp's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Harrison W. Harp be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 22d day of September 1970.

[SEAL] **VERNON D. ACREE,**
Acting Commissioner
of Internal Revenue.

[P.R. Doc. 70-13119; Filed, Sept. 30, 1970; 8:48 a.m.]

BILLY CHARLES JOHNSON**Notice of Granting of Relief**

Notice is hereby given that Billy Charles Johnson, 1501 Schaer, North Little Rock, Ark. 72115, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession

of firearms incurred by reason of his conviction on July 18, 1960, in the Fifth District Court in New Boston, Bowie County, Tex., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Johnson because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Johnson to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Billy Charles Johnson's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Mr. Johnson be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[P.R. Doc. 70-13120; Filed, Sept. 30, 1970; 8:49 a.m.]

ARTHUR N. KAISER**Notice of Granting of Relief**

Notice is hereby given that Mr. Arthur N. Kaiser, 817 River Street, Spooner, Wis. 54801, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on February 24, 1937, and April 8, 1942, in the Washburn County Court, Shell Lake, Wis., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Kaiser, because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States

Code, from obtaining a license under the chapter as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 United States Code, Appendix) because of such convictions it would be unlawful for Mr. Kaiser to receive, possess, or transport in commerce or affecting commerce, any firearm. Notice is hereby further given that I have considered Mr. Kaiser's application and have found:

(1) The convictions were made upon a charge which did not involve the use of a firearm or other weapon or violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to Mr. Arthur N. Kaiser from disabilities incurred by reason of his convictions, would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Mr. Arthur N. Kaiser be and he hereby is granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[P.R. Doc. 70-13121; Filed, Sept. 30, 1970; 8:49 a.m.]

CHARLEY B. NEWSON**Notice of Granting of Relief**

Notice is hereby given that Mr. Charley B. Newson, also known as Charlie Newson, 523 Florida Street, Clarksdale, Miss., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on July 24, 1963, in the Circuit Court of Coahoma County, Miss., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Charley B. Newson because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr.

Newson to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Charley B. Newson's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Mr. Charley B. Newson be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 22d day of September 1970.

[SEAL] VERNON D. ACREE,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-13122; Filed, Sept. 30, 1970; 8:49 a.m.]

HAROLD ELLSWORTH RANNEY

Notice of Granting of Relief

Notice is hereby given that Harold Ellsworth Ranney, 569 Meadow Lark Lane, Grand Junction, Colo. 81501, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on about November 1, 1947, San Luis Obispo County Superior Court, Calif., and on about July 15, 1948, Ventura County Superior Court, Calif., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Ranney because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Mr. Ranney to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Harold Ellsworth Ranney's application and:

(1) I have found that the convictions were made upon charges which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Harold Ellsworth Ranney be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 22d day of September 1970.

[SEAL] VERNON D. ACREE,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-13123; Filed, Sept. 30, 1970; 8:49 a.m.]

ORVILLE EDWARD RICHENDOLLAR

Notice of Granting of Relief

Notice is hereby given that Orville Edward Richendollar, Box 35, Haverhill, Ohio 45636, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on November 15, 1961, in the U.S. District Court for the Eastern District of North Carolina at Wilson, N.C., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Richendollar, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Richendollar to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Orville Edward Richendollar's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regard-

ing the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Mr. Richendollar be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of September 1970.

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

[F.R. Doc. 70-13124; Filed, Sept. 30, 1970; 8:49 a.m.]

CHARLES DOUGLAS RUSH

Notice of Granting of Relief

Notice is hereby given that Charles Douglas Rush, 7329 Haverford, Dallas, Tex., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 25, 1957, in the Criminal District Court, Dallas County, Tex., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Charles D. Rush because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Charles D. Rush to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Charles D. Rush's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Charles D.

Rush be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 22d day of September 1970.

[SEAL] VERNON D. ACREE,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-13125; Filed, Sept. 30, 1970;
8:49 a.m.]

HERMAN CLYDE SMITH

Notice of Granting of Relief

Notice is hereby given that Herman Clyde Smith, 7917 Count Street, Houston, Tex. 77028, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 28, 1944, by a general court-martial convened at Ellington Field, Tex., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Smith because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Smith to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Herman Clyde Smith's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144; *It is ordered*, That Mr. Smith be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[F.R. Doc. 70-13126; Filed, Sept. 30, 1970;
8:49 a.m.]

CHARLIE AMOS VAUGHN

Notice of Granting of Relief

Notice is hereby given that Mr. Charlie Amos Vaughn, Route 4, Stuart, Va. 24171, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipments, or possession of firearms incurred by reason of his conviction on September 14, 1954, in the U.S. District Court for the Western District of Virginia, Danville, Va., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Charlie A. Vaughn because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Vaughn to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Charlie A. Vaughn's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144; *It is ordered*, That Mr. Charlie A. Vaughn be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of September 1970.

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

[F.R. Doc. 70-13127; Filed, Sept. 30, 1970;
8:49 a.m.]

JAMES W. NELSON

Notice of Granting of Relief

Notice is hereby given that James W. Nelson, 1433 Wayburn Street, Grosse Pointe Park, Mich. 48230, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 2, 1931, in the Court of Common Pleas, Franklin County, Ohio, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Nelson because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Nelson to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered James W. Nelson's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144; *It is ordered*, That James W. Nelson be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 22d day of September 1970.

[SEAL] VERNON D. ACREE,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-13128; Filed, Sept. 30, 1970;
8:49 a.m.]

Office of the Secretary

[Treasury Department Order 177-25,
Revision 1]

DIRECTOR, UNITED STATES SECRET SERVICE, ET AL.

Delegation of Authority

Pursuant to the authority vested in the Secretary of the Treasury, including

that vested in him by delegation from the Administrator of General Services, FPMR Temporary Regulation D-22, (September 4, 1970) 35 F.R. 14426, and pursuant to the authority vested in me by Treasury Department Order No. 190 (Revision 7) (September 4, 1969) 34 F.R. 15846:

(1) Authority is hereby delegated to the Director of the U.S. Secret Service to appoint uniformed guards as special policemen and to make all needful rules and regulations for the protection of the Treasury Building and Treasury Annex, Washington, D.C.:

(2) Authority is hereby delegated to the Director of the Bureau of Engraving and Printing to appoint uniformed guards as special policemen and to make all needful rules and regulations for the protection of the Bureau of Engraving and Printing Annex, Washington, D.C.

(3) Authority is hereby delegated to the Director of the Bureau of the Mint to appoint uniformed guards as special policemen and to make all needful rules and regulations for the protection of the U.S. Mint, Denver, Colo.; the U.S. Bullion Depository, Fort Knox, Ky.; the U.S. Assay Office, 32 Old Slip, New York, N.Y.; the U.S. Mint, 16th and Spring Garden Streets, Philadelphia, Pa.; the new U.S. Mint, Fifth and Arch Streets, Philadelphia, Pa.; the U.S. Assay Office, 155 Hermann Street, San Francisco, Calif.; and the U.S. Bullion Depository, West Point, N.Y.

The authority conferred by this order shall be exercised in accordance with the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318-318c).

This order revises Treasury Department Order No. 177-25 (Nov. 28, 1967), and is effective from September 4, 1970.

Dated: September 25, 1970.

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-13172; Filed, Sept. 30, 1970;
8:53 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial Nos. F-12451, F-12452]

ALASKA

Notice of Hearing on Proposed Classification of Lands

SEPTEMBER 25, 1970.

Notice is hereby given that a public hearing will be held at 8 p.m. Tuesday, October 27, 1970, at the Chamber of Commerce Building in Fairbanks, Alaska. This hearing will consider the proposed classification of two tracts totaling approximately 19 million acres.

The Public Lands involved are north and east of Fairbanks, including the White Mountains and extending to the United States-Canada border. Notice of these proposed classifications was published in the FEDERAL REGISTER on May 9, 1970, Volume 35, pages 7311-7313.

The hearing officials will welcome the views of interested parties in favor of or in opposition to the proposal. All interested persons who desire to be heard on the subject may appear in person or submit written statements. The record will remain open until November 15, 1970, for submission of written statements to the District Manager, Bureau of Land Management, Post Office Box 1150, Fairbanks, Alaska 99707.

A. M. GUILD,
Acting Manager, Fairbanks
District and Land Office.

[F.R. Doc. 70-13150; Filed, Sept. 30, 1970;
8:51 a.m.]

[S 1568A-S 857A]

CALIFORNIA

Notice of Classification of Public Lands for Transfer Out of Federal Ownership; Correction

SEPTEMBER 24, 1970.

F.R. Doc. 70-8434 appearing in the FEDERAL REGISTER issue of July 2, 1970, at page 10782, is hereby corrected as follows:

The land description in the third sentence of paragraph 2, "Lands described as SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 18," is corrected to "Lands described as SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 18."

J. R. PENNY,
State Director.

[F.R. Doc. 70-13151; Filed, Sept. 30, 1970;
8:51 a.m.]

[Sacramento 1643]

CALIFORNIA

Opening of Lands From Waterpower Withdrawals

SEPTEMBER 25, 1970.

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to Bureau Order No. 701 of July 23, 1964, as amended, and pursuant to the authority redelegated to me by the Acting Manager, November 18, 1965 (30 F.R. 14444), it is ordered as follows:

1. In an order issued February 19, 1969, the Federal Power Commission vacated withdrawals created pursuant to the filings on April 24, 1950 of an application for preliminary permits for proposed Project No. 2049 and April 23, 1956 of an application for preliminary permit for proposed Project No. 2202 so far as it pertains to the following described lands:

MOUNT DIABLO MERIDIAN

(a) Proposed Project No. 2049

T. 23 N., R. 12 W.,
Sec. 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 9, SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, N $\frac{1}{2}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 24 N., R. 12 W.,
Sec. 1, lots 1, 2, 4, and 5, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 11, lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, lots 3, 4, 6, and 7, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, lot 1;
Sec. 15, lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate approximately 1,765 acres.

MOUNT DIABLO MERIDIAN

(b) Proposed Project No. 2202

All U.S. lands lying within the boundary of proposed Project No. 2202 as shown on map "Exhibit H-1" (FPC No. 2202-1) entitled "Castle Peak Power Project" filed in the Office of the Federal Power Commission on April 23, 1956, the acreage of which is undeterminable from the map submitted. Of the lands withdrawn in proposed Project No. 2202 the following listed are the public lands:

T. 23 N., R. 12 W.,
Sec. 6, lot 10, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 7, lots 3, 9, 13, 16, and 17, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 24 N., R. 12 W.,
Sec. 1, lot 3, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 2, lots 1 and 2, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, lots 2 and 3, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, lot 1;
Sec. 15, lots 1 and 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 23 N., R. 13 W.,
Sec. 1, N $\frac{1}{2}$ lot 23, lot 24, and S $\frac{1}{2}$ lot 25, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 2, lots 8 and 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.

The lands are located along the Middle Fork of the Eel River, Hull Creek, and Short Creek in Trinity and Mendocino Counties. Some of the lands included in this order are withdrawn in the Round Valley Indian Reservation pursuant to the Act of October 1, 1890 (26 Stat. 658), some remain withdrawn for other purposes, and some have been classified for multiple-use management under serial No. S 2635 A.

2. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the public lands described in paragraphs 1 (a) and (b) hereof shall at 10 a.m. on October 23, 1970, be open to application, petition, and selection under the public land laws generally and subject to the multiple-use classification which segregates certain of the lands from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C. 334), or public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on October 23, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The State of California has waived the preference right afforded it under section 24 of the Federal Power Act, supra.

All the lands not otherwise withdrawn or reserved have been open to application and offers under the mineral leasing laws and to location under the U.S. mining laws subject to provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

ELIZABETH H. MIDTBY,

Chief, Lands Adjudication Section.

[P.R. Doc. 70-13152; Filed, Sept. 30, 1970; 8:51 a.m.]

[Serial No. A 5882]

ARIZONA

Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) it is proposed to classify the public lands described below for transfer out of Federal ownership by State Indemnity Lieu Selection. The transfer would be accomplished under the authority of 43 U.S.C. 851, 852 in partial satisfaction of the school land grant to the State.

As used in this order, the term public lands means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, except for applications consistent with this classification.

3. The public lands affected by this proposed classification are shown on maps available for inspection in the Phoenix District Office, 2929 West Clarendon Avenue, Phoenix, Ariz. 85017, and in the office of the Kingman Resource Area, Radar Hill, Kingman, Ariz. 86401.

4. The lands are located on the north and east borders of Lake Havasu City in Mohave County, Ariz. They are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

- T. 13 N., R. 19 W.,
 Sec. 3, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
 Sec. 4, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
 Sec. 10;
 Sec. 11, S $\frac{1}{2}$;
 Sec. 12, S $\frac{1}{2}$;
 Secs. 13, 14, 15, secs. 22 to 26 inclusive, and sec. 36.
 T. 14 N., R. 19 W.,
 Sec. 19, lots 1 to 4, inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
 Sec. 20;
 Sec. 27, W $\frac{1}{2}$;
 Sec. 28;
 Sec. 29, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 30, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$;
 Sec. 34, W $\frac{1}{2}$.

- T. 14 N., R. 20 W.,
 Secs. 22, 23, and 24;
 Sec. 25, N $\frac{1}{2}$;
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, NW $\frac{1}{4}$.

The lands described above aggregate approximately 14,281.45 acres.

5. For a period of 60 days from the date of publication of this Notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 2929 West Clarendon, Phoenix, Ariz. 85017.

Dated: September 25, 1970.

JOE T. FALLINI,
 State Director.

[P.R. Doc. 70-13084; Filed, Sept. 30, 1970; 8:46 a.m.]

[C-11562]

COLORADO

Notice of Proposed Classification of Public Lands for Multiple-Use Management

SEPTEMBER 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR, Parts 2400, 2410, 2420, and 2460 (formerly 2410 and 2411), it is proposed to classify for multiple use management the public lands described below. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural lands laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands proposed for classification are shown on maps on file in the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo. 81401, and Land Office, Bureau of Land Management, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo. 80202.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

OURAY COUNTY

- T. 44 N., R. 8 W.,
 Sec. 2, lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, lots 12, 13, and 14;
 Sec. 13, lots 17 and 31.
 T. 44 N., R. 9 W.,
 Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 45 N., R. 7 W.,
 Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.

- T. 45 N., R. 8 W.,
 Sec. 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 4, lot 1;
 Sec. 9, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, lots 5 and 6;
 Sec. 35, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ that portion east of highway, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36.

- T. 46 N., R. 8 W.,
 Sec. 1, lots 9, 10, and 11;
 Sec. 2, lots 9 to 21, inclusive;
 Sec. 3, lots 9 to 24, inclusive;
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 5, lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6;
 Sec. 7, N $\frac{1}{2}$;
 Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 11, lots 1, 2, 3, 4, and 5;
 Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ portions thereof, SE $\frac{1}{4}$ SE $\frac{1}{4}$ portions thereof;
 Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

- T. 46 N., R. 8 W.,
 Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ portion thereof, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$, NW $\frac{1}{4}$ portions thereof, and S $\frac{1}{2}$;
 Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

- T. 46 N., R. 9 W.,
 Sec. 1, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

- T. 47 N., R. 7 W.,
 Sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ within Ouray County;
 Sec. 16, E $\frac{1}{2}$ SE $\frac{1}{4}$ within Ouray County, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 21, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ within Ouray County;
 Sec. 22, W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ within Ouray County;
 Sec. 33, lot 8;
 Sec. 34, lots 4, 5, 6, 11, 12, 13, and 14.

- T. 47 N., R. 8 W.,
 Sec. 14, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27;
 Sec. 28, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 31;
 Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 33, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 35, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$ SW $\frac{1}{4}$.

The total area described aggregates approximately 14,744 acres in Ouray County, Colo.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Highway 550

South, Post Office Box 1269, Montrose, Colo. 81401.

5. A public hearing on the proposed classification will be held at 7:30 p.m., October 29, 1970, in the County Court-house at Ouray, Colo.

E. I. ROWLAND,
State Director.

[F.R. Doc. 70-13085; Filed, Sept. 30, 1970;
8:46 a.m.]

[C-11565]

COLORADO

Notice of Proposed Classification of Public Lands

SEPTEMBER 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR Parts 2400, 2410, 2430 and 2450.3 (formerly 2410 and 2411), it is proposed to classify the public lands described below for disposal under the specific law or laws cited. As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. Publication of this proposed classification segregates the described lands from all forms of disposal under the public land laws, including location under the mining laws, except the forms of disposal for which it is proposed to classify the lands. Publication will not alter the applicability of the public laws governing the use of the lands under lease, license, or governing the disposal of their mineral and vegetative resources other than under the mining laws.

3. This proposal was arrived at by a county-appointed Public Land Classification Committee, composed of local citizens, working with local agency representatives and individuals. Information derived from field data and the deliberations of the Committee indicates that these lands meet the criterion of 43 CFR 2400, 2410, 2430, and 2460 (formerly 2410 and 2411) which authorize classification of lands for disposal under appropriate authority where they are found to be chiefly valuable for exchange or public sale for grazing use and other values, and which lands are not needed for the support of a Federal program.

4. Information concerning the lands, including the record of Committee recommendations and the staff report, is available for inspection and study at the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo. 81401.

5. Lands proposed to be classified for exchange only under Section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g) are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 44 N., R. 8 W.,
Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 44 N., R. 9 W.,
Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 46 N., R. 7 W.,
Sec. 19, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 46 N., R. 8 W.,
Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described contains 697.38 acres.

6. Lands proposed to be classified for sale under section 2455 Revised Statutes (43 U.S.C. 1171) are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 45 N., R. 8 W.,
Sec. 23, lot 2.
T. 45 N., R. 9 W.,
Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 46 N., R. 7 W.,
Sec. 32, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 46 N., R. 9 W.,
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 47 N., R. 9 W.,
Sec. 36, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 239 acres.

7. Lands proposed to be classified for either exchange under Section 8 of the Taylor Grazing Act (43 U.S.C. 315g) or for sale under section 2455 Revised Statutes (43 U.S.C. 1171) are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 45 N., R. 9 W.,
Sec. 14, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 120 acres.

8. As provided in 43 CFR 2201.1 and 2201.2, no application for an exchange for the lands described in paragraphs 5 and 7 above will be accepted until the lands have been classified and the application is accompanied by a statement from the Montrose District Manager, Bureau of Land Management that the proposal appears feasible.

9. The following lands are proposed to be classified for sale or lease under the Recreation and Public Purposes Act (43 U.S.C. 869.1-3).

T. 44 N., R. 8 W.,
Sec. 13, lots 28 and 30;
Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 45 N., R. 8 W.,
Sec. 3, lot 3;
Sec. 8, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 45 N., R. 9 W.,
Sec. 24, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 47 N., R. 9 W.,
Sec. 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 347.40 acres.

10. The following described lands are proposed to be classified for sale under the Unintentional Trespass Sale Act of September 26, 1968 (82 Stat. 870).

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 45 N., R. 8 W.,
Sec. 35, that portion west of the highway in the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and aggregating less than 5 acres.

The areas described aggregate 1,404 acres of public lands in Ouray County, Colo.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit

comments, suggestions, or objections in connection with the proposed classifications may present their views in writing to the District Manager, Bureau of Land Management, Highway 550 South, Post Office Box 1269, Montrose, Colo. 81401.

E. I. ROWLAND,
State Director.

[F.R. Doc. 70-13086; Filed, Sept. 30, 1970;
8:46 a.m.]

[OR 6920]

OREGON

Notice of Proposed Classification of Public Lands for Multiple-Use Management

SEPTEMBER 25, 1970.

1. Pursuant to the act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 and 2460, it is proposed to classify the public lands within areas described in paragraph 3 for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating all public lands described in paragraph 3 from appropriation under the agricultural land laws (43 U.S.C., Chs. 7 and 9; 25 U.S.C., sec. 334) and from sales under 2455 of the revised statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

3. The lands proposed to be classified are located within Linn, Lane, and Douglas Counties and are shown on maps designated OR 6920 on file in the Eugene District Office, Bureau of Land Management, 1255 Pearl Street, Eugene, Ore. 97401 and the Land Office, Bureau of Land Management, 729 NE Oregon Street, Portland, Ore. 97208. The description of the areas is as follows:

WILLAMETTE MERIDIAN

LINN COUNTY

T. 15 S., R. 2 W.,
Sec. 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 20, lots 2 and 3.
T. 14 S., R. 1 E.,
Sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 26, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 14 S., R. 2 E.,
Sec. 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

LANE COUNTY

T. 15 S., R. 1 W.,
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 18 S., R. 1 W.,
Sec. 20, lot 4.
T. 19 S., R. 1 W.,
Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 20 S., R. 1 W.,
Sec. 6, lots 15, 16, 17, and 18.
T. 20 S., R. 2 W.,
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 21 S., R. 2 W.,
Sec. 32, lot 1.
T. 22 S., R. 2 W.,
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 23 S., R. 2 W.,
 Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 18, lots 2, 3, and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lots 1 and 2;
 Sec. 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 18 S., R. 3 W.,
 Sec. 30, lot 3.
 T. 22 S., R. 3 W.,
 Sec. 2, lot 1;
 Sec. 4, lot 1.
 T. 19 S., R. 4 W.,
 Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 20 S., R. 4 W.,
 Sec. 6, fractional NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 19 S., R. 5 W.,
 Sec. 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 20 S., R. 5 W.,
 Sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 34, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 15 S., R. 6 W.,
 Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 16 S., R. 6 W.,
 Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 19 S., R. 6 W.,
 Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 20 S., R. 6 W.,
 Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 24, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 20 S., R. 6 $\frac{1}{2}$ W.,
 Entire township (unsurveyed).
 T. 16 S., R. 7 W.,
 Sec. 18, lot 2;
 Sec. 26, lots 17, 18, 19, 20, and 21.
 T. 17 S., R. 7 W.,
 Sec. 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 19 S., R. 7 W.,
 Sec. 30, lots 1, 2, 3, and 4, SE $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 20 S., R. 7 W.,
 Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$.
 T. 16 S., R. 8 W.,
 Sec. 24, lots 13 and 15.
 T. 17 S., R. 8 W.,
 Sec. 2, lot 5;
 Sec. 6, lots 1 and 2;
 Sec. 18, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lots 1, 2, and 3;
 Sec. 28, lot 1.
 T. 18 S., R. 8 W.,
 Sec. 2, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 4, lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, lot 7;
 Sec. 28, SE $\frac{1}{4}$;
 Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 19 S., R. 8 W.,
 Sec. 6, lots 4 and 5;
 Sec. 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 17 S., R. 9 W.,
 Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 18 S., R. 9 W.,
 Sec. 6, lot 3;
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 30, lots 1 and 4;
 Sec. 31, lots 1, 2, and 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 18 S., R. 10 W.,
 Sec. 3, lot 5;
 Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 17 S., R. 11 W.,
 Sec. 19, lot 1.
 T. 18 S., R. 11 W.,
 Sec. 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 19 S., R. 11 W.,
 Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 18 S., R. 12 W.,
 Sec. 2, lot 1;
 Sec. 3, lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 19 S., R. 12 W.,
 Sec. 1, lots 1 and 2.
 T. 18 S., R. 1 E.,
 Sec. 24, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 19 S., R. 1 E.,
 Sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 10, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 18, fractional NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$.
 T. 16 S., R. 2 E.,
 Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, lot 9;
 Sec. 30, lots 2 and 3;
 Sec. 34, lot 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 17 S., R. 2 E.,
 Sec. 2, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 12, W $\frac{1}{2}$;
 Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 DOUGLAS COUNTY
 T. 20 S., R. 7 W.,
 Sec. 6, lots 3, 4, 5, 6, 7, and 8.
 T. 19 S., R. 8 W.,
 Sec. 8, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, lots 1, 7, and 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, NW $\frac{1}{4}$;
 Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 19 S., R. 9 W.,
 Sec. 12, lots 1, 2, 3, 4, 5, and 6.

The areas described aggregate approximately 9841.50 acres of public lands.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 1255 Pearl Street, Post Office Box 392, Eugene, Oreg. 97401.

5. A public hearing on the proposed classification will be held at 2 p.m., on October 15, 1970, at Harris Hall, Lane County Courthouse, corner of Eighth and Oak Street, Eugene, Oreg. 97401.

MURL W. STORMS,
 Acting State Director.

[P.R. Doc. 70-13087, Filed, Sept. 30, 1970; 8:46 a.m.]

[Wyoming 19146]

WYOMING

Notice of Proposed Classification of Public Lands

SEPTEMBER 24, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and the regulations in 43 CFR, Parts 2400 through 2461, it is proposed to amend the existing classification of public lands described below to segregate them from appropriation under the general mining

laws (30 U.S.C. 21). The lands shall remain open to the mineral leasing laws. These lands were previously classified for multiple-use management by notice of classification of lands, under item (a) in paragraph 1 which segregates the land from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). The notice of classification of lands was published in Volume 35, No. 104, FEDERAL REGISTER of May 28, 1970, as F.R. Doc. 70-6581, at pages 8398-8400. Description of the land is as follows:

SIXTH PRINCIPAL MERIDIAN

T. 30 N., R. 110 W.,
 Sec. 19, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The lands described aggregate 150.39 acres in Sublette County.

2. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Pinedale District Manager, Bureau of Land Management, Post Office Box 768, Pinedale, Wyo. 82941.

3. A public hearing on the proposed classification will be held on October 21, 1970, at 1 p.m. in the Courtroom Sublette County Courthouse, Pinedale, Wyo.

DANIEL P. BAKER,
 State Director.

[P.R. Doc. 70-13088; Filed, Sept. 30, 1970; 8:46 a.m.]

[Wyoming 25810]

WYOMING

Proposed Classification of Public Lands for Multiple-Use Management

SEPTEMBER 24, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 through 2461, it is proposed to classify for multiple-use management, the public lands within the areas described below and the Reclamation withdrawn lands specifically described below are hereby classified for multiple use management. Publication of this notice has the effect of segregating (a) all the described lands except those listed in paragraph 3 of this notice from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (b) the lands described in paragraph 3 of this notice are not segregated from desert land entry laws but are segregated from all other agricultural land laws (43 U.S.C. Part 7; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (c) the lands described in paragraph 4 of this notice are further segregated from appropriation under the general mining laws (30 U.S.C. 21). The lands shall remain open to all other applicable forms of appropriation, including the mining

laws (except as provided in paragraph 4) and the mineral leasing laws. As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Public lands located within the following described areas are shown on the classification map which is on file in the District Office, Bureau of Land Management, Pinedale, Wyo., and in the Land Office, Bureau of Land Management, Federal Building, Cheyenne, Wyo. The general descriptions of the areas are as follows:

SIXTH PRINCIPAL MERIDIAN
LINCOLN COUNTY, WYO.

All public lands within the following described area: Beginning at the conjunction of Fontenelle Creek and the Green River in the NW $\frac{1}{4}$, sec. 9, T. 24 N., R. 112 W.; thence westerly along said creek approximately 25 miles to the point where Fontenelle Creek crosses the township line between Tps. 24 and 25 N., R. 115 W.; west 3.5 miles to the Bridger National Forest boundary; north along the Bridger National Forest boundary approximately 18 miles to the northwest corner of sec. 6, T. 26 N., R. 115 W.; thence easterly approximately 20 miles along the boundary between Lincoln and Sublette Counties to the Green River; southerly along the Green River approximately 18 miles to the point of beginning; but excluding lot 4 and SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 14, T. 26 N., R. 113 W.

The following Reclamation withdrawn lands:

- T. 26 N., R. 112 W.,
Sec. 6, lots 3, 4, 5, and 9, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 26 N., R. 113 W.,
Sec. 2, lots 1, 2, 9, 13, and 14, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 14, lot 1 and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

SUBLETTE COUNTY, WYOMING

The following Reclamation withdrawn lands:

- T. 29 N., R. 110 W.,
Sec. 5, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 30 N., R. 110 W.,
Sec. 31, lots 2, 3, 4, 5, 8, 9, and 10, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 29 N., R. 111 W.,
Sec. 1, lots 1, 2, and 3;
Sec. 3, lot 5;
Sec. 4, lot 5;
Sec. 20, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21, lots 2, 4, and 5;
Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 32, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 30 N., R. 111 W.,
Sec. 33, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.
T. 27 N., R. 112 W.,
Sec. 4, lots 2, 3, and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$;
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18;
Sec. 19;
Sec. 20, lot 6, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;

- Sec. 29, lots 4 and 5;
Sec. 30, lots 1, 2, 3, 4, 5, and 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 31, lots 3, 4, 9, 10, and 11, E $\frac{1}{2}$ W $\frac{1}{2}$, and W $\frac{1}{2}$ E $\frac{1}{2}$.
T. 28 N., R. 112 W.,
Sec. 1, lots 1 to 13, inclusive, lots 17 and 18, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, S $\frac{1}{2}$;
Sec. 11, N $\frac{1}{2}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 12, lots 4 and 5, and W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 13, lots 4, 10, and 11;
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 22, E $\frac{1}{2}$;
Sec. 23, lots 1, 2, 3, and 8, NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27;
Sec. 28, SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$;
Sec. 33.
T. 27 N., R. 113 W.,
Sec. 13, SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$;
Sec. 25, E $\frac{1}{2}$.

The following public lands:

- T. 32 N., R. 106 W.,
Sec. 4;
Sec. 5;
Sec. 6;
Sec. 7, lots 3 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 8, lots 1 and 2;
Sec. 9, NE $\frac{1}{4}$.
T. 33 N., R. 106 W.,
Sec. 18, lots 1, 2, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
Sec. 19, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 21, S $\frac{1}{2}$;
Sec. 28;
Sec. 29, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, lots 2, 3, 4, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33.
T. 32 N., R. 107 W.,
Sec. 1, lots 1, 2, 5, 6, and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 and 2, and W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 33 N., R. 107 W.,
Sec. 13, N $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 17;
Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 23, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 24.
T. 34 N., R. 109 W.,
Sec. 4;
Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
Sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 16, E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 35 N., R. 109 W.,
Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.

The total area of the public lands and Reclamation withdrawn lands described by this notice of proposed classification is approximately 132,000 acres.

3. As provided in paragraph 2 above, the following lands are not segregated from the desert land entry laws:

SIXTH PRINCIPAL MERIDIAN
LINCOLN COUNTY, WYO.

- T. 25 N., R. 112 W.,
Sec. 19, lots 3 and 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 25 N., R. 113 W.,
Sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 6, lots 1 and 6, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, lot 6, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8;
Sec. 9;
Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, lots 1 to 4, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15;
Sec. 24, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$.
T. 26 N., R. 113 W.,
Sec. 31, lots 7 to 12, inclusive.
T. 25 N., R. 114 W.,
Sec. 1, lots 1 to 12, inclusive, and W $\frac{1}{2}$;
Sec. 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 to 12, inclusive, and SW $\frac{1}{4}$.

- Sec. 8;
Sec. 9;
Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, lots 1 to 4, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15;
Sec. 24, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$.
T. 26 N., R. 113 W.,
Sec. 31, lots 7 to 12, inclusive.
T. 25 N., R. 114 W.,
Sec. 1, lots 1 to 12, inclusive, and W $\frac{1}{2}$;
Sec. 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 to 12, inclusive, and SW $\frac{1}{4}$.

The lands described aggregate approximately 6,069 acres.

4. As provided in paragraph 2 above, the following lands are further segregated from appropriation under the general mining laws:

SIXTH PRINCIPAL MERIDIAN
LINCOLN COUNTY, WYO.

- T. 25 N., R. 112 W.,
Sec. 5, lot 14;
T. 26 N., R. 112 W.,
Sec. 5, lots 10, 11, and 13;
Sec. 6, lot 7;
Sec. 8, lots 2, 4, and 5.
T. 26 N., R. 113 W.,
Sec. 19, lots 1 to 4, inclusive.
T. 24 N., R. 114 W.,
Sec. 2, all lands lying north of Fontenelle Creek within lots 14, 15, and 19;
Sec. 5, all lands lying north of Fontenelle Creek within lot 12.
T. 26 N., R. 114 W.,
Sec. 4, lot 4.
T. 24 N., R. 115 W.,
Sec. 3, all lands lying north of Fontenelle Creek within lots 1 to 4, inclusive.
Sec. 3, all lands lying north of Fontenelle Creek within lots 1, 5, 6, 7, 8, 11, and 12;
Sec. 4, lots 5, 6, 7, 8 and all lands lying north of Fontenelle Creek within lot 9;
Sec. 5, lot 4;
Sec. 6, all lands lying north of Fontenelle Creek within lots 1, 2, 3, 12, 13, and 14.
T. 25 N., R. 115 W.,
Sec. 21, E $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 25 $\frac{1}{2}$ N., R. 115 W.,
Sec. 31, lots 1 and 2.
T. 26 N., R. 115 W.,
Sec. 15, lots 2, 3, 6, and 7;
Sec. 28, lots 6 and 7, and S $\frac{1}{2}$ SE $\frac{1}{4}$.

SUBLETTE COUNTY, WYOMING

- T. 32 N., R. 106 W.,
Sec. 4;
Sec. 5;
Sec. 6;
Sec. 7, lots 3 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 8, lots 1 and 2;
Sec. 9, NE $\frac{1}{4}$.
T. 33 N., R. 106 W.,
Sec. 18, lots 1, 2, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
Sec. 19, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 21, S $\frac{1}{2}$;
Sec. 28;
Sec. 29, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32, lots 2, 3, and 4, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33.
T. 32 N., R. 107 W.,
Sec. 1, lots 1, 2, 5, 6, and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 33 N., R. 107 W.,
Sec. 13, N $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 17:
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 23, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24.
 T. 30 N., R. 110 W.,
 Sec. 31, lots 2, 3, 4, 5, 8, 9, and 10.
 T. 29 N., R. 111 W.,
 Sec. 1, lots 1 to 3, inclusive;
 Sec. 21, lots 2, 4, and 5.
 T. 27 N., R. 112 W.,
 Sec. 20, lot 6;
 Sec. 29, lots 4 and 5;
 Sec. 30, lots 3 and 4;
 Sec. 31, lot 11.
 T. 28 N., R. 112 W.,
 Sec. 1, lots 13, 17, and 18;
 Sec. 12, lots 4 and 5;
 Sec. 13, lots 4, 10, and 11;
 Sec. 23, lots 1, 2, 3, and 8.

Aggregating approximately 13,393 acres.

5. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Pinedale District Office, Bureau of Land Management, Post Office Box 768, Pinedale, Wyo. 82941.

6. Public hearings on the proposed classification will be: Sublette County, October 21, 1970 at 1 p.m., Courtroom, Sublette County Courthouse, Pinedale, Wyo., and Lincoln County, November 6, 1970 at 1 p.m., Courtroom, Lincoln County Courthouse, Kemmerer, Wyo.

DANIEL P. BAKER,
 State Director.

[F.R. Doc. 70-13089; Filed, Sept. 30, 1970;
 8:46 a.m.]

Office of the Secretary
 MODESTO IRIATE, JR.

Report of Appointment and Statement
 of Financial Interests

SEPTEMBER 25, 1970.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Dr. Modesto Iriate, Jr.

Name of employing agency: Department of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Deputy Director, Area 5.

The name of the appointee's private employer or employers: Puerto Rico Water Resources Authority, San Juan, P.R.

The statement of "financial interests" for the above appointee is enclosed.

WALTER J. HICKEL,
 Secretary of the Interior.

SEPTEMBER 9, 1970.

APPOINTEE'S STATEMENT OF FINANCIAL
 INTERESTS

In accordance with the requirements of section 302(b) of Executive Order

10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on September 9, 1970, as Assistant Executive Director, Puerto Rico Water Resource Authority, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

None.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

Dated: September 15, 1970.

MODESTO IRIATE, JR.

[F.R. Doc. 70-13149; Filed, Sept. 30, 1970;
 8:51 a.m.]

HAROLD C. REASONER

Report of Appointment and Statement
 of Financial Interests

SEPTEMBER 22, 1970.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Harold C. Reasoner.
 Name of employing agency: Department of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Director, DEPA Area 6.

The name of the appointee's private employer or employers: The Detroit Edison Co., Detroit, Mich.

The statement of "financial interests" for the above appointee is enclosed.

WALTER J. HICKEL,
 Secretary of the Interior.

SEPTEMBER 9, 1970.

APPOINTEE'S STATEMENT OF FINANCIAL
 INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on September 9, 1970, as Director, Area 6, Defense Electric Power Administration, an officer or director:

Executive Vice President for Production, The Detroit Edison Co.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Allied Supermarkets.
 Clinton Oil.
 Dayton Power & Light.
 The Detroit Edison Co.
 Molybdenum Corp.
 Tucson Gas & Electric.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

Dated: September 18, 1970.

HAROLD C. REASONER.

[F.R. Doc. 70-13095; Filed, Sept. 30, 1970;
 8:47 a.m.]

EDGAR A. WEYMOUTH

Statement of Changes in Financial
 Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of September 25, 1970.

Dated: September 2, 1970.

EDGAR A. WEYMOUTH.

[F.R. Doc. 70-13096; Filed, Sept. 30, 1970;
 8:47 a.m.]

[Order 2935]

BUREAU OF COMMERCIAL FISHERIES

Transfer of Functions

SECTION 1. *Purpose.* This order provides for the continuation, by transfer, of essential Bureau of Commercial Fisheries functions.

SEC. 2. *Background.* The Bureau of Commercial Fisheries has been responsible for certain fisheries research and investigations programs. These fishery investigations and research activities are vital to the well being of our fish, wildlife, and water resources and can more appropriately be continued by assignment to the sister agency designated.

SEC. 3. *Transfer.* Effective October 1, 1970, the Bureau of Sport Fisheries and Wildlife will assume responsibility and authority for administration of the fishery biological research and sea lamprey functions of the Bureau of Commercial Fisheries, including physical facilities, records, personnel, and unexpended balance of appropriations, allocations, and other funds employed or available in connection with these functions located at:

Great Lakes:

- | | | |
|-----------------------|--------------------------|-----------|
| 1. Ann Arbor, Mich. | 6. Marquette, Mich. | |
| 2. Ashland, Wis. | 7. Ludington, Mich. | |
| 3. Millersburg, Mich. | Missouri River Reservoir | Research: |
| 4. Sandusky, Ohio. | 8. Mohrbridge, S. Dak. | |
| 5. Saugatuck, Mich. | | |

(Sec. 2, Reorganization Plan No. 3 of 1950, 5 U.S.C., Sec. 133Z-15, note.)

WALTER J. HICKEL,
Secretary of the Interior.

SEPTEMBER 23, 1970.

[P.R. Doc. 70-13097; Filed, Sept. 30, 1970; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

ADAMS STATE COLLEGE

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

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

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

Docket No. 70-00538-99-25100. Applicant: Adams State College, Alamosa, Colo. 81101. Article: ESR/12 E.S.R. spectrometer 120 v. Manufacturer: Scientific and Cook Electronics Ltd., United Kingdom.

Intended use of article: The article will be used for educational purposes in the Atomic Nuclear course, the standard introductory undergraduate junior level atomic and nuclear course in which students are assigned laboratory work although no formal lab is connected with this course. The purpose of the laboratory work is to acquaint the students with laboratory procedures and introduce them to these procedures so that they might have a better understanding of the theoretical material covered in the course proper. The article will also be used in the laboratory portion of Cell Physiology to show the existence of free radical material in biological systems, although the precise experiments have not been worked out.

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 is a very simple demonstration instrument designed to provide an introduction to electron spin resonance (ESR) theory for science students. Domestically available ESR spectrometers are highly sophisticated and complex instruments designed primarily for research. Such research instruments are intended for use by trained personnel.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated June 17, 1970, that the simplicity of the article is pertinent to the applicant's intended purposes since no research is planned. NBS further advises that it knows of no available domestically manufactured ESR spectrometer intended for teaching that would be scientifically equivalent to the foreign article, for the applicant's intended purposes.

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

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

[P.R. Doc. 70-13153; Filed, Sept. 30, 1970; 8:51 a.m.]

ARIZONA 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. 70-00767-10-46040. Applicant: Arizona State University, Tempe, Ariz. 85281. Article: Electron microscope, Model JEM-100. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used for the studies of the contrast of the details of images of crystal lattices obtained with the best attainable resolution; the development of methods for investigating the structures and defects of crystals; and for studies of the information obtainable in high-resolution microscopy of biological materials.

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

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

Reasons: The foreign article has a specified resolving capability of 3 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 Forgflo Corporation (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 National Bureau of Standards (NBS) in its memorandum dated August 17, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[P.R. Doc. 70-13154; Filed, Sept. 30, 1970; 8:57 a.m.]

CALIFORNIA STATE COLLEGE

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

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

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

Docket No. 70-00690-20-30600. Applicant: California State College, Long Beach, Department of Civil Engineering, 6101 East Seventh Street, Long Beach, Calif. 90801. Article: Reynolds number apparatus for the evaluation of Reynolds number boundary layer, drag, and flow through pipes, Model 9525. Manufacturer: Armfield Engineering Ltd., United Kingdom. Intended use of article: The article will be used in a fluid mechanics laboratory for the verification of the dimensionalist Reynolds number as it relates to boundary layer, drag, flow through pipes as well as the observance and evaluation of other flow phenomena as it can be reproduced in such an instrument.

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 is equipped with a prism viewer which permits superior viewing of flow phenomena.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated August 25, 1970, that the prism viewer of the foreign article is pertinent to the applicant's research studies. NBS further advises, that it knows of no comparable domestic instrument that provides such as a prism viewer.

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

[F.R. Doc. 70-13155; Filed, Sept. 30, 1970; 8:51 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. 70-00764-00-77040. Applicant: University of California, San Francisco Medical Center, Purchasing Department, 1438 South 10th Street, Richmond, Calif. 94804. Article: Water-cooled electron bombardment source. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used as a spare source for a mass spectrometer (MS 902).

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 is a replacement part 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 replacement part 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. 70-13156; Filed, Sept. 30, 1970; 8:51 a.m.]

NEW YORK CITY COLLEGE

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

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

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

Docket No. 70-00559-01-77030. Applicant: The City College of The City University of New York, Convent Avenue at 138th Street, New York, N.Y. 10031. Article: NMR spectrometer, Model JNM-C-60HL. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used in spectroscopy courses, organic chemistry, and for student research. Specific uses include routine monitoring of crude reaction mixtures by examination of proton resonances as reaction proceeds; examination of crude and purified products in routine syntheses; precision nmr spectroscopy of organic and organometallic compounds such as organosilicon substituted fulvenes to determine chemical shifts and coupling constants with high accuracy; and signal coalescence experiments over a wide temperature range associated with studies of energy barriers for rotation of compounds possessing, e.g., N-N bonds.

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. (Jan. 21, 1970)

Reasons: The foreign article is equipped with both internal and external lock. In addition, the article is capable of performing double and triple resonance spin decoupling experiments. The Models XL-100 and XL-60 are the only nuclear magnetic resonance (NMR) spectrometers manufactured by Varian Associates (Varian), which can be obtained with both internal and external lock.

We are advised by the National Bureau of Standards (NBS) in its memoranda

dated June 10, 1970, and August 26, 1970, that the features of the foreign article cited above are pertinent to the applicant's research studies. NBS further advises that the applicant's double and triple resonance spin decoupling experiments could not be performed on the XL-100 available at the time the article was ordered. The XL-60, except for magnetic field and radiofrequency (RF), was virtually identical to the XL-100. We, therefore, find that neither the Model XL-100 nor the Model XL-60 NMR spectrometers were of equivalent scientific value to the foreign article for such purposes as this article is intended to be used at the time the foreign article was ordered.

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. 70-13157; Filed, Sept. 30, 1970; 8:51 a.m.]

HARVARD 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. 70-00696-33-46040. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, Mass. 02138. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss Inc., West Germany.

Intended use of article: The article will be used in the neurobiology department solely for the purpose of teaching graduate students, medical students, and postdoctoral fellows fundamental techniques used in electron microscopy and how the electron microscope can be applied to the study of vertebrate and invertebrate nervous tissues.

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

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

Reasons: The 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 Forglfo Corp. (Forglfo). 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 September 2, 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. 70-13158; Filed, Sept. 30, 1970; 8:52 a.m.]

HUNTER COLLEGE

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

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

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

Docket No. 70-00725-33-46040. Applicant: Hunter College of the City University of New York, 695 Park Avenue, New York, N.Y. 10021. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The primary use of the article will be in the teaching of electron microscopy to graduate students and to a limited number of advanced undergraduate students. This teaching will be part of formal course work in an undergraduate course deal-

ing with cytology and microtechnique, and in a graduate course on cellular ultrastructure. Graduate students will use the article in the performance of doctoral thesis research and faculty use concerns research on the structure of dividing cells and the control of cell division.

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 Forglfo Corp. (Forglfo). 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 in its memorandum dated September 2, 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. 70-13159; Filed, Sept. 30, 1970; 8:52 a.m.]

INDIANA 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. 70-00676-33-46500. Applicant: Indiana University, Purchasing Department, 1000 East 17th Street, Bloomington, Ind. 47401. Article: Ultramicrotome, Model OmU2. Manufacturer: C. Reichert Optische Werke A.G., Austria.

Intended use of article: The article will be used on ciliate protozoans, *Opalina* and *Paramecium*. The mechanism that controls the director of ciliary beat will be investigated. The aim is to test the theory that the orientation of the central pair of fibrils determines the direction of bending.

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 "ultrathin 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 August 26, 1970, that cutting speeds in excess of 3.2 mm./sec. are pertinent to the applicant's research studies relating to the orientation of the

central pair of fibrils in the cilia of certain protozoa which requires, for satisfactory results, avoiding excessive loss of useful sections during the production of ultrathin serial sections of accurate and uniform thickness when soft embedding materials are used. HEW cites as a precedent its prior recommendation relating to Docket No. 70-00056-33-46500 which conforms in many particulars with 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, is being manufactured in the United States.

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

[F.R. Doc. 70-13160; Filed, Sept. 30, 1970; 8:52 a.m.]

MASSACHUSETTS 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. 70-00462-01-77030. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02130. Article: NMR spectrometer, Model HFX-10. Manufacturer: Bruker Scientific, Inc., West Germany.

Intended use of article: The article will be used for studies of the heteronuclear lock and heteronuclear double resonance with all frequencies locked together, for nuclear Overhauser studies in Fourier Transform 13C spectra and ¹H nuclei bonded to 13C; for kinetics of ¹⁹F pseudorotation using dynamic polarization experiments; for 13C studies of organometallic compounds and for ¹H kinetic studies of D-labeled compounds.

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. (Nov. 25, 1969)

Reasons: The foreign article is capable of operating in the heteronuclear lock mode with the lock on proton (¹H) while observing the 19-fluorine (¹⁹F) spectral region using frequencies differing by 15 kilohertz (kHz). The most closely comparable domestic instrument is the Model XL-100 nuclear magnetic resonance (NMR) spectrometer manufactured by Varian Associates (Varian).

We are advised by the National Bureau of Standards (NBS) in its memorandum dated May 18, 1970 and August 26, 1970, that the capability of the foreign article described above is pertinent to the applicant's research studies. NBS further advises that at the time the foreign article was ordered the Varian Model XL-100 did not provide this pertinent capability.

We, therefore, find that the Model XL-100 was not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used at the time the foreign article was ordered.

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. 70-13161; Filed, Sept. 30, 1970; 8:52 a.m.]

UNIVERSITY OF MINNESOTA 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. 71-00128-33-07520. Applicant: University of Minnesota, Office of the Purchasing Agent, Minneapolis, Minn. 55455. Article: Microcalorimeter, Model 10700-2B. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for research on the function of the protein hemoglobin including the use of gaseous reactants in the measurement of thermodynamic changes in the combination of oxygen with hemoglobin. Application received by Commissioner of Customs: September 8, 1970.

Docket No. 71-00130-33-43780. Applicant: Pacific State Hospital, 3530 West Pomona Blvd., Post Office Box 100, Pomona, Calif. 91766. Article: Visual perception apparatus (Pandora's Box). Manufacturer: AIM bioSciences Ltd., United Kingdom. Intended use of article: The article will be used to investigate visual perception and brain function in determining differences in brain functioning between normal and retarded children. Application received by Commissioner of Customs: August 18, 1970.

Docket No. 71-00132-82-75000. Applicant: Northwestern University, 619 Clark Street, Evanston, Ill. 60201. Article: Soil testing apparatus. Manufacturer: Mc Gill University, Canada. Intended use of article: The article will be used to study the behavior of clay soils, to investigate clay properties and to test soils of various initial structure under three-dimensional stress conditions in order to establish a relationship between the fabric and the engineering properties of clay soils. Application received by Commissioner of Customs: September 9, 1970.

Docket No. 71-00134-16-61800. Applicant: Deerfield Beach High School, 910 Southwest 15th Street, Deerfield Beach, Fla. 33441. Article: Model Apollo planetarium and auxiliary projectors. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article, operated manually or automatically, will be used for instruction in grades 1 through 12 in such subjects as astronomy, navigation, earth-space relationship, elementary science, water cycles, causes of weather and the solar system. Application received by Commissioner of Customs: September 9, 1970.

Docket No. 71-00135-98-42900. Applicant: Carnegie-Mellon University, Purchasing Division, Warner Hall, 5000 Forbes Avenue, Pittsburgh, Pa. 15213. Article: Superconducting magnet system. Manufacturer: Oxford Instrument Co., United Kingdom. Intended use of article: The article will be used for the study of optical Zeeman splittings of the energy levels of rare earth and Actinide doped crystals. The experiments are to be carried out to establish the positions and symmetry characteristics of these energy levels. Application received by Commissioner of Customs: September 10, 1970.

Docket No. 71-00136-98-25500. Applicant: Iowa State University, Ames Laboratory, Ames, Iowa 50010. Article: Automatic balancing a.c. resistance bridge. Manufacturer: Automatic Systems Laboratories, United Kingdom. Intended use

of article: The article will be used primarily for the measurement of the resistance of four-terminal germanium or platinum resistance thermometers. These measurements include electrical resistance, thermal conductivity, thermal expansion and heat capacity measurements at temperatures down to 0.1 K. Application received by Commissioner of Customs: September 10, 1970.

Docket No. 71-00137-97-78700. Applicant: University of Washington, Department of Civil Engineering, 121 More Hall (274536), Seattle, Wash. 98105. Article: Theodolite, Model DKM-3. Manufacturer: Kern & Co., Ltd., Switzerland. Intended use of article: The article will be used for conducting deformation studies by photogrammetric measurements to confirm motion by precise angulation techniques. Courses in Geometrics, Celestial Methods in Geodesy, and Geodesy will use the article since they deal with precision position. Application received by Commissioner of Customs: September 11, 1970.

Docket No. 71-00138-33-46500. Applicant: Auburn University, Auburn, Ala. 36830. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB., Sweden. Intended use of article: The article will be used in the study of morphology of viruses and animal tissues including certain metazoan parasites. Ultrathin sections of very hard tissue, soft friable tissue, and serial sections of equal thickness in the detailed morphological study of various parasites are necessary. Application received by Commissioner of Customs: September 11, 1970.

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

[F.R. Doc. 70-13162; Filed, Sept. 30, 1970; 8:52 a.m.]

NATIONAL INSTITUTES OF HEALTH

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. 70-00799-33-46095. Applicant: National Institutes of Health, National Cancer Institute, Bethesda, Md. 20014. Article: Phase microscope. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for studies involving some of the parameters in chemical transformation of hamster cells and for determining the

effects of carcinogens and noncarcinogens in ciliated cells in cultures, in order to ascertain if ciliotoxicity could be used to find potential carcinogens.

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 working distance of 7 millimeters and phase interference (Nomarski) optics.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated August 19, 1970, that the working distance of the article is pertinent to the applicant's research studies involving thick tissue culture chambers and the phase interference optics of the article is pertinent to the applicant's studies involving cell surface phenomena. NBS further advises that it knows of no available domestically manufactured optical instrument which provides these pertinent characteristics.

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

[F.R. Doc. 70-13163; Filed, Sept. 30, 1970; 8:52 a.m.]

NATIONAL INSTITUTES OF HEALTH, 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. 71-00120-33-46500. Applicant: National Institutes of Health, National Cancer Institute, Building 37, Room 3A21, Bethesda, Md. 20014. Article: Ultramicrotome, Model LKB

8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for research on experimental lung cancer in laboratory animals and the effect of various nutritional states on this malignant process. Ultrathin sections of various animal tissues and cell fractions will be examined ultrastructurally for further insight into the process of carcinogenesis and its prevention in man. Application received by Commissioner of Customs: September 1, 1970.

Docket No. 71-00121-01-77030. Applicant: Kalamazoo Valley Community College, 6767 West O Avenue, Kalamazoo, Mich. 49001. Article: NMR spectrometer, Model JNM-MH-60. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for instruction in an instrumental analysis course and an introductory organic chemistry course. Structural studies of organic silicon compounds, inorganic compounds, steroids and related compounds will be made. Application received by Commissioner of Customs: September 1, 1970.

Docket No. 71-00122-75-14200. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, N. Mex. 87544. Article: Image Analysing Computer, Model 720. Manufacturer: Metals Research Ltd., United Kingdom. Intended use of article: The microstructural properties and parameters of materials and their relationship to temperature, mechanical stress, radiation effects, and other factors will be studied. The objectives are to improve the performance and understanding of fast breeder reactor fuel elements through the quantitative analyses of their microstructure and correlation with the reactor environment factors and variables. Application received by Commissioner of Customs: September 1, 1970.

Docket No. 71-00124-33-46500. Applicant: University of Massachusetts Laboratory of Experimental Biology, East Wareham, Mass. 02538. Article: Ultramicrotome, Model LKB 4800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in studies where nematodes serve as models to study aging. The organisms involved are microscopic and multicellular and are reared axenically on a partially defined-medium in the laboratory. Initial investigations will involve definition of changes in fine structure that occur as nematodes age. Application received by Commissioner of Customs: September 1, 1970.

Docket No. 71-00125-63-46040. Applicant: U.S. Dept. of Agriculture, ARS, CR, Shade Tree & Farm Windbreak Invest. Lab., 359 Main Road (Post Office Box 365), Delaware, Ohio 43015. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for studies of ultrathin sections of plant tissue, fungi, oetinsyncetes, and mycoplasmas. Purified viral preparations and viruses in thin sections of plant tissue and insects will be investigated to determine normal and pathological cellular

events in higher plants and micro-organisms. Application received by Commissioner of Customs: September 8, 1970.

Docket No. 71-00126-16-61800. Applicant: Miramar High School, 3601 Southwest 89th Avenue, Miramar, Fla. 33023. Article: Model Apollo Planetarium and Auxiliary Projectors. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article, which may be operated manually or automatically, will be used for instruction in grades 1 through 12 in such subjects as astronomy, navigation, earth-space relationship, elementary science, water cycles, causes of weather, and the solar system. Application received by Commissioner of Customs: September 8, 1970.

Docket No. 71-00127-33-46040. Applicant: Cornell University, Veterinary Virus Research Institute, Snyder Hill, Ithaca, N.Y. 14850. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used for investigations of demyelination in dogs and dog brain organ cultures after canine distemper virus infection; of encephalitis in pigs and pig brain cultures after infection with hemagglutinating encephalomyelitis virus; of hip dysplasia and arthritis in dogs; and for research on the fine structure of equine infectious anaemia virus and viral development in tissue culture and in horse tissues. Application received by Commissioner of Customs: September 8, 1970.

Docket No. 71-00129-33-46040. Applicant: Georgetown University, 37th and O Streets NW., Washington, D.C. 20007. Article: Electron microscope, Model AEI EM 801. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for fine structural studies of the uterine and ovarian vessels during normal gestation, as well as under certain pathologic conditions. A large number of specimens will be surveyed to differentiate between the various vascular channels. The nature and significance of the changes in the intracytoplasmic membranes, microtubules, and filaments will be studied. Application received by Commissioner of Customs: September 8, 1970.

Docket No. 71-00131-33-43780. Applicant: Massachusetts General Hospital, Fruit Street, Boston, Mass. 02114. Article: Total Hip Joint Replacement, 10 each. Manufacturer: Protek Ltd., Switzerland. Intended use of article: The purposes for which the articles are intended to be used are for a study and scientific assessment of hip reconstructions, using total hip replacement in contrast to previously existing modes of reconstructive hip surgery. Application received by Commissioner of Customs: September 9, 1970.

Docket No. 71-00133-33-46040. Applicant: Howard University, Purchasing Department, Washington, D.C. 20001. Article: Electron Microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used for research on the ultrastructural morphology of lym-

phatic capillaries during the normal and the inflammatory states, with special attention to the lymphatic anchoring filaments that serve to attach these vessels to the adjoining connective tissue areas; for studies on the precise nature in which these filaments are bound to the lymphatic endothelial plasma membrane; and for a precise identification of the pathological changes exhibited by the lymphatic endothelium during inflammation. Application received by Commissioner of Customs: September 9, 1970.

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-13164; Filed, Sept. 30, 1970;
8:52 a.m.]

NEW YORK STATE MUSEUM AND SCIENCE SERVICES-GEOLOGICAL SURVEY

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. 70-0047-88-74000. Applicant: New York State Museum and Science Services-Geological Survey, Room 973, State Education Building Annex, Albany, N.Y. 12224. Article: Portable seismograph, Model FS-3, shot box, battery recharger and cable reel. Manufacturer: Huntec, Ltd., Canada.

Intended use of article: The scientific purpose that the instrument will be used for will be a continuing study of the preglacial drainage patterns in the Hudson-Mohawk Lowlands. The study attempts to locate buried stream and river channels beneath glacial overburden. The applicant has established a network of points in the area being studied, and has obtained seismic bedrock data at these points. The data obtained from these points, plus a new set planned for the next two seasons, will trace the buried preglacial drainage systems in the Hudson Basin.

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

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as the article is intended to be used, is being manufactured in the United States.

Reasons: the captioned application is a resubmission of Docket No. 69-00633-88-74000 (original application). The jus-

tification for duty-free entry in the original application was based on a comparison of the foreign article with the Model R-150, Model MD-3, and Model MD-1, all manufactured by Soiltest, Inc. (Soiltest).

We were advised by the National Bureau of Standards (NBS) in its memorandum of September 2, 1969, that the Model GT-2B manufactured by Geo Space, Inc. of Houston (Geo Space) was of equivalent scientific value to the foreign article in regard to the pertinent specifications. NBS further advised in the above-cited memorandum that using hammer impacts instead of blasting caps with the Geo Space Model GT-2B would require a more highly skilled operator. The original application was denied without prejudice to resubmission on January 23, 1970, in order to afford the applicant institution an opportunity to justify duty-free entry of the foreign article on the basis of a comparison with the Geo Space Model GT-2B and to establish the pertinency of the need to employ more highly skilled operators when using the Model GT-2B by showing how this would impair the achievement of the purposes for which the foreign article is intended to be used. In the captioned application, the applicant again compared the foreign article with the Soiltest Models R-150, M-3, and M-1 in regard to the pertinent operating characteristics.

The only reference to the Geo Space Model GT-2B was with respect to the need to employ two skilled instead of one skilled and one unskilled operator, which would in turn necessitate a higher personnel budget (p. 4 of attachment to Form BDSAF-768). Applicant cites the following as pertinent characteristics of the foreign article:

- (1) A recording device that leaves a permanent record of the seismic event;
- (2) The ability to record more than one returning shock wave; and
- (3) The foreign article may be set up to use either a detonator or impact hammer to generate shock waves.

In regard to captioned application, NBS advised in its memorandum of April 24, 1970, that the Geo Space Model GT-2B provides all three of the pertinent specifications of the foreign article. Specifically, NBS stated:

*** GT-2B provides for a permanent record of the seismic event on polaroid film *** has the ability to record more than one returning shock wave *** [and] can be activated and used with blasting caps *** [or] the shock impact of a hammer blow. In regard to the need to replace an unskilled with a skilled operator, we note that in defining "pertinent specification" subsection 602.1(b)(7) of above-cited regulations provides in part: The term does not extend to such characteristics as size, durability, complexity or ease of operation, ease of maintenance and versatility, unless the applicant can demonstrate that they are necessary for accomplishing the purposes for which the article is intended to be used.

We find that in respect to the need to replace one unskilled with a skilled operator, the applicant has not demonstrated that a higher personnel budget would prevent the achievement of the

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

For the foregoing reasons, we find that the Geo Space Model GT-2B 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. 70-13165; Filed, Sept. 30, 1970; 8:52 a.m.]

STATE UNIVERSITY OF NEW YORK

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 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. 70-00680-33-46500. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, N.Y. 11203. Article: Ultramicrotome, Model OmU2. Manufacturer: C. Reichert Optische Werke, A.G., Austria.

Intended use of article: The article will be used for investigations concerning high resolution analysis of intracellular membranes; nuclear envelope of oocytes by high resolution analysis of ultrathin serial sections; platelet formation in megakaryocytes by serial sections analysis; and ramifications of small nerve cells of the substantia gelatinosa by serial section analysis.

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 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. 69-00118-33-46500) 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] obvious factors as knife edge condition and angle), is adjusted to the

characteristics of the material being sectioned." In connection with another prior case (Docket No. 69-00665-33-46500) relating to the duty-free entry of a similar foreign article, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is * * * a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of a similar foreign article, HEW advised that "ultrathin 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 September 2, 1970, that cutting speeds in excess of 3.2 mm./sec. are pertinent to the applicant's research studies in serial section analysis (particularly of megakaryocyte membranes) which will require long series of ultrathin sections that are reproducibly uniform and chatter free. HEW cites as a precedent its prior recommendation relating to Docket No. 70-00482-33-46500 which conforms in many particulars with 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. 70-13166; Filed, Sept. 30, 1970; 8:52 a.m.]

PENNSYLVANIA 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. 70-00479-65-46040. Applicant: The Pennsylvania State University, College of Earth and Mineral Sciences, University Park, Pa. 16802. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used as a training instrument for undergraduates, M.S. and Ph. D. candidates, postdoctoral Fellows, resident and visiting staff members. It will also be used for two teaching courses which cover the theory and practical application of electron microscopy in the Materials and Mineral Sciences. In addition, the electron microscope will be used for varied research projects on studies of air pollution particles with respect to particle size, state of aggregation, crystal structure and general morphology; replication study of the fine detail of fracture surfaces in metals and alloys; and to study powder mineral samples to observe crystal phase morphology and to identify specific components.

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 Forjlo Corp. (Forjlo). 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 May 18, 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. 70-13167; Filed, Sept. 30, 1970; 8:52 a.m.]

UNIVERSITY OF PITTSBURGH

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. 70-00678-33-46500. Applicant: University of Pittsburgh, Department of Anatomy and Cell Biology, 863B Scaife Hall, Terrace and De Soto Streets, Pittsburgh, Pa. 15213. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A. B., Sweden.

Intended use of article: The article will be used in an investigation of the fine structure of tissues from patients with Progressive Systemic Sclerosis (PSS). The tissue most accessible for biopsy from these patients is the skin, which will be embedded in a relatively soft resin of epon in order to obtain the best blocks for sectioning.

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 "ultrathin 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 August 26, 1970, that a range of cutting speeds that exceeds 4 mm./sec. is pertinent to the applicant's research purposes involving ultrathin uniform serial sectioning of human skin biopsies, small blood vessels, post-mortem tissues and other specimens of different consistencies of toughness and hardness for high resolution electron microscopy intended to reveal slight variations from normal or to identify viral inclusions. 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. 70-13168; Filed, Sept. 30, 1970; 8:52 a.m.]

STANFORD 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. 70-00763-00-77040. Applicant: Stanford University, 820 Quarry Road, Palo Alto, Calif. 94304. Article: Polarized ion source components. Manufacturer: Auckland Nuclear Accessory Co., Ltd., New Zealand. Intended use of article: The article will be used to study those "spin dependent" effects of nuclear forces and those properties of nuclear states which cannot be investigated properly, or in sufficient detail, or with enough resolution, when using a conventional

unpolarized ion source. The Department of Physics will use the article for research and education of graduate students.

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

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

Reasons: The article will provide polarized ions of atoms of various atomic numbers as well as from hydrogen isotopes.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated August 19, 1970, that the capability described above is pertinent to the applicant's research studies and, further, that it knows of no available domestically manufactured polarized ion source that can be used for the applicant's intended purposes.

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

[F.R. Doc. 70-13169; Filed, Sept. 30, 1970; 8:52 a.m.]

UNIVERSITY OF VIRGINIA

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. 70-00649-33-46040. Applicant: University of Virginia, Department of Biology, Gilmer Hall, Charlottesville, Va. 22903. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for extremely high resolution investigations on the molecular and macromolecular structures of tropocollagen, cytoplasmic microtubules mitochondrial membranes, minute changes in cell surface coats during the development of myoblasts, and of the intercellular junctions among various cell types of the pituitary gland. All these studies require the very best resolution available for critical analysis.

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

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

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forglfo Corp. (Forgflo). The Model EMU-4B has a specified resolving capacity 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 20, 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 Admin-
istration.

[P.R. Doc. 70-13170; Filed, Sept. 30, 1970;
8:52 a.m.]

WAYNE 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. 70-00675-33-46040. Applicant: Wayne State University School of Medicine, 1400 Chrysler Freeway, Detroit, Mich. 48207. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used by faculty and students from the Department of Anatomy for studies of a variety of animal materials and anatomical and physiological phenomena. One project concerns the study of visual cells in normal and carotenoid-deprived birds in order to determine the normal fine structure of the photoreceptors and the ultrastructural alterations caused by the absence of oil droplet pigments. The article

will also be used in graduate and medical school in courses concerned with the application of electron microscopy to an understanding of cell and tissue ultrastructure.

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 Forglfo 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 September 2, 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 Admin-
istration.

[P.R. Doc. 70-13171; Filed, Sept. 30, 1970;
8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

ALLOTMENT RATIOS

Promulgation

In the matter of allotment ratios for Vocational Education Act of 1963, as amended by Vocational Education Amendments of 1968 and Elementary and Secondary Education Amendments of 1969.

Pursuant to section 103(d)(2) of the Vocational Education Amendments of

1968 (Public Law 90-576) and section 702 of the Elementary and Secondary Education Amendments of 1969 (Public Law 91-230), which amend the Vocational Education Act of 1963 (Public Law 88-210), the following allotment ratios computed for the purpose of making grants under Parts B and C of title I of the Vocational Education Amendments of 1968 to the States, the District of Columbia, American Samoa, Guam, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands are hereby promulgated for the fiscal year ending June 30, 1972:

| | |
|---|--------|
| Alabama | 0.6000 |
| Alaska | .4015 |
| Arizona | .5537 |
| Arkansas | .6000 |
| California | .4166 |
| Colorado | .5147 |
| Connecticut | .4000 |
| Delaware | .4400 |
| Florida | .5326 |
| Georgia | .5895 |
| Hawaii | .4774 |
| Idaho | .6000 |
| Illinois | .4156 |
| Indiana | .5003 |
| Iowa | .5174 |
| Kansas | .5231 |
| Kentucky | .6000 |
| Louisiana | .6000 |
| Maine | .5879 |
| Maryland | .4508 |
| Massachusetts | .4346 |
| Michigan | .4603 |
| Minnesota | .5102 |
| Mississippi | .6000 |
| Missouri | .5258 |
| Montana | .5728 |
| Nebraska | .5197 |
| Nevada | .4130 |
| New Hampshire | .5248 |
| New Jersey | .4213 |
| New Mexico | .6000 |
| New York | .4000 |
| North Carolina | .6000 |
| North Dakota | .6000 |
| Ohio | .4926 |
| Oklahoma | .5851 |
| Oregon | .5134 |
| Pennsylvania | .5025 |
| Rhode Island | .4743 |
| South Carolina | .6000 |
| South Dakota | .5896 |
| Tennessee | .6000 |
| Texas | .5801 |
| Utah | .5909 |
| Vermont | .5572 |
| Virginia | .5530 |
| Washington | .4677 |
| West Virginia | .6000 |
| Wisconsin | .5072 |
| Wyoming | .5450 |
| District of Columbia | .4000 |
| American Samoa | .6000 |
| Guam | .6000 |
| Puerto Rico | .6000 |
| Trust Territory of the Pacific Islands | .6000 |
| Virgin Islands | .6000 |

Effective date: Allotment ratios shall be effective 30 days after date of publication.

Dated: September 24, 1970.

T. H. BELL,
Acting U.S. Commissioner
of Education.

[P.R. Doc. 70-13148; Filed, Sept. 30, 1970;
8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22530]

CHANNEL AIRWAYS LIMITED**Notice of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing on the above-entitled application is assigned to be held on October 7, 1970, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., September 25, 1970.

[SEAL] **HYMAN GOLDBERG,**
Hearing Examiner.

[F.R. Doc. 70-13145; Filed, Sept. 30, 1970;
8:51 a.m.]

[Docket No. 21828]

**AMERICAN-TRANS CARIBBEAN
MERGER****Notice of Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on October 7, 1970, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., September 25, 1970.

[SEAL] **THOMAS L. WRENN,**
Chief Examiner.

[F.R. Doc. 70-13146; Filed, Sept. 30, 1970;
8:51 a.m.]

[Docket No. 22536; Order 70-9-124]

MONMOUTH AIRLINES, INC.**Order To Show Cause**

Issued under delegated authority September 24, 1970.

The Postmaster General filed a notice of intent September 3, 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 92 cents per great circle aircraft mile for the transportation of mail by aircraft between Philadelphia and Pittsburgh, Pa., 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 99 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 Monmouth Airlines, 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 92 cents per great circle aircraft mile between Philadelphia and Pittsburgh, Pa., based on five round trips per week.

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. Monmouth Airlines, Inc., the Postmaster General, Allegheny Airlines, Inc., Trans World Airlines, Inc., 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 Monmouth Airlines, 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

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).

5. This order shall be served upon Monmouth Airlines, Inc., the Postmaster General, Allegheny Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] **HARRY J. ZINK,**
Secretary.

[F.R. Doc. 70-13147; Filed, Sept. 30, 1970;
8:51 a.m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Dockets Nos. 18640, 18641; FCC 70-1008]

**HOME SERVICE BROADCASTING
CORP. AND NATICK BROADCAST
ASSOCIATES, INC.****Memorandum Opinion and Order
Modifying Memorandum Opinion
and Order, 35 F.R. 3138**

In regard applications of Home Service Broadcasting Corp., Natick, Mass., Docket No. 18640, File No. BP-16478; Natick Broadcast Associates, Inc., Natick, Mass., Docket No. 18641, File No. BP-18012; for construction permits.

1. The Commission has before it for consideration: (a) The Review Board's memorandum opinion and order, FCC 70R-49, 21 FCC 2d 575, released February 16, 1970, enlarging the issues in this proceeding; (b) an application for review filed February 24, 1970, by Natick Broadcast Associates, Inc.; (c) an opposition filed March 6, 1970, by Home Service Broadcasting Corp.; (d) comments filed March 6, 1970, by the Chief Broadcast Bureau; and (e) a reply filed March 16, 1970, by Natick Broadcast Associates, Inc.

2. In its memorandum opinion and order, the Review Board enlarged the issues in this proceeding to determine: (a) whether Natick violated § 1.65 of the rules by not keeping its application current and accurate; (b) whether Natick attempted to obstruct and delay construction of Home Service's proposed station; and (c) whether Natick made misrepresentations to this Commission or any other governmental body concerning the suitability of its own proposed transmitter site and Home Service's adjacent site. The Board's first issue was founded upon Natick's failure to report other broadcast interests held by one of its stockholders within 30 days after those interests were acquired. The remaining issues were based on allegations that Natick had objected to grant of a zoning variance to Home Service because Home Service's proposed transmitter tower would interfere with electronic equipment and with reception of radio and television stations, but that Natick had, without adequate explanation, subsequently specified a transmitter site adjacent to Home Service's proposed site.

3. In its application for review, Natick urges that its interference claims were founded upon the very intense RF field which is present within the 1.0 V/m contour of all standard broadcast stations. Conceding that its own proposal would cause the same kind of interference, Natick asserts that this phenomenon is recognized by our rules and that affected citizens should have an opportunity to be heard on such matters before any zoning variance is granted. Natick also contends that the Board's ruling may improperly discourage individuals from seeking relief from State and local authorities for matters which are wholly of local concern. In connection with the § 1.65 issue, Natick claims that its application was not accepted for filing, which action is a prerequisite for application of § 1.65, until its application was designated for hearing and that the other broadcast interests had been reported by the latter date. Natick thus requests us either to reverse the Board's action adding the issue or to remand the matter to the Board with instructions to reconsider its order in light of the correct facts.

4. Both Home Service and the Broadcast Bureau argue in opposition that the addition of the issues by the Review Board cannot be considered fundamental and that Natick's application for review should be dismissed in light of the Note to § 1.115(e) (2) of the rules, which provides that applications for review of interlocutory matters should be deferred until the time for filing exceptions unless the ruling complained of is fundamental and affects the conduct of the entire proceeding. However, with respect to the § 1.65 issue, the Bureau states that both it and the Review Board "assumed, contrary to the facts, that the application of Natick Broadcast Associates, Inc., was accepted for filing on December 13, 1967." Since Natick's obligation under § 1.65 to update its application did not arise until the application was designated for hearing, when it was also accepted for filing, the Bureau concludes that the Board should be permitted to reconsider its action on this issue.

5. Initially, we agree with Home Service and the Bureau that the Review Board's ruling adding the obstruction and misrepresentation issues does not fundamentally affect the conduct of this proceeding. The original issues require a full evidentiary hearing, and we are not persuaded that the Board's enlargement of the issues has fundamentally altered the scope of the hearing or that such a further evidentiary showing will impose an undue burden upon the applicant. The Board's order is not dispositive of this case; it merely expands the list of questions to be considered during the hearing. While we recognize, as Natick asserts, that we have not applied this policy uniformly in the past, we are now convinced that the orderly and efficient dispatch of our business requires that this and all similar requests for interlocutory relief in the future be dismissed. In the absence of a manifest abuse of discretion of clearly unauthorized action,

we believe that the mere addition of issues in a case already designated for hearing does not warrant interlocutory review, since there is ample opportunity to consider the merits of such matters after release of the initial decision.

6. The parties' contentions concerning the § 1.65 issue, on the other hand, indicate that review is appropriate. While the Review Board reasonably believed that Natick's application had been accepted for filing shortly after its submission on December 13, 1967, thus coming within the provisions of § 1.65, both the Bureau and Natick now point out that Natick's application was not accepted for filing until it was designated for hearing, by which time the other broadcast interests had been reported. Under these circumstances, it is clear that Natick cannot be charged with a violation of the literal terms of § 1.65. Although we could remand this matter to the Board for further consideration as the Bureau suggests, we have concluded that this is not necessary, since there is an ample basis in the present record to resolve this question without further delay and since we believe that the substance of the Board's action was correct.

7. The report and order adopting § 1.65, FCC 64-1073, released November 13, 1964, 3 RR 2d 1622, made clear that the rule "merely restated well-established Commission policy." Thus, to the extent that Natick failed to keep its application complete, accurate, and current, it is clear that Natick's conduct was in conflict with our basic policy which requires that an applicant report all material and significant changes affecting the information set forth in its application so that these changes may be considered while the application is being processed. In view of the facts, as noted by the Board, that Natick explicitly recognized the need to bring its application up to date, that Natick actually filed a variety of amendments for that purpose, but that 9 to 11 months elapsed before Natick reported information which is clearly required by the application form, we agree with the Review Board that this matter should be fully explored during the evidentiary hearing. In order to avoid any confusion about the scope of this question, however, we shall modify the issue added by the Board by eliminating its reference to § 1.65.

8. Accordingly, it is ordered:

(a) That the application for review filed February 24, 1970, by Natick Broadcast Associates, Inc., is granted to the extent indicated in this Memorandum Opinion and Order and is dismissed in all other respects; and

(b) That the first issue added in paragraph 16 of the Review Board's memorandum opinion and order, FCC 70R-49, 21 FCC 2d 575, released February 16, 1970, is modified to read as follows:

To determine whether Natick Broadcast Associates, Inc., has kept the Commission advised of substantial changes on matters specifically referred to in this memorandum opinion and order, and, if not, to determine the effect of such fall-

ure on the basic and/or comparative qualifications of Natick Broadcast Associates, Inc., to be a Commission licensee.

Adopted: September 23, 1970.

Released: September 29, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 70-13136; Filed, Sept. 30, 1970;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-0085, etc.]

J. S. RUSHING ESTATE ET AL.

Findings and Order

SEPTEMBER 21, 1970.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, terminating proceeding, substituting respondent, making successor co-respondent, redesignating proceedings, accepting agreement and undertaking for filing, and accepting related rate schedules and supplements for filing.

Each of the applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate or abandon natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Rimco Royalty Co. (Operator) et al., applicant in Docket No. C162-581, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Shiprock Industries, Inc. (Operator), et al., FPC Gas Rate Schedule No. 2. Said rate schedule will be redesignated as that of applicant. The presently effective rate under said rate schedule for sales from the Bianco Mesa Verde and Basin Dakota Fields is in effect subject to refund in Docket No. RI64-551. Applicant indicates

in its certificate application that in addition to the refund obligation required by § 154.92(d) (3) of the regulations under the Natural Gas Act, it intends to be responsible for the total refund from the date the increased rate of its assignor became effective subject to refund. Concurrently with the certificate application applicant submitted an agreement and undertaking to assure refunds. Therefore, applicant will be substituted in lieu of Shiprock Industries, Inc., as respondent in the proceeding pending in Docket No. RI64-551; said proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

PetroDynamics, Inc. (Operator), et al., applicant in Docket No. CI63-677, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Jas. F. Smith (Operator) et al., FPC Gas Rate Schedule No. 7. Said rate schedule will be redesignated as that of applicant. The presently effective rate under said rate schedule for sales of gas produced from the top of the Wolfcampian Series down to 7,500 feet and all casinghead gas is in effect subject to refund in Docket No. RI68-576. Therefore, applicant will be made a co-respondent in said proceeding and said proceeding will be redesignated accordingly. Applicant has heretofore filed a general undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petitions to intervene, notices of intervention or protests to the granting of the applications have been filed.

At a hearing held on September 16, 1970, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission;

and such sales by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) The revenues received for sales at the increased rate under Associated Programs, Inc. (Operator), et al., FPC Gas Rate Schedule No. 4 which were collected subject to refund in Docket No. RI66-206 are de minimis; and, therefore, the proceeding pending in Docket No. RI66-206 should be terminated and Associated should be relieved from any refund obligation with respect to such sales.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Rimco Royalty Co. (Operator) et al., should be substituted in lieu of Shiprock Industries, Inc. (Operator), et al., as respondent in the proceeding pending in Docket No. RI64-551; that said proceeding should be redesignated accordingly; and that the agreement and undertaking submitted by Rimco should be accepted for filing.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that PetroDynamics, Inc. (Operator), et al., should be made a co-respondent in the proceeding pending in Docket No. RI68-576 and that said

proceeding should be redesignated accordingly.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The initial rates for sales authorized in Dockets Nos. CI70-1124 and CI71-22 shall be the applicable area base rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality of gas, or the contract rates, whichever are lower. If the quality of the gas delivered by applicant deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by

the applicable formula and charged without the filing of notices of changes in rate.

(b) The initial rate for the sale authorized in Docket No. CI71-31 shall be 15 cents per Mcf at 15.025 p.s.i.a.

(c) The rate for the sale authorized in Docket No. CI67-286 shall be 15 cents per Mcf at 14.65 p.s.i.a including tax reimbursement.

(d) The rate for the sale authorized in Docket No. CI63-489 (Oklahoma "Other" area only) shall be 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement and subject to B.t.u. adjustment. In the event that the Commission amends its statement of general policy No. 61-1, by adjusting the boundary between the Oklahoma Panhandle area and the Oklahoma "Other" area, so as to increase the initial wellhead price for new gas, applicant thereupon may substitute the new rate reflecting the amount of such increase and thereafter collect the new rate prospectively in lieu of the initial rate herein authorized in said docket.

(e) The rate for the sale authorized in Docket No. CI63-489 (Oklahoma Panhandle area only) shall be 17 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement and subject to B.t.u. adjustment.

(E) Certificates are issued in Dockets Nos. CI70-1124 and CI71-22 authorizing Terra Resources, Inc., to continue the sales of natural gas heretofore authorized in Docket No. CS67-76 to be made by CRA, Inc., and the certificate heretofore issued in Docket No. CS67-76 is terminated.

(F) The orders issuing certificates in Dockets Nos. G-6085, G-9396, G-10706, G-12513, G-15488, G-15912, CI62-825, CI63-356, CI63-489, CI67-286, and CI70-397 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(G) Sales from the added acreage in Docket No. G-15488 shall be made at a rate subject to refund in Docket No. RI70-865.

(H) The authorization granted in Docket No. G-10706 in paragraph (F) above shall not be construed to relieve applicant of any refund obligations in the rate proceedings pending in Dockets Nos. RI68-405 and RI70-419, and the authorization granted in Docket No. G-12513 in paragraph (F) above shall not be construed to relieve applicant of any refund obligations in the rate proceedings pending in Dockets Nos. RI68-100 and RI70-976.

(I) The orders issuing certificates in Dockets Nos. G-6085, G-20261, CI62-581, CI63-677, and CI66-748 are amended to reflect the successors in interest as certificate holders.

(J) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

| Amend to delete acreage | New certificate and/or amendment to add acreage |
|-------------------------|---|
| G-4579 | CI60-397 |
| CI60-153 | CI70-1141 |
| CI60-159 | CI70-1141 |
| CI63-1583 | CI71-40 |
| CI68-677 | CI71-24 |

(K) Permission for an approval of the abandonment of service by applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(L) Permission for and approval of the abandonment in Docket No. CI71-17 shall not be construed to relieve applicant of any refund obligations in the rate proceeding pending in Docket No. RI68-402.

(M) The certificates heretofore issued in Dockets Nos. G-5127, G-8873, CI60-818, CI61-342, CI63-391, CI68-571, CI 69-488, and CI69-927 are terminated.

(N) Applicant is not relieved of any refunds that may be ordered in the proceeding in Docket No. CI61-342.

(O) The temporary certificate heretofore issued in Docket No. CI68-142 is terminated only with respect to sales made pursuant to NI-Gas Supply, Inc., FPC Gas Rate Schedule No. 1.

(P) The rate proceeding pending in Docket No. RI66-206 is terminated and Associated Programs, Inc. (Operator), et

al., is relieved from any refund obligation in said proceeding.

(Q) Rimco Royalty Co. (Operator), et al., is substituted in lieu of Shiprock Industries, Inc. (Operator), et al., as respondent in the proceeding pending in Docket No. RI64-551; said proceeding is redesignated accordingly; and the agreement and undertaking submitted by Rimco is accepted for filing. Rimco shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(R) PetroDynamics, Inc. (Operator), et al., is made a co-respondent in the proceeding pending in Docket No. RI68-576 and said proceeding is redesignated accordingly. PetroDynamics, Inc., shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(S) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission,

[SEAL] GORDON M. GRANT, Secretary.

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted | | |
|---|---|--|---|------------|----------------|
| | | | Description and date of document | No. | Supp. |
| G-6085 E 7-8-70 | J. S. Rushing Estate (successor to J. S. Rushing). | Arkansas Louisiana Gas Co., Ada Field, Webster Parish, La. | J. S. Rushing, FPC GRS No. 1. Supplement Nos. 1-9. Notice of succession 7-6-70. Effective date:..... | 1 | |
| C 7-8-70 | | | Date of transfer of properties, amendment 6-16-70. ¹ | 1 | 10 |
| G-6396 D 7-2-70 | Skelly Oil Co. | El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex. | Supplement 6-30-70 ¹ . | 90 | 17 |
| G-9396 D 7-16-70 | do. | do. | Letter agreement 6-25-70 ¹ . | 90 | 18 |
| G-10706 D 7-1-70 | Sun Oil Company | Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla. | Notice of partial cancellation 6-25-70. ^{1 2} | 335 | 11 |
| G-12513 D 7-1-70 | do. | Cities Service Gas Co., Eureka Field, Grant County, Oklahoma. | Notice of partial cancellation 6-25-70. ^{1 2} | 83 | 6 |
| G-15488 C 6-24-70 ¹ | Union Oil Co. of California (Operator) et al. | West Lake Natural Gasoline Co. and Atlantic Richfield Co., South Lake Trammell Unit, Nolan County, Tex. | Supplemental Agreement 4-20-70. ¹ Letter 6-12-70 ^{1 2} . | 32 32 | 15 16 16 |
| G-16912 C 7-2-70 as amended 7-16-70. | Skelly Oil Co. | El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex. | Letter agreement 5-27-70 ¹ . Notice of change 6-30-70. ¹⁰ | 131 131 | 11 12 |
| G-20261 E 7-13-70. | PetroDynamics, Inc. (Operator), et al. (successor to Smith Development Co. (Operator) et al.). | Natural Gas Pipeline Co. of America, West Panhandle Field, Carson County, Tex. | Smith Development Co. (Operator) et al., FPC GRS No. 3. Supplement No. 1. Notice of succession (Undated). Certificate of merger 6-30-70. Effective date: 6-30-70. | 28 | |
| CI62-581 E 6-30-70. ¹¹ | Rimco Royalty Co. (Operator) et al. (successor to Shiprock Industries, Inc. (Operator) et al.). | El Paso Natural Gas Co., Artec Pictured Cliffs, Blanco Mes Avois and Basin Dakota Fields, San Juan County, N. Mex. | Shiprock Industries, Inc. (Operator) et al., FPC GRS No. 2. Supplement Nos. 1-10. Notice of Succession 6-25-70. Assignment 4-21-69 ¹¹ . Effective date: 5-1-69. | 2 | |

Filing code: A-Initial service.
B-Abandonment.
C-Amendment to add acreage.
D-Amendment to delete acreage.
E-Succession.
F-Partial succession.
See footnotes at end of table.

| FPC rate schedule to be accepted | | FPC rate schedule to be accepted | |
|--|--|----------------------------------|--|
| Docket No. and date filed | Description and date of document | No. Supp. | Description and date of document |
| C170-824 D 6-12-70 | El Paso Natural Gas Co., Rado Caballo Field, Pecos County, Tex. | 812 | Notices of partial cancella- tion 6-10-70, 7-3-70 |
| C170-856 D 6-6-70 | Marathon Oil Co. Lease Gas Co., East Duncan Field, Bryan County, Okla. | 83 | Assignment 7-19-67, 8-1-70 |
| C170-889 C 7-10-70 | Michigan Wisconsin Pipe Line Co., South Leno Wolf and Northwest Cedarvale Fields, Maye and Woodward Coun- ties, Okla. | 81 | Amendment 6-17-70 |
| C170-877 E 6-29-70 | PetroDynamics, Inc. (Operator) et al. (suc- cessor to J. F. Smith (Operator) et al.) | 26 | Jas. F. Smith (Operator) et al. FPC GRS No. 7, Supplement No. 1, Notices of succession (Unrated), Supplemental agreement 4-26-64, Cancellation agreement 6-18-64, Amendment 8-10-64, Amendment 8-17-64, Notices of cancellation 11-26-65, Effective date: 7-2-66, Hudson Ohio Oil Co., FPC GRS No. 1 (Parties to Contract No. 2067), Notices of succession 7-1-70, Assignment 2-25-70, Effective date: 3-1-70, Amendment 6-16-70 |
| C170-748 E 7-6-70 | A. A. Fursley (successor to Hudson Ohio Oil Co.) | 9 | Consolidated Gas Supply Corp., Spring Creek District, West County, W. Va. |
| C170-886 C 7-16-70 | Monomato Co. # (Operator) et al. | 9 | Arkansas Louisiana Gas Co., Arkansas Area, Petroburg County, Okla. |
| C170-867 (G-4570) (G-4570) # (G-4570) # | Prairie Producing Co. (Operator) et al. | 4 | Trunkline Gas Co., Ramsay Field, Colorado County, Tex. |
| C170-1120 (G-8873) # B 6-12-70 | Cities Service Oil Co. Clarence A. Russell et al. | 1 | Tennessee Gas Pipeline Co., a division of Tennessee Inc., Cecil Noble Field, Colorado County, Tex. |
| C170-1124 F 6-22-70 | Terra Resources, Inc. (successor to C.R.A. Inc.) | 13 | El Paso Natural Gas Co., Langley-Matrix Field, Lea County, N. Mex. |
| C170-1141 (C180-180) (C180-180) F 6-29-70 # | Bacon Resources Corp. (Operator) et al. (successor to Cabot Corp. (SW) and Onif Corp.) | 13 | Cities Service Gas Co., Evelyn-Condell Field, Seward County, Kans. |
| C170-115 (C180-488) B 7-9-70 | The Superior Oil Co. (Operator) et al. | 13 | Transcontinental Gas Pipe Line Corp., Vesper Field, Wagon Wheel, Parish, La. |
| C170-117 (G-4327) B 7-7-70 | Sun Oil Co. | 281 | Texas Eastern Trans- mission Corp., East Marshall Field, De Witt County, Tex. |
| C170-119 B 7-9-70 | Charles B. Gillespie, Jr. (Operator) | 1 | El Paso Natural Gas Co., Dolanville-Queen Field, Lea County, N. Mex. |

See footnotes at end of table.

| FPC rate schedule to be accepted | | FPC rate schedule to be accepted | |
|-------------------------------------|---|----------------------------------|--|
| Docket No. and date filed | Description and date of document | No. Supp. | Description and date of document |
| C171-26 (C180-140) # B 7-4-70 | NI-Gas Supply, Inc. | 1 | Notices of Cancellation 6-29-70, 7-3-70 |
| C171-27 A 7-7-70 | George W. Maribotta, Agent et al. | 3 | Contract 5-12-70 (No. 6384) |
| C171-21 (C 887-70) F 6-29-70 | Terra Resources, Inc. (successor to C.R.A. Inc.) | 14 | C.R.A. Inc., FPC GRS No. 10, Supplement Nos. 1-11, Notices of succession 6-19-70, Assignment 3-26-70 #, Contract 10-16-67 #, Assignment 6-5-70 #, Effective date: 4-1-70, Notices of Cancellation 7-8-70, 7-3-70 |
| C171-24 (C180-677) F 7-2-70 | B. J. Brown (successor to Mobil Oil Corp.) | 14 | Arkansas Louisiana Gas Co., Chalmersville Field, Logan County, Ark. |
| C171-25 (C180-207) B 7-13-70 | Associated Programs, Inc. (Operator) et al. | 7 | Tennessee Gas Pipeline Co., a division of Tennessee Inc., New Taiton Field, Wharton County, Tex. |
| C171-20 A 7-10-70 | B. A. Wales (Operator) et al. | 1 | Transcontinental Gas Pipe Line Corp., West Washington Ranch Area, La Salle County, Tex. |
| C171-31 A 7-16-70 | Ernie Anderson # | 8 | Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Baca County, Colo. |
| C171-32 (C181-942) B 7-16-70 | American Natural Gas Production Co. | 1 | United Fuel Gas Co., Southwest Meramecan Field, Acadia Parish, La. |
| C171-37 (C180-571) B 7-17-70 | Hugh K. Spencer et al., d.b.a. J. & S. Gas Co. | 20 | Consolidated Gas Supply Corp., Center District, Gibson County, W. Va. |
| C171-38 (C180-818) B 7-17-70 | J. M. L. Smith et al., d.b.a. Silbert and Smith No. 8. | 6 | Consolidated Gas Supply Corp., West Union District, Doddridge County, W. Va. |
| C171-40 (C180-1080) F 5-11-70 | Glover & Refner Pe- trochem Management Corp. (Operator) et al. (successor to Shell Oil Co.) | 2 | Arkansas Louisiana Gas Co., North Carter Field, Beckham County, Okla. |

1 Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).

2 Dates the production from the Jicarilla Wells Nos. 1, 6, and 14 from dedication under a high pressure contract (FPC GRS No. 90) and deliveries same to a low pressure contract (FPC GRS No. 130), Docket No. G-13012.

3 Effective date: Date of this order.

4 Denies the production from the Jicarilla B Well No. 3 from dedication under a high pressure contract (FPC GRS No. 90) and deliveries same to a low pressure contract (FPC GRS No. 130) Docket No. G-13012.

5 Source of gas depleted.

6 Amendment to add additional acreage and to cover co-owner's interest.

7 Adds acreage to a depth not exceeding 2,000 feet below sea level.

8 Letter from Terra, Inc. requesting Union to cover its interest in the South Lake Trammell Unit.

9 Adds production from the Jicarilla G Wells Nos. 1, 6, and 14 to a low pressure contract.

10 FPC Aug. 2, 1970, provides for a reduction in rate from 12.0953 cents to 12 cents for production transferred from FPC GRS No. 90 (Docket No. G-8996) to FPC GRS No. 101 (Docket No. G-13912).

11 By letter filed Aug. 17, 1970, Applicant amended its application to provide for a rate of 12.0465 cents (Pictured).

12 Childs in lieu of 11 cents which was incorrectly specified in the June 20, 1970 certificate filing.

13 From Quasar Sciences, Inc. (formerly Shiprock Industries, Inc.) to Kinco. Kinco made no certificate filings to reflect the merger.

14 Includes letter agreement with buyer desiring nonproductive acreage in order that farmout agreements can be made.

15 Denies nonproductive acreage assigned to Chevron Oil Co.

16 Contract rate is 15.035 cents including tax reimbursement. Applicant is filing for rates of 15 cents (Oklahoma "Other" area) and 17 cents (Oklahoma Pads area) including tax reimbursement and subject to B.I.E. adjustment.

* Contract rate is 16.015 cents including tax reimbursement. Applicant is filing for a rate of 15.0 cents including tax reimbursement.

* Assigns acreage from Cities Service Oil Co. to Prairie Producing Co. to a depth of 11,007 feet save and except the 9,300 Foot Sand. This acreage is dedicated to a contract between Cities Service Oil Co. and Trunkline Gas Co.; currently on file as Cities Service Oil Co. FPC GRS No. 1.

* No certificate filing made or necessary; only the related rate filing is being accepted for filing.

* The certificate was issued to C. N. Housh et al., in Docket No. G-8873.

* Formerly on file as CRA, Inc., FPC GRS No. 9 which was canceled when the small producer certificate was issued to CRA, Inc. in Docket No. CS67-78.

* From CRA, Inc., to Terra Resources, Inc.

* The application in Docket No. C170-1145 was erroneously noticed as an initial service. Application amended by telegram filed Aug. 6, 1970, to reflect the predecessor's rate of 17 cents in lieu of 16 cents originally filed for.

* Also on file as Cabot Corp. (SW) FPC GRS No. 48 (Docket No. C160-153) and Gulf Oil Corp. FPC GRS No. 283 (Docket No. C160-159).

* Amends contract and confirms transfer of certain interests to Beacon Resources Corp. et al.

* Other sales covered under the temporary certificate issued in Docket No. C168-142; therefore, the temporary certificate in said docket will be terminated only with respect to sales made pursuant to NI-Gas Supply, Inc., FPC GRS No. 1.

* Formerly on file as CRA, Inc., FPC GRS No. 10 which was canceled when the small producer certificate was issued to CRA, Inc. in Docket No. CS67-78.

* Currently on file as Mobil Oil Corp. FPC GRS No. 410.

* From Mobil Oil Corp. to applicant.

* Dedicates acreage to a depth of 6,000 feet below the surface of the ground.

* Contract provides for rate of 16 cents per Mcf at 14.65 p.s.i.a.; however, applicant states willingness to accept a permanent certificate conditioned to 15 cents per Mcf at 15.025 p.s.i.a.

* Production of gas no longer economically feasible.

* On file as Shell Oil Co. FPC GRS No. 289.

* Assigns acreage from Shell to Glover & Hefner Petroleum Management Corp. (Operator) et al.

[F.R. Doc. 70-12965; Filed, Sept. 30, 1970; 8:45 a.m.]

[Docket No. CP71-61]

BOSTON GAS CO.

Notice of Application

SEPTEMBER 24, 1970.

Take notice that on September 18, 1970, Boston Gas Co. (Applicant), 2900 Prudential Tower, Boston, Mass. 02199, filed in Docket No. CP71-61 an application pursuant to section 3 of the Natural Gas Act for an order of the Commission granting authority to import liquefied natural gas (LNG) from Canada, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to import LNG purchased from Gaz Metropolitan Inc. (Gaz Metro), in Montreal, Canada, by means of over-the-road cryogenic tank trailer trucks. All shipments will be made from Gaz Metro's facilities in Montreal to Applicant's storage facilities located at Commercial Point in Boston, Mass.

Applicant states that 1,700,000 gallons of LNG are to be delivered by Gaz Metro on a firm basis subject to certain conditions at a rate of 12.5 cents per gallon, f.o.b. Montreal. An additional 850,000 gallons of LNG will be delivered by Gaz Metro, if available to it, up to November 1, 1970, at the rate of 6.283 cents per gallon, f.o.b. Montreal.* Transportation costs, to be assumed by Applicant, are estimated to add 4 cents per gallon.

Applicant states that this quantity of LNG is needed for peak shaving purposes during the 1970-71 winter season.

Applicant proposes to ship the first truckload of LNG on or about October 19, 1970, and proposes to make further shipments periodically until April 15, 1971.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 16, 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

* Applicant states the proposed importation of 2,550,000 gallons of LNG is equivalent to 220,000 Mcf of natural gas.

procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-13099; Filed, Sept. 30, 1970; 8:47 a.m.]

[Docket No. CP71-65]

CITIES SERVICE GAS CO.

Notice of Application

SEPTEMBER 24, 1970.

Take notice that on September 18, 1970, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP71-65 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(b) of the regulations thereunder for a certificate of public convenience and necessity authorizing the construction during the calendar year 1971 and operation of gas purchase facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system additional supplies of natural gas in areas generally co-extensive with its system.

Applicant estimates that the total cost of the facilities to be installed in the calendar year 1971 will not exceed \$4 million and that the total cost of the facilities for any single project will not exceed \$1 million.

Any person desiring to be heard or to make any protest with reference to said application should on or before Oc-

tober 19, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-13100; Filed, Sept. 30, 1970; 8:47 a.m.]

[Docket No. CP71-60]

EL PASO NATURAL GAS CO.

Notice of Application

SEPTEMBER 24, 1970.

Take notice that on September 16, 1970, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP71-60 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain facilities and the service rendered thereby, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it received authorization from the Commission by order issued August 21, 1969, in Docket No. CP69-23, 43 FPC _____ (1969), inter alia, to continue certain sales of natural gas to various purchasers for resale, including sales to Southern Union Gas Co. (Southern Union), covered under Applicant's Rate Schedule FS-39, FPC Gas Tariff, Original Volume 2A, and to operate existing related sales facilities.

Applicant states that Southern Union, by letter dated June 23, 1970, elected to terminate the contractual arrangement set forth in Rate Schedule FS-39. Accordingly, Applicant requests permission

and approval to abandon service rendered under Rate Schedule FS-39 and a tap and meter run in San Juan County, N. Mex., used therefor.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 19, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-13102; Filed, Sept. 30, 1970;
8:47 a.m.]

[Docket No. CP71-62]

NORTHERN NATURAL GAS CO. Notice of Application

SEPTEMBER 24, 1970.

Take notice that on September 18, 1970, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP71-62 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act and §§ 157.7(b), 157.7(c), and 157.7(e) of the regulations thereunder for a budget-type certificate of public convenience and necessity authorizing the construction during the calendar year 1971 and operation of various gas purchase and gas sales facilities for the transportation of natural gas in interstate commerce and for permission and approval to abandon various minor direct sales facilities during the calendar year 1971, all as more fully set forth in the application which

is on file with the Commission and open to public inspection.

The purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch: (a) in contracting for and connecting to its pipeline system additional supplies of natural gas in areas generally co-extensive with its system; (b) in establishing new delivery points for direct sales of natural gas and making miscellaneous rearrangements on its system; and (c) in ceasing service and removing direct sales measuring, regulating and related minor facilities no longer required for deliveries to Applicant's customers.

Applicant states that the total cost of construction of gas purchase facilities will not exceed \$5 million, with no single project exceeding \$1 million, and that the total cost of construction of gas sales or transportation facilities will not exceed \$300,000.

In addition, Applicant requests a waiver of the provision of § 157.7(c) (1) (i) of the regulations which prohibits the filing of an abbreviated application when a distributor is required to make a contribution to the Applicant for the cost of facilities. Applicant states that it is Applicant's policy to require distributors to make a contribution for the cost of constructing measuring and regulating facilities and appurtenances where no additional contract demand is being purchased by such distributors.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 19, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-13103; Filed, Sept. 30, 1970;
8:47 a.m.]

FEDERAL RESERVE SYSTEM

FIRST NEW MEXICO BANKSHARE CORP.

Order Approving Action To Become a Bank Holding Company

In the matter of the application of First New Mexico Bankshare Corp., Albuquerque, N. Mex., for approval of action to become a bank holding company through the acquisition of 80 percent or more of the voting shares of First National Bank of Rio Arriba, Espanola; The Merchants Bank, Gallup; First National Bank in Raton, Raton; and Security National Bank of Roswell, Roswell, all in New Mexico.

There has come before the Board of Governors, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (1)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First New Mexico Bankshare Corp., Albuquerque, N. Mex., for the Board's prior approval of action whereby applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of First National Bank of Rio Arriba, Espanola; The Merchants Bank, Gallup; First National Bank in Raton, Raton; and Security National Bank of Roswell, Roswell, all in New Mexico.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency and the New Mexico Commissioner of Banking, and requested their views and recommendations. The Comptroller recommended approval of the application, and the Commissioner offered no objection to approval.

Notice of receipt of the application was published in the FEDERAL REGISTER on July 22, 1970 (35 F.R. 11724), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. The time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, for the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved; *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b)

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,^{*}
September 24, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-13093; Filed, Sept. 30, 1970;
8:46 a.m.]

VALLEY BANCORPORATION

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 Valley Bancorporation, which is a bank holding company located in Appleton, Wis., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of Bank of Kewaskum, Kewaskum, Wis.

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 Chicago.

By order of the Board of Governors,
September 24, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-13094; Filed, Sept. 30, 1970;
8:47 a.m.]

* Voting for this action: Chairman Burns and Governors Robertson, Brimmer, and Sherrill. Absent and not voting: Governors Mitchell, Daane, and Maisel.

SMALL BUSINESS ADMINISTRATION

FUNDS FOR BUSINESS GROWTH, INC.

Notice of License Surrender

Notice is hereby given that Funds for Business Growth, Inc. (Funds), 1609 East Wadsworth Avenue, Philadelphia, Pa. 19160, has surrendered its license to operate as a small business investment company pursuant to § 107.105 of the regulations governing small business investment companies (33 F.R. 326, 13 CFR Part 107).

Funds was licensed as a small business investment company on April 6, 1961, to operate solely under the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C., 661 et seq.), and the regulations promulgated thereunder.

Under the authority vested by the Act, and pursuant to the cited regulation, the surrender of the license is hereby accepted and all rights, privileges, and franchises derived therefrom are canceled and terminated.

A. H. SINGER,
Associate Administrator
for Investment.

SEPTEMBER 21, 1970.

[F.R. Doc. 70-13092; Filed, Sept. 30, 1970;
8:46 a.m.]

TRINITY CAPITAL FUNDS, INC.

Notice of Surrender of License To Operate as a Small Business Investment Company

Notice is hereby given that Trinity Capital Funds, Inc. (Trinity), has, pursuant to § 107.105 of the regulations governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) surrendered its license to operate as a small business investment company (SBIC).

Trinity was incorporated on May 12, 1961, under the laws of the State of Texas to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.) (Act), and it was issued License No. 10-0055 by the Small Business Administration on June 12, 1961.

Under the authority vested by the Act, and the Regulations promulgated thereunder, the surrender of the license of Trinity is hereby accepted and, accordingly, it is no longer licensed to operate as an SBIC.

Dated: September 11, 1970.

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 70-13091; Filed, Sept. 30, 1970;
8:46 a.m.]

GENERAL SERVICES ADMINISTRATION

[GSA Bulletin FPMR E-84]

SUPPLY AND PROCUREMENT

Use of GSA Requirements Type Contracts for Punched Card Accounting Machines (PCAM)

AUGUST 21, 1970.

1. *Purpose.* This bulletin announces the availability of requirements type contracts executed by GSA for PCAM rental and provides guidance for the use of such contracts.

2. *Expiration date.* This bulletin contains information of a continuing nature and will remain in effect until canceled.

3. *Background.* GSA has executed requirements type contracts with five leasing firms for certain types and models of PCAM manufactured by International Business Machines Corp. (IBM) at prices lower than those in the current IBM Federal Supply Schedule contract.

4. *Mandatory use.* These GSA requirements type contracts are mandatory on all Federal agencies and contain provisions for their use. Due to the limited quantities of machines available, instructions to ordering offices require that they obtain an authorization from GSA prior to placing orders against these contracts. Any deviation from the provisions of the contracts, including renewal of leases with IBM or the establishment of new leases for additional PCAM equipment, may be pursued only after a delegation of ADPE procurement authority has been obtained from GSA in accordance with the provisions of FPMR 101-32.404. Agencies should consolidate their requirements for PCAM when requesting a delegation of procurement authority. The following types of PCAM are covered by the contracts:

| Machine type: | Model No. |
|---------------|---------------------|
| 024 | 1, 2. |
| 047 | 1. |
| 056 | 1, 2. |
| 077 | 1. |
| 082 | 1, 50. |
| 084 | 1. |
| 085 | 1. |
| 088 | 2. |
| 089 | 1. |
| 402 | A1, 550. |
| 403 | A1. |
| 407 | A1, A2, A3, E4, E8. |
| 419 | A1. |
| 514 | 1, 2, 3. |
| 519 | 1, 2, 3. |
| 523 | 1, 2. |
| 602 | 1. |
| 604 | 1. |

5. *Availability.* Copies of the contracts (not contractors' price lists) are distributed to recipients of the schedule FSC Group 74, Part VI. Additional copies are available from GSA regional offices or from the General Services Administration (FIPG), Washington, D.C. 20406 or by calling (703) 557-8777. Additional information concerning use of these con-

tracts may be obtained by writing to the above address.

L. E. SPANGLER,
Acting Commissioner,
Federal Supply Service.

[F.R. Doc. 70-13090; Filed, Sept. 30, 1970;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 90]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

SEPTEMBER 25, 1970.

The following applications are governed by special rule 247¹ of the Commission's general rules of practice (49 CFR 1100.247 as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of Section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1222 (Sub-No. 36), filed September 8, 1970. Applicant: THE REINHARDT TRANSFER COMPANY, a corporation, 1410 10th Street, Portsmouth, Ohio 45662. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic, plastic products, and ceramic foam* (except in bulk), from points in Hamilton Township (Lawrence County), Ohio, to points in Illinois and the southern peninsula of Michigan. NOTE: Applicant states tacking possibilities exist at various points although not contemplated. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 8948 (Sub-No. 95), filed September 9, 1970. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. 90058. Applicant's representative: Theodore W. Russell, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction Alabama Highway 67 and U.S. Highway 31 at or near Decatur, Ala., and junction U.S. Highways 231 and 278 near Brooksville, Ala., from junction Alabama Highway 67 and U.S. Highway 31 over Alabama Highway 67 to junction U.S. Highway 231; thence over U.S. Highway 231 to junction U.S. Highway 278 and return over the same route, restricted to traffic moving from, to or through Memphis, Tenn., with no service at intermediate points except as otherwise authorized. NOTE: Applicant requests hearing on a consolidated record with concurrently filed MC-F-10945, published in the FEDERAL REGISTER issue of September 23, 1970. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 11220 (Sub-No. 118), filed September 14, 1970. Applicant: GORDONS TRANSPORT, INC., 185 West McLemore Avenue, Memphis, Tenn. 38102. Applicant's representatives: Wrape and Fernly, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Memphis and Nashville, Tenn., as an alternate route for operating convenience only, in connection with applicant's regular route operations, authorized in Docket MC 11220, Sub 67 and Sub 114, serving no intermediate points and serving Nashville, Tenn., for purposes of joinder only as follows: From Memphis over Interstate Highway 40 to Nashville and return over the same route. Restrictions: (1) Restricted against the transportation of traffic which originates at, or is destined to Louisville, Ky., and points in its commercial zone as defined by the Commission, on the one hand, and, on the other, is destined to or originates at Memphis, Tenn., or a point in its commercial zone as defined by the Commission; and (2) to or from those points in the Louisville, Ky., commercial zone as defined by the Commission which are in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis or Nashville, Tenn., or Washington, D.C.

No. MC 21684 (Sub-No. 21) (Correction), filed August 20, 1970, published FEDERAL REGISTER, issue of September 24, 1970, and republished as corrected this issue. Applicant: CHARLES E. DANBURY CO., a corporation, Williamsburg, Ohio 45176. Applicant's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202. NOTE: The purpose of this republication is to add "trailer chassis" to the commodities proposed to be transported, which was inadvertently omitted from the previous publication. The rest of the publication remains as previously published.

No. MC 27578 (Sub-No. 4), filed September 14, 1970. Applicant: BALDWIN TRANSPORTATION CORPORATION, 554 West 38th Street, New York, N.Y. 10018. Applicant's representative: Herbert Burstein, 30 Church Street, New York, N.Y. 10007. Authority is sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, points in Fairfield, Litchfield, and New Haven Counties, Conn. NOTE: Applicant states it would tack with its existing authority at New York, N.Y., to serve points in Essex, Passaic, Middlesex, Union, Hudson, and Bergen Counties, N.J. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 27817 (Sub-No. 87) (Amendment), filed July 29, 1970, published in the FEDERAL REGISTER issue of August 20,

1970, and republished as amended, this issue. Applicant: H. C. GABLER, INC., Rural Delivery No. R.D. No. 3, Chambersburg, Pa. 17201. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. The purpose of this partial republication is to redescribe the commodity description in the authority sought, as follows: *Foodstuffs* (except coldpack and frozen) and *pet foods*. The rest of the application remains as previously published.

No. MC 27817 (Sub-No. 88), filed September 9, 1970. Applicant: H. C. GABLER, INC., Rural Delivery No. 3, Chambersburg, Pa. 17201. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and container parts*, from Winchester, Va., to points in that portion of New York on and west of Interstate 81, between the New York-Pennsylvania State line and Binghamton and New York Highway 12 between Binghamton and the St. Lawrence River. NOTE: Applicant states that tacking would be possible at Winchester with presently held authority under MC 27817 Sub No. 36 to permit service from Washington, Pa., and Huntington, and Fairmont, W. Va., with Sub 81 on traffic originating at Harrisburg and Baltimore, Md., over Winchester to the destination involved; on traffic originating at Baltimore, Md., to the destination involved; on traffic originating at Berkeley County, W. Va., and traffic originating at Huntington and Fairmont, W. Va., and Washington, Pa., all subject to the restriction against the transportation of bottles and glasses from Washington, Pa., to and beyond Baltimore, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 29537 (Sub-No. 4), filed September 10, 1970. Applicant: RUSSELL H. CRAWFORD, doing business as R. H. CRAWFORD, 124 South Madison Street, Hanover, Pa. 17331. Applicant's representative: John M. Musselman, Post Office Box 1146, 400 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise as is dealt in by wholesale, retail, chain grocery, and food business houses*; (a) from points in Penn Township, York County, Pa., to New York, N.Y., and points in New Jersey on the north of New Jersey Highway 33; (b) from points in Penn Township, York County, Pa., to points in Pennsylvania, restricted to traffic having a prior or subsequent movement by rail; and (2) *returned shipments* of the above commodities, from points in Virginia, Maryland, Delaware, Ohio, Connecticut, Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania, and the District of Columbia to points in Penn Township, York County, Pa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant

requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 34874 (Sub-No. 5), filed August 14, 1970. Applicant: JACOB J. ELLIOTT, JR., AND ALVIN R. ROTH, a partnership, doing business as SHIVELY'S, 47 East Union Boulevard, Bethlehem, Pa. 18018. Applicant's representative: Paul B. Kemmerer, 1620 North 19th Street, Allentown, Pa. 18104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except cement and commodities in bulk, on traffic having a prior or subsequent movement by rail, between Allentown, Pa., on the one hand, and, on the other, points in Berks, Bucks, Carbon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, and Schuylkill Counties, Pa., and Hunterdon and Warren Counties, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Allentown, Harrisburg, or Scranton, Pa.

No. MC 40915 (Sub-No. 31), filed September 8, 1970. Applicant: BOAT TRANSIT, INC., Post Office Box 1403, Newport Beach, Calif. 92660. Applicant's representative: David R. Parker, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-fabricated wall panels*, from the plant site of Plywood Fabricators, Inc., located in Mendocino County, Calif., to points in Maryland. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 40915 (Sub-No. 32), filed September 10, 1970. Applicant: BOAT TRANSIT, INC., Post Office Box 1403, Newport Beach, Calif. 92660. Applicant's representative: J. Max Harding, 605 South Fourth Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic yarn*, from the plant site and/or storage facilities of Boaz Spinning Co., Inc., at or near Boaz and Guntersville, Ala., to points in California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Birmingham, Ala.

No. MC 42487 (Sub-No. 754) (Correction), filed July 23, 1970, published in the FEDERAL REGISTER issue of August 20, 1970, and republished in part, as corrected this issue. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representatives: V. R. Oldenburg, Post Office Box 5138, Chicago, Ill. 60680, and E. T. Lippert, Suite 1100, 1660 L Street NW., Washington, D.C. 20036. The purpose of this partial republication

is to reflect transportation over *regular routes* in lieu of over irregular routes erroneously shown in previous publication. The rest of the application remains as published.

No. MC 42487 (Sub-No. 761), filed September 11, 1970. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Post Office Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in California, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Vermont, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 43421 (Sub-No. 43), filed September 8, 1970. Applicant: DOHRN TRANSFER COMPANY, a corporation, Post Office Box 1237, Rock Island, Ill. 61202. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plantsite of Browning Arms Co. in Arnold, Mo., as an off-route point in connection with applicant's regular route operations to and from St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 45194 (Sub-No. 11), filed September 10, 1970. Applicant: LAT-AVO BROTHERS, INC., 1620 Cleveland Avenue SW., Canton, Ohio 44707. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, contractors' and builders' equipment and supplies, and building and construction materials*, not including commodities in bulk, between Neville Island, Coraopolis, Washington, and Beaver Falls, Pa., and the intersection of U.S. Highway 19 and Interstate Highway 79 with Interstate Highway 80-S at Interchange No. 3 of the Pennsylvania Turnpike north of Pittsburgh in Allegheny County and the junction of U.S. Highway 30 with U.S. Highway 22 west of Pittsburgh in Allegheny County, on the one hand, and, on the other, points

in West Virginia and that part of Ohio on the east of U.S. Highway 23. NOTE: Applicant already holds all of the authority above described, insofar as Neville Island and Coraopolis, Pa., are concerned, and seeks by this application four additional gateways within 25 miles of Pittsburgh at Beaver Falls, Washington, Interchange No. 3 of the Pennsylvania Turnpike north of Pittsburgh and the junction of U.S. Highways 30 and 22 west of Pittsburgh. All of these additional gateway points are within 25-mile off-route point territory, that applicant is already authorized to serve on movements through its existing gateways of Coraopolis and Neville Island, Pa. Applicant seeks to amend its existing grant of irregular route authority which appears on sheet 4 of Certificate No. MC 45194, dated August 7, 1963, so that it will read as above. Applicant further states it will tack the proposed additional gateways with its existing regular route authority over various regular routes between Pittsburgh and Cleveland serving intermediate points and off-route points within 25 miles of both. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 48958 (Sub-No. 109) (Correction), filed August 31, 1970, published FEDERAL REGISTER, issue of September 24, 1970, and republished as corrected this issue. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, Post Office Box 9050 (601 Ross Street), Amarillo, Tex. 79105. NOTE: The purpose of this correction is to show that the operation will be performed over regular routes, in lieu of over irregular routes, which was shown in previous publication in error. The rest of the publication remains as previously published.

No. MC 51146 (Sub-No. 175), filed September 4, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container ends and accessories, and materials and supplies* used in connection with the manufacture and distribution of metal containers and container ends, from Faribault, Minn., to points in Colorado, Illinois, Indiana, Kansas, Lower Peninsula of Michigan, Missouri and Nebraska. NOTE: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Applicant further states that it has various duplicative items of authority under various subs but does not seek duplicating authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 185), filed September 8, 1970. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street,

Bettendorf, Iowa 52722. Applicant's representative: Thomas Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile products, floor coverings*, from Norwood, Mass., to points in Texas, New Mexico, Arizona, and California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 62499 (Sub-No. 9), filed September 4, 1970. Applicant: HAGERTOWN MOTOR EXPRESS CO., INC., Post Office Box 1946, Middleburg Pike, Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, Md. 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Hagerstown and Baltimore, Md., from Hagerstown over Maryland Highway 60 to Leitersburg, Md., thence over unnumbered highways and Pennsylvania Highway 316 to Rouzerville, Pa., thence over Pennsylvania Highway 16 to the Pennsylvania-Maryland State line, thence over Maryland Highway 97 (formerly Maryland Highway 32) to Westminster, Md., thence over U.S. Highway 140 to Baltimore, Md., and return over the same route, serving all intermediate points and the offroute points of Littlestown, Pa., and Hampstead and New Windsor, Md. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76032 (Sub-No. 265), filed September 8, 1970. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: John T. Coon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Class B explosives and fireworks*, between Kansas City, Mo., and Omaha, Nebr., on the one hand, and, on the other, St. Louis, Mo.; Wichita, Kans.; Denver, Colo.; Guymon, Okla.; and Amarillo, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 77972 (Sub-No. 17) (Correction), filed July 21, 1970, published in the FEDERAL REGISTER issue of August 27, 1970, and republished as corrected, this issue. Applicant: MERCHANTS TRUCK LINE, INC., Summer Street, Post Office Box 908, New Albany, Miss. 38652. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, Miss. 39205. NOTE: The purpose of this partial republication is to correctly set forth the highway designation as U.S. Highway 51 in lieu of U.S. Highway 5 in

Part (C) (2) and Part (C) (3) of application which was incorrectly shown in previous publication. The rest of the application remains as published.

No. MC 79658 (Sub-No. 12), filed September 9, 1970. Applicant: ATLAS VANLINES, INC., 1212 St. George Road, Evansville, Ind. 47701. Applicant's representative: Herbert Burstein, 30 Church Street, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States (except Alaska and Hawaii). NOTE: The application indicates common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 82072 (Sub-No. 5) (Correction), filed July 29, 1970, published FEDERAL REGISTER, issue of September 24, 1970, and republished as corrected this issue. Applicant: KELLER MOVING & STORAGE, INC., 2811 West Etnaus Avenue, Allentown, Pa. 18103. Applicant's representative: Bernard B. Naef, 512 Hamilton Street, Allentown, Pa. 18101. NOTE: The purpose of this republication is to show that applicant also proposed to serve Texas as a destination State in Part (1) (b), which State was inadvertently omitted from previous publication. The rest of the notice remains as previously published.

No. MC 82841 (Sub-No. 73), filed September 4, 1970. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts*, from points in Polk County, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 85465 (Sub-No. 28), filed September 8, 1970. Applicant: WEST NEBRASKA EXPRESS, INC., Post Office Drawer 350, Scottsbluff, Nebr. 69361. Applicant's representatives: Stockton and Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk and commodities requiring special equipment); (1) between Cheyenne and Lusk, Wyo.; from Cheyenne over U.S. Highway 85 and return over the same route; and (2) between Cheyenne and Guernsey, Wyo.; from Cheyenne to Torrington, Wyo., over U.S. Highway 85, thence from Torrington to Guernsey, Wyo., over U.S. Highway 26, and return over the same route, serving all intermediate points in both (1) and (2) above, and the off-route points

of Lagrange, Wyo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cheyenne or Torrington, Wyo.

No. MC 87720 (Sub-No. 102), filed September 11, 1970. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, N.J. 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household products and related articles*, between Cranford, N.J., on the one hand, and, on the other, points in New York; points in Pennsylvania on and east of U.S. Highway 219, Delaware, Maryland, New Jersey, Connecticut, points in Virginia on and north of U.S. Highway 60 and the District of Columbia; and (2) *materials and supplies* used in the manufacture and distribution of the aforementioned commodities, on return, under contract with American Home Products Corp., Boyle-Midway Division. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 93393 (Sub-No. 15), filed August 24, 1970. Applicant: NIGHTWAY TRANSPORTATION CO., INC., 4108 South Emerald Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, from the cold storage facilities utilized by Wilson-Sinclair, at Lafayette, Ind., to points in Illinois, Michigan, Ohio, and Louisville, Ky., restricted to the transportation of traffic originating at the above specified cold storage facilities and destined to the above-specified destinations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 96098 (Sub-No. 48), filed September 14, 1970. Applicant: MILTON TRANSPORTATION, INC., Rural Delivery 2, Post Office Box 207, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper*, from Attleboro, Mass., to points in New York, New Jersey, Pennsylvania, Ohio and Maryland, under contract with St. Regis Paper Co. **NOTE:** Applicant states that its president is also president of Milton Trucking, Inc., a *contract carrier* holding authority in MC 134775. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 96818 (Sub-No. 2), filed August 24, 1970. Applicant: SOUTHERN MARYLAND TRANSPORTATION CO., INC., 4112 Dewmar Court, Kensington, Md. 20795. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, Md. 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except classes A and B explosives,

commodities in bulk, and those requiring special equipment, (1) between Baltimore, Md., and Riverside, Md.: From Baltimore over Maryland Highway 3 to U.S. Highway 301, thence over U.S. Highway 301 to junction Maryland Highway 373 at or near T.B., Md., thence over Maryland Highway 373 to junction Maryland Highway 210, thence over Maryland Highway 210 to junction Maryland Highway 227, thence over Maryland Highway 227 to junction Maryland Highway 225, thence over Maryland Highway 225 and junction Maryland Highway 224, thence over Maryland Highway 224 to Riverside, Md., and return over the same route, serving all intermediate points; (2) between Riverside and La Plata, Md.: From Riverside over Maryland Highway 6 to La Plata, Md., and return over the same route, serving all intermediate points; and (3) between Baltimore and Newburg, Md.: From Baltimore over Maryland Highway 3 to U.S. Highway 301, thence over U.S. Highway 301 to Newburg, Md., and return over the same route, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105566 (Sub-No. 23), filed September 3, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, 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 Mattoon, Ill., to points in California. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 105566 (Sub-No. 24), filed September 3, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, 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 Glasgow, Ky., to points in California. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held in Chicago, Ill., or Washington, D.C.

No. MC 107295 (Sub-No. 438), filed September 8, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fibreboard, wood fibreboard faced or finished with decorative and/or protective material, and accessories and supplies used in the installation thereof* (except commodities in bulk), from points in Hanover County, Va., to points in Arkansas, Illinois, Indi-

ana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, Wisconsin, Alabama, Connecticut, Delaware, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 439), filed September 8, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exterior siding, door and window frames, and building woodwork, and accessories used in the installation thereof* from Sedalia, Mo., to all points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107295 (Sub-No. 440), filed September 9, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation materials and related materials*, (1) from Houston, Tex., to points in the United States (except Alaska, Hawaii, Washington, Oregon, California, Florida, Georgia, South Carolina, and North Carolina); and (2) from Atlanta, Ga., to points in the United States (except Alaska, Hawaii, Washington, Oregon, and California). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Houston, Tex.

No. MC 107295 (Sub-No. 441), filed September 9, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Partitions, panels, doors, plastic laminates, computer room flooring, environmental systems, air conditioning for computer room applications, including components and materials necessary for erection and installation, from the plantsites of Westinghouse Electric Corp. at Grand Rapids, Mich., to points in the United States* (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 107496 (Sub-No. 787), filed September 8, 1970. Applicant: RUAN

TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in bulk, from points in California to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, West Virginia, Virginia, Pennsylvania, Maryland, Delaware, New Jersey, New York, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, and Maine; (2) *cement and sand*, mixtures (concrete mixture, dry, in bags) from Kansas City, Kans., to points in Missouri, and Nebraska; and from Des Moines, Iowa, to points in Missouri and Nebraska; (3) *defoaming compounds and industrial water treating compounds*, in bulk, from Casper, Wyo., to points in Washington, Idaho, Utah, and Oregon; and (4) *fertilizer and fertilizer ingredients*, in bulk, from Edgerton, Wis., to points in Illinois. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 109478 (Sub-No. 117), filed September 1, 1970. Applicant: WORSTER MOTOR LINES, INC., Gay Road, North East, Pa. 16428. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and products* used in, or produced by, the food processing industry, except commodities in bulk, from Westfield, N.Y., and North East and Erie, Pa., to points in Florida. **NOTE:** Common control may be involved. Applicant states a portion of the commodities could be transported from points in Chautauqua and Erie Counties, N.Y., and tacked at North East and Erie, Pa., if this authority is granted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109633 (Sub-No. 15), filed September 9, 1970. Applicant: ARBET TRUCK LINES, INCORPORATED, 222 East 135th Street, Chicago, Ill. 60627. Applicant's representative: Arnold L. Burke, 69 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cranberries and cranberry products*, from Kenosha, Wis., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, and Ohio; and (2) *materials, supplies and merchandise* used in the manufacture and production of the above-

named commodities, from points in the above-named States to Kenosha, Wis. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 985), filed September 2, 1970. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Leonard A. Jaskiewicz, Suite 50, 1730 M Street NW., Washington, D.C. 20036, and Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pyrite cinders*, in bulk, in tank vehicles, from Claymont, Del., to Alsen, N.Y. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 110988 (Sub-No. 256), filed September 14, 1970. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank or hopper-type vehicles, from Chicago and Lemont, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 111375 (Sub-No. 38), filed September 8, 1970. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., 3567 East Barnard Avenue, Cudahy, Wis. 53110. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yogurt* from Los Angeles, Calif., to points in Colorado, Minnesota, Nebraska, Utah, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111375 (Sub-No. 39), filed September 8, 1970. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., 3567 East Barnard Avenue, Cudahy, Wis. 53110. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from New-

man Grove, Nebr., to points in California, Nevada, Arizona, Utah, Washington, Oregon, and Colorado. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111467 (Sub-No. 27), filed September 8, 1970. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, Dubuque, Iowa 52001. Applicant's representative: William L. Fairbank, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed rock and crushed sand*, from points in Clinton County, Iowa, to points in Illinois, Indiana, Minnesota, Missouri, Nebraska, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 111812 (Sub-No. 406), filed September 8, 1970. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representatives: R. H. Jinks (same address as applicant), and Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, film or sheeting* other than cellulose, from Aberdeen and Harve de Grace, Md., to points in California and Washington. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111812 (Sub-No. 407), filed September 8, 1970. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Ellensburg, Wash., to points in Nebraska, Iowa, Kansas, and Missouri. **NOTE:** Applicant states it could tack at several points in Iowa to serve States in the East, however, that is not intended since applicant already holds that authority from the origin involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 111812 (Sub-No. 408), filed September 8, 1970. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats*,

meat products and meat byproducts, and articles distributed by meat packing-houses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Fargo and West Fargo, N. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak., or Omaha, Nebr.

No. MC 111941 (Sub-No. 22), filed September 8, 1970. Applicant: PIERCE-TON TRUCKING COMPANY, INC., Post Office Box 233, Laketon, Ind. Applicant's representative: Alki E. Scopelitis, 816 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, irregular routes, transporting: *Precast concrete and materials and supplies used in the installation and erection of precast concrete when moving at the same time and in the same vehicle with precast concrete, from Kalamazoo, Mich., to points in Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, West Virginia, Kentucky, Missouri, and Wisconsin.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 114273 (Sub-No. 73), filed September 8, 1970. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, 3930 16th Avenue SW., Cedar Rapids, Iowa 52406. Applicant's representatives: Robert E. Konchar, Suite 315, Commerce Exchange Bank Building, 2720 First Avenue NE., Cedar Rapids, Iowa 5240, and Gene R. Prokuski (same address as applicant).

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products, 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 Des Moines, Iowa, to points in Pennsylvania. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114552 (Sub-No. 50), filed September 8, 1970. Applicant: SENN TRUCKING COMPANY, a corporation, Post Office Box 333, Newberry, S.C. 29108. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber hardboard sheets, and wood particle boards, from points in Chesterfield County, S.C., to points in the United States excluding points in the States of Alaska and Hawaii.* **NOTE:** Ap-

plicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C., Charlotte, N.C., or Atlanta, Ga.

No. MC 114897 (Sub-No. 89), filed September 11, 1970. Applicant: WHITFIELD TANK LINES, INC., 300-316 North Clark Road, Post Office Drawer 9897, El Paso, Tex. 79989. Applicant's representative: J. P. Rose, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal fats, in bulk, in tank vehicles, (1) from points in New Mexico to points in that part of Texas on and west of U.S. Highway 277, and (2) from points in Bernalillo County, N. Mex., to points in Maricopa County, Ariz.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 115322 (Sub-No. 76), filed September 4, 1970. Applicant: REDWING REFRIGERATED, INC., Post Office Box 1698, 2939 Orlando Drive, Sanford, Fla. 32771. Applicant's representative: David C. Venable, 701 Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen concentrated coffee, from points in Florida to points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115648 (Sub-No. 22), filed September 11, 1970. Applicant: LUTHER LOCK, doing business as LUTHER LOCK TRUCKING, 705 13th Street, Wheatland, Wyo. 82201. Applicant's representative: Ward A. White, Post Office Box 568, Cheyenne, Wyo. 82001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed, and animal and poultry feed ingredients and supplements (a) from Eaton and Ault, Colo., to points in Natrona, Carbon, Converse, and Albany Counties, Wyo., and (b) from Eaton, Colo., to points in Platte County, Wyo.; (2) concrete products, from points in Platte County, Wyo., to points in Colorado, Nebraska, South Dakota, Utah, Idaho, Montana and Kansas, and (3) equipment used in connection with concrete construction and erection (a) from points in Platte County, Wyo., to jobsites at points in Colorado, Nebraska, South Dakota, Utah, Idaho, Montana and Kansas, and (b) from jobsites at points in Colorado, Nebraska, South Dakota, Utah, Idaho, Montana and Kansas to points in Platte County, Wyo.* **NOTE:** Applicant states that the requested authority can be joined with presently held authority under its Sub-10. However, applicant

states that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 115669 (Sub-No. 114), filed September 4, 1970. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) *Salt, salt products and mineral mixtures, and (b) materials and supplies used in agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries, when shipped in mixed loads with commodities named in (a) above, from Hutchinson and Lyons, Kans., to points in New Mexico and Texas, and (2) materials and supplies used in agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries, when shipped in mixed loads with salt and salt compounds (as presently authorized), from Lyons, Kans., to points in Colorado.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 116073 (Sub-No. 134), filed August 31, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles in initial movements, and buildings complete or in sections, from points in Murray and Fairbault Counties, Minn., to points in the United States, excluding Alaska and Hawaii.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 116544 (Sub-No. 117), filed September 4, 1970. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 636, Carthage, Mo. 64836. Applicant's representative: Robert Wilson (address same as applicant). 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 Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dodge City, Kans., to points in Louisiana, Mississippi, and Texas. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing

is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 117565 (Sub-No. 33), filed August 28, 1970. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) (1) *Off-highway vehicles, and parts, accessories and attachments for, and equipment used in connection with, said off-highway vehicles; and (2) food furniture and displays, and fiberglass products;* from Lebanon, Ohio, to points in the United States (except Alaska and Hawaii), and (B) *materials, equipment and supplies used in connection with the manufacture and distribution of the commodities named in (A) above,* from points in the United States (except Alaska and Hawaii) to Lebanon, Ohio. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held in either Columbus, Cincinnati, or Cleveland, Ohio.

No. MC 117815 (Sub-No. 165), filed September 8, 1970. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuff, except in bulk, between Champaign, Ill., on the one hand, and, on the other, points in Iowa, restricted to the transportation of traffic originating at the Kraftco Corp. plantsites and facilities at Champaign, Ill., and destined to points in Iowa, or originating at points in Iowa and destined to the plantsites and facilities at Champaign, Ill.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118808 (Sub-No. 13), filed August 31, 1970. Applicant: ABC EXPRESS COMPANY, a corporation, Fifth Street and Columbia Avenue, Philadelphia, Pa. 19122. Applicant's representative: Anthony C. Vance, Suite 501, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by department stores, restricted to service under contract, or contracts, with Lit Brothers, between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey, Maryland and Delaware.* **NOTE:** Common control may be involved. Applicant states it presently holds contract carrier authority to transport "new furniture and new home furnishing" for this contract shipper between all points within the geographical scope of this application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 118922 (Sub-No. 5), filed September 8, 1970. Applicant: W. L. CARTER, doing business as CARTER TRUCKING CO., Post Office Box 126, Locust Grove, Ga. 30248. Applicant's representative: William Addams, Suite 527, 1770 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lawn mowers, lawn mower parts, and materials and supplies used in the manufacture thereof, having a prior or subsequent movement by rail, between the plantsite of McDonough Power Equipment Co. at McDonough, Ga., and Atlanta, Ga., under contract with McDonough Power Equipment Co., Inc.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 119641 (Sub-No. 92), filed September 11, 1970. Applicant: RINGLE EXPRESS, INC., 450 South Ninth Street, Fowler, Ind. 47944. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Commission, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, agricultural implements, farm machinery, and industrial and construction machinery and equipment and parts and attachments of tractors, agricultural implements, farm machinery, and industrial and construction machinery and equipment, from Coldwater, Ohio, to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.* **Restriction:** The operations sought herein are restricted to the transportation of traffic (a) originating at the plantsites and warehouse facilities used by Avco New Idea Farm Equipment Division, Avco Distributing Corp., and (b) destined to the destination points specified above, except that the restriction in (b) shall not apply to traffic in foreign commerce. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119974 (Sub-No. 34) (Correction), filed July 22, 1970, published in the FEDERAL REGISTER issue of August 20, 1970, and republished as corrected, this issue. Applicant: L. C. L. TRANSIT COMPANY, a corporation, 520 North Roosevelt Street, Green Bay, Wis. 54305. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen meat, from Lafayette, Ind., to points in Illinois, Iowa, Michigan, Minnesota, Ohio, and Wisconsin.* **Restricted:** To traffic originating at the storage facilities utilized by Wilson-Sinclair Co. at Lafayette, Ind., and destined to named destination States. **NOTE:** The purpose of this republication is to show the correct name of applicant, inadvertently misspelled in the previous

publication. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119988 (Sub-No. 32), filed August 28, 1970. Applicant: GREAT WESTERN TRUCKING CO., INC., 811½ North Timberline Drive, Post Office Box 1384, Lufkin, Tex. 75902. Applicant's representative: Mert Starnes, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and synthetic plastic articles, from the plantsite of Central States Paper & Bag Co., at Palatka, Fla., to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, Nebraska, New Mexico, Oklahoma, and Texas.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 123048 (Sub-No. 179), filed September 2, 1970. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703, and Paul L. Martinson (address same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Farm storage and drying systems;* (2) *storage tanks;* (3) *fans and dryers;* (4) *grain dryers;* (5) *attachments and accessories for (1) through (4) above;* (6) *parts for (1) through (5) above when moving in mixed loads with such articles, from Marengo, Ill., to points in the United States (except Alaska and Hawaii).* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held in Chicago, Ill., or Washington, D.C.

No. MC 123392 (Sub-No. 27), filed September 10, 1970. Applicant: JACK B. KELLEY, INC., 3801 Virginia Street South, Amarillo, Tex. 79109. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. 79101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Concrete products, prestressed, precast, or reinforced, which by reason of size or other physical characteristics, require the use of special devices, facilities, and equipment for their loading, unloading, or transportation, between points in New Mexico on and east of U.S. Highway 85, points in Colorado on and east of U.S. Highway 85 from the Colorado-New Mexico State line to junction with U.S. Highway 50 and on and south of U.S. Highway 50 to the Colorado-Kansas State line, points in Kansas on and south of U.S. Highway 50 from the Kansas-Colorado State line to junction of U.S. Highway 81 and on and west of U.S. Highway 81 to the Kansas-Oklahoma State line, and points in Oklahoma on and west of U.S. Highway 81.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing

authority. If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Oklahoma City, Okla.

No. MC 124151 (Sub-No. 1) (Amendment), filed June 24, 1970, published in the FEDERAL REGISTER issues of July 23 and August 13, 1970, and republished as amended this issue. Applicant: VANGUARD TRANSPORTATION INCORPORATED, Post Office Box 157, Avenel, N.J. 07001. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petrochemicals) in bulk, in New York City Fire Department Specification tank vehicles; (1) from New York, N.Y., to points in Massachusetts, Rhode Island, Connecticut, New York, Philadelphia, Pa., and Baltimore, Md.; (2) from the site of Mobil Oil Corp. refinery at or near Paulsboro, N.J., to New York, N.Y.; (3) from Boston, Mass., to points in New York, N.Y., restricted to the movement of traffic from plants or refineries of Mobil Oil Corp. at the named origins to the named destinations only; (4) from Philadelphia, Pa., to New York, N.Y., and (5) from Petty Island, N.J., to New York, N.Y., restricted to the movement of traffic from plants or refineries or suppliers of Mobil Oil Corp. at the named origins to the named destinations only. **NOTE:** The purpose of this republication is to redescribe the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124211 (Sub-No. 159), filed September 8, 1970. Applicant: HILT TRUCK LINE, INC., Post Office Drawer 988 DTS, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, and paint materials and supplies*, from Yonkers, N.Y., to Kansas City, St. Joseph, and St. Louis, Mo.; Fremont, Lincoln, Omaha, and Scottsbluff, Nebr.; Sioux City, Iowa; Denver, Colo.; Salt Lake City, Utah; Albuquerque, N. Mex.; El Paso, Tex.; and to points in California. **NOTE:** Applicant states it may tack the authority sought herein at Omaha, Nebr., with authorities in its Sub-Nos. 79 and 86, however, applicant has no present intention to tack and is willing to restrict the authority sought against tacking with present authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124656 (Sub-No. 2), filed September 4, 1970. Applicant: JOHN LONG TRUCKING, INC., 1030 Denton Street, Sapulpa, Okla. 74066. Applicant's representative: Wilburn L. Williamson, 600 Leninger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and canned dog food*, from Proctor and Kansas, Okla. (city of Kansas in Oklahoma); Siloam Springs and Gentry, Ark.; and the plantsite of Allen Canning Co., located approximately 8

miles northeast of Siloam Springs, Ark., to points in California, Arizona, and Oklahoma, under contract with Allen Canning Co., Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 124708 (Sub-No. 28), filed September 8, 1970. Applicant: MEAT PACKERS EXPRESS, INC. (a Nebraska corporation), 222 South 72d Street, Omaha, Nebr. 68114. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packing-houses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Dension and Iowa Falls, Iowa, to points in Connecticut, Delaware, District of Columbia, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia, under contract with Farmland Foods, Inc. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 124769 (Sub-No. 4), filed September 1, 1970. Applicant: ALASKA BARGE AND TRANSPORT, INC., 400 Norton Building, Seattle, Wash. 98104. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in seasonal operations extending from April 1 to November 30, both dates inclusive; of each year, between dock or beachlanding sites in Alaska, on the one hand, and, on the other, U.S. Military and Government sites at or near Anvil Mountain, Bethel, Big Mountain, Cape St. Elias, Cape Hinchinbrook, Captains Bay, Naknek, and Wales, Alaska, restricted to traffic moving in connection with the Annual Alaska ReSupply Program under authorization of the U.S. Navy, Military Sea Transportation Service. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 126375 (Sub-No. 11), filed September 4, 1970. Applicant: CEL TRANSPORTATION COMPANY, a corporation, Rural Delivery No. 6, Route 30 West, Greensburg, Pa. 15601. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fatty acids*, in bulk, in tank vehicles, from Painesville, Ohio, to Williamsport, Pa., and Chicago, Ill., under continuing contracts with Glyco Chemicals, Inc.; and (2) *inedible animal fats, tallow, and*

grease, in bulk, in tank vehicles, from Uniontown (Fayette County, Pa.), to points in Maryland, New York, New Jersey, and Ohio, under continuing contracts with John S. Pepson, doing business as Pepson Hide & Tallow. **NOTE:** Applicant presently holds common carrier authority under its No. MC 65134, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 126898 (Sub-No. 1) (Correction), filed July 22, 1970, published in the FEDERAL REGISTER issue of August 27, 1970, and republished as corrected, this issue. Applicant: ASHLEY GARDNER TRUCKING CO., INC., Industrial Avenue, Charleston Heights, S.C. 29405. Applicant's representative: Kirby Gardner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Siding, roofing, and roofing materials*, from the plantsite of Humble Oil and Refining Co., at or near Charleston, S.C., to points in Georgia, and those in North Carolina on and east of U.S. Highway 1. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to omit the plantsite of Bird and Son which was inadvertently described as an origin site in the previous publication. If a hearing is deemed necessary, applicant requests it be held at Charleston, S.C., Charlotte, N.C., or Washington, D.C.

No. MC 127571 (Sub-No. 3), filed September 4, 1970. Applicant: GARY C. BULMAN, doing business as BULMAN TRUCKING SERVICE, Waukon, Iowa. 52172. Applicant's representative: William L. Fairbank, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese curds* from Elkader and Waukon, Iowa, to points in Wisconsin, under continuing contract with Meadowland Dairy Association. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 128247 (Sub-No. 11), filed September 11, 1970. Applicant: BURSAL TRANSPORT, INC., Route 1, Bunker Hill, Ind. 46914. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles; iron, steel, or aluminum gates; iron, steel, aluminum and wood combined gates; and fittings* used in the installation of gates, from the plantsites of Mid-States Steel and Wire Co. located at Crawfordsville, Ind., Jacksonville, Fla., Greenville, Miss., and Sherman, Tex., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, under

contract with Mid-States Steel and Wire Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 128375 (Sub-No. 44), filed September 8, 1970. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, Crete, Nebr. 68333. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper, and paper products, and related materials* when moving with paper and paper products, from Erie and Lock Haven, Pa., Jersey City, N.J., Indianapolis, Ind., and Oswego, N.Y., and points in their commercial zones, and from points in Ohio, to points in Montana, Idaho, Nevada, Utah, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Tennessee, Kentucky, Florida, Colorado, and New Mexico, under continuing contract or contracts with Western Paper Co. and subsidiaries or divisions of Hammermill Paper Co., Inc. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Lincoln, Nebr.

No. MC 128804 (Sub-No. 4), filed September 14, 1970. Applicant: BLUE FLEET DISTRIBUTORS CORP., 75 Willis Avenue, Bronx, N.Y. 10454. Applicant's representative: William J. Augello, Jr., 103 Fort Salonga Road, Northport, N.Y. 11768. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic trash bags and plastic garbage bags*, restricted to traffic having prior interstate movement by rail or motor carriers, from Bronx, N.Y., to points in Nassau, Rockland, Suffolk, and Westchester Counties, N.Y., and Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties, N.J., under contract with Hudson Pulp & Paper Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128837 (Sub-No. 1) (Amendment), filed July 17, 1970, published in the FEDERAL REGISTER issue of August 5, 1970, amended and republished as amended, this issue. Applicant: HOWARD K. SMITH, Rural Route No. 2, Greenville, Ill. 62246. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumnite cement*, in tote bins, from Buffington, Ind., to Fulton and Owensville, Mo.; (2) *powdered silica sand*, in tote bins, from Otawa, Ill., to Fulton and Owensville, Mo.; (3) *crude fire clay*, in tote bins, from Mayfield, Ky., and Clover, S.C., to Fulton and Owensville, Mo. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to broaden the territorial scope by adding

Fulton, Mo., to the destination points in (1), (2), and (3) above. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., or St. Louis, Mo.

No. MC 129307 (Sub-No. 40), filed September 4, 1970. Applicant: McKEE LINES, INC., 664 54th Avenue, Mat-tawan, Mich. 49071. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods*, from the plantsite and storage facilities utilized by the Kitchens of Sara Lee, Division of Consolidated Foods Corp., at Deerfield and Chicago, Ill., to points in New York, New Jersey, Massachusetts, the District of Columbia, Connecticut, Maryland, Delaware, Virginia, and points in Pennsylvania east of U.S. Highway 220, restricted to the transportation of traffic originating at the plantsite and storage facilities utilized by the Kitchens of Sara Lee, Division of Consolidated Foods Corp., and destined to the points specified above. **NOTE:** Applicant holds contract carrier authority under Docket No. MC 119394, therefore, dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 129341 (Sub-No. 1), filed September 11, 1970. Applicant: SYL-AR TRUCKING, INC., Post Office Box 147, Cleveland, Wis. 53015. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising materials, premiums, and malt beverage dispensing equipment* in mixed loads with malt beverages, from Milwaukee, Wis., to Wood River, Ill., under continuing contract or contracts with Griffith Distributing Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 129802 (Sub-No. 3), filed September 8, 1970. Applicant: GAIL R. KALDENBERG, doing business as ABC CARTAGE, 2704 Wedgewood Road, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Des Moines and Centerville, Iowa; (1) from Des Moines over U.S. Highway 65 to junction Iowa Highway 2, thence over Iowa Highway 2 to Centerville, and return over the same route, serving no intermediate points, but serving the intermediate points of Promise City, Corydon, and Indianola for purpose of joinder only; and (2) from Des Moines over

Iowa Highway 5 to Centerville, serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 133448 (Sub-No. 22), filed September 8, 1970. Applicant: REFRIGERATED FOOD LINE, INC., 1822 East Pacific, Springfield, Mo. 65801. Applicant's representatives: Tom B. Kret-singer and Warren H. Sapp, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cured sliced bacon and cured slab bacon*, from Holly Ridge and Castle Hayne, N.C., to points in Alabama, Kansas, Louisiana, Missouri, and Oklahoma. **NOTE:** Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wilmington, Raleigh, or Charlotte, N.C., or Washington, D.C.

No. MC 133514 (Sub-No. 3), filed September 8, 1970. Applicant: KINNISON TRUCK LINES, INC., 511 West Cool-baugh, Red Oak, Iowa 51566. Applicant's representative: Samuel Zacharia, 711 First National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, and foodstuffs* (other than those moving in vehicles equipped with mechanical refrigeration) in containers, from Stockton, Modesto, Pitts-burgh, and Antioch, Calif., to points in South Dakota, Nebraska, Minnesota, Iowa, and Illinois, under contract with Tillie Lewis Foods, Inc., a subsidiary of the Ogden Corp. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Stockton, Calif.

No. MC 133566 (Sub-No. 5), filed September 11, 1970. Applicant: ROBERT GANGLOFF AND ROBERT DOWN-HAM, a partnership doing business as GANGLOFF AND DOWNHAM, Post Office Box 676, Logansport, Ind. 46947. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite and storage facilities of Kitchens of Sara Lee in Deerfield and Chicago, Ill., to points in Pennsylvania, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, Massachusetts, Connecticut, Rhode Island, Maine, Vermont, New Hampshire, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 133633 (Sub-No. 7), filed September 4, 1970. Applicant: HIGHWAY EXPRESS, INC., 715 East Second Street, Hattiesburg, Miss. 39401. Applicant's representatives: William P. Jackson, Jr., 919 18th Street NW., Washington, D.C. 20006, and Michael E. West (same address as applicant). Authority sought to

operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment); (1) between Hattiesburg and Meridian, Miss., from Hattiesburg over U.S. Highway 11 and/or Interstate Highway 59 to Meridian, and return over the same route serving all intermediate points; (2) between Hattiesburg and Jackson, Miss.; (a) from Hattiesburg over present U.S. Highway 49 to Jackson, and return over the same route, serving all intermediate points; and (b) from Hattiesburg over former U.S. Highway 49 to Jackson, and return over the same route, serving all intermediate points; and (3) between Magee and Beaumont, Miss., from Magee over Mississippi Highway 28 to junction U.S. Highway 84 approximately 5 miles west of Laurel, Miss., thence over U.S. Highway 84 to Laurel, thence over Mississippi Highway 15 to Beaumont, and return over the same route serving all intermediate points and the off-route points of Bay Springs and Raleigh, Miss. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Hattiesburg, Miss.

No. MC 133683 (Sub-No. 4), filed September 11, 1970. Applicant: WACHOVIA COURIER CORPORATION, Wachovia Building, Winston-Salem, N.C. 27102. Applicant's representatives: David G. Macdonald and John Guandolo, Suite 502, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cash letters, commercial papers, documents and records, bank stationery, sales, payroll and other accounting, audit, and data processing media* (except currency, coin, and bullion) such as are used in the business of banks and banking institutions; (a) between Raleigh-Durham Airport, Raleigh-Durham, Friendship Airport, Greensboro, N.C., Smith-Reynolds Airport, Winston-Salem, N.C., and Douglas Airport, Charlotte, N.C., restricted to traffic having an immediately prior or subsequent movement by air; and (b) between Tri-City Airport, Kingsport, Tenn., on the one hand, and, on the other, points in Johnson, Sullivan, Hawkins, Hancock, Claiborne, Carter, Washington, Greene, Unicoi, Cocke, Sevier, Blount, Jefferson, Knox, Loudon, Anderson, Union, and Grainger, Counties, Tenn., and Washington County, Va., restricted to traffic having an immediately prior or subsequent movement by air, under contract with Wachovia Bank & Trust Co., Wachovia Services, Inc., Wachovia Optimization, Greene County Bank, and The First National Bank of Sullivan County. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Winston-Salem, N.C.

No. MC 133931 (Sub-No. 2), filed September 10, 1970. Applicant: M. POLLON, INC., doing business as MARINE GUARD SERVICE, 1351 North Delaware Avenue, Philadelphia, Pa. Applicant's representative: Alan Kahn, 1920 Two Penn Center

Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gaskets and mechanical packing*, from the warehouse of Garlock, Inc., in Philadelphia, Pa., to the plantsites and facilities of E. I. du Pont de Nemours & Co., in New Jersey and Delaware. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 134145 (Sub-No. 3), filed September 8, 1970. Applicant: NORTH STAR TRANSPORT, INC., Post Office Box 51, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, complete, knocked down, or in sections, and component parts, materials and supplies* used in the erection thereof, from Terre Haute, Ind., to points in Beltrami, Clearwater, Kittson, Lake of the Woods, Marshall, Pennington, Red Lake, and Roseau Counties, Minn.; and points in Cavalier, Grand Forks, Pembina, Steele, Traill and Walsh Counties, N. Dak., under contract with Prichard Brothers, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or Duluth, Minn.

No. MC 134276 (Sub-No. 1), filed September 4, 1970. Applicant: GUARDIAN STORAGE, INC., 4023 Navy Boulevard, Pensacola, Fla. 32507. Applicant's representative: C. W. Hual (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Walton, Bay, Holmes, Washington, Escambia, Santa Rosa, and Okaloosa Counties, Fla., and points in Baldwin, Mobile, Escambia, and Covington Counties, Ala., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** Applicant holds contract carrier authority under Docket No. MC 128569 Sub-1, therefore, dual operations may be involved. Applicant states it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Pensacola, Fla., Mobile, Ala., or Tallahassee, Fla.

No. MC 134308 (Sub-No. 2), filed August 19, 1970. Applicant: CADDOPRESS, INC., 1016 Southwest Second, Oklahoma City, Okla. 73125. Applicant's representative: D. D. Brunson, 419 Northwest Sixth, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* on traffic having a prior or subsequent movement out of states (except those commodities of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) be-

tween Oklahoma City, and Forgan, Okla., over U.S. Highway 270, serving all intermediate points (except Bethany, Yukon, El Reno, Calumet, Karns, Geary, Watonga, Oakwood, Seiling), and serving the offroute points of Okeene, Southard Canton, Fairview, Mooreland, Buffalo, and Laverne, Okla.; (2) between Oklahoma City and Richards Spur, Okla.; (a) over U.S. Highway 62; (b) over U.S. Highway 277; and (c) from Oklahoma City, over U.S. Highway 62 to junction Oklahoma Highway 8 east of Anadarko, Okla., thence over Oklahoma 8 to Cyril, thence over Oklahoma Highway 19 to junction U.S. Highway 62 north of Apache, thence over U.S. Highway 62 to Richards Spur, and return over the same route, serving all intermediate points in connection with (2) (a) through (c). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., Tulsa or Woodward, Okla.

No. MC 134370 (Sub-No. 4), filed September 8, 1970. Applicant: OSBORNE TRUCKING CO., INC., 1008 Sierra Drive, Riverton, Wyo. 82501. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed and feed ingredients*, in bulk and in containers, and *health aids*, from points in Colorado to points in Nebraska located on and west of U.S. Highway 83. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 133741 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Cheyenne, Wyo.

No. MC 13489 (Sub-No. 2) (Amendment), filed July 15, 1970, published in the FEDERAL REGISTER issues of August 5 and August 27, 1970, respectively, amended September 3, 1970, and republished in part, as amended, this issue. Applicant: WILLIAM MILLICAN, doing business as MILLICAN TRANSFER, 2121 Main Street, Victoria, Va. 23974. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. **NOTE:** The purpose of this partial republication is to add an additional shipper, Geo. A. Hormel & Co. The rest of the application remains the same.

No. MC 134475 (Sub-No. 1) (Clarification), filed July 28, 1970, published in the FEDERAL REGISTER issue of August 20, 1970, clarified and republished as clarified, this issue. Applicant: WHEELERS DISTRIBUTING CO., a corporation, 3415 Potash Road, Post Office Box E, Grand Island, Nebr. 68801. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box E, Grand Island, Nebr. 68801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is used or dealt in by wholesale and retail farm and home supply stores (except commodities in bulk, in tank vehicles), from points in the United

States (except Alaska and Hawaii), to points in Iowa, Kansas, and Nebraska, restricted to the transportation of traffic destined to the warehouses or stores of Wheelers Stores, Inc., or its subsidiaries; and further restricted to service performed under a continuing contract or contracts with Wheelers Stores, Inc., or its subsidiaries. **NOTE:** The purpose of this republication is to clarify the commodity description by deleting an extra comma and an extra "by". If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 134477 (Sub-No. 5), filed September 8, 1970. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Paul Schanno (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packing-houses*, as described in sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *Canned and Frozen Foods*, from points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, to points in Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 134554 (Sub-No. 2), filed September 11, 1970. Applicant: McLEAN TRANSPORT CO., a corporation, Post Office Box 237, Bowling Green, Ky. 42101. Applicant's representative: Robert M. Pearce, Post Office Box F, Bowling Green, Ky. 42101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Logs, lumber, pallets, skids, bases, waste wood products, wood products, plastic mouldings, finished brushes, new furniture, furniture assemblies, and canvas assemblies* for furniture, from the plantsite of L. F. Strassheim Co., at Bowling Green, Ky., and the plantsite of Kentucky Pallet Corp. at Scottsville, Ky., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and all States east thereof; and (2) *materials, supplies, and equipment* (except commodities in bulk) used in the manufacture of the commodities described in (1) above from the destination States in (1) above to the plantsites specified in (1) above, under continuing contracts with L. F. Strassheim Co., Bowling Green, Ky., and Kentucky Pallet Corp., Scottsville, Ky. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 134590 (Sub-No. 1), filed September 8, 1970. Applicant: EASCO CORP., 4616 North Broadway, St. Louis,

Mo. 63147. Applicant's representative: B. W. LaFourette, Jr., 611 Olive Street, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furnishings*, crated, from St. Louis, Mo., to points in Missouri except those located in Mercer, Harrison, Worth, Nodaway, Atchison, Grundy, Gentry, Holt, Andrew, Daviess, De Kalb, Caldwell, Clinton, Buchanan, Platte, Clay, Ray, Jackson, Cass, Bates, Vernon, Cedar, Barton, Dade, Jasper, Lawrence, Newton, Barry, Stone, and McDonald Counties, Mo., and points in Illinois except those lying in Daviess, Stephenson, Winnebago, Lake, McHenry, Boone, Carroll, Ogle, De Kalb, Kane, Du Page, Cook, Whiteside, Lee, Kendall, and Will Counties, Ill., restricted to shipments having a prior rail movement. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 134702 (Sub-No. 2), filed September 8, 1970. Applicant: NORTON TRUCK LINES, INC., 290 West Sixth South, Provo, Utah 84601. Applicant's representative: A. Dennis Norton, 701 Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tire tubes, tire recapping materials, and supplies, and tire tools and equipment*, from the plantsite of Commercial Tire Service in Provo, Utah, to Boise, Idaho, and return, under contract with Commercial Tire Service, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134718 (Sub-No. 1), filed August 24, 1970. Applicant: EDWARD P. HOWELL, INC., Rural Delivery No. 1 Box 381A, Elkton, Md. 21921. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Suite 800, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials* used in the manufacture of pyrotechnics (except classes A and B explosives and commodities in bulk), from the plantsite of Ordnance Products, Inc., in Cecil County, Md., to the plantsite of Martin Electronics, Inc., in Taylor County, Fla.; *empty containers*, from the plantsite of Ordnance Products, Inc., in Cecil County, Md., to Danbury, Conn.; *empty shipper-owned trailers*, from the plantsite of Ordnance Products, Inc., in Cecil County, Md., to Hanover, Pa., and Danbury, Conn.; *dye*, from Danbury, Conn., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *springs and pull rings*, from Bristol, Conn., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *dies*, from Plainville, Conn., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *hinge pins*, from South Hackensack, N.J., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *chemicals*, in containers, from South Plainfield, N.J., to plantsite of Ordnance Products, Inc., in Cecil County, Md.; *dismantled wooden boxes*, from Manchester and Concord, N.H., to the plantsite of Ordnance Products, Inc., in

Cecil County, Md.; *materials and supplies* used in the manufacture of grenades (except classes A and B explosives and commodities in bulk), from Philadelphia Pa., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *zinc*, from Wilmington, Del., to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *lumber*, from points in Maine to the plantsite of Ordnance Products, Inc., in Cecil County, Md.; *materials and supplies* used in the manufacture of pyrotechnics (except classes A and B explosives and commodities in bulk), and loaded fuse bodies and components thereof, from the plantsite of Martin Electronics, Inc., in Taylor County, Fla., to the plantsite of Ordnance Products, Inc., in Cecil County, Md. **Restriction:** Operations under the above authority are restricted to movements under a continuing contract or contracts with Ordnance Products, Inc., and Martin Electronics, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134752 (Sub-No. 1), filed September 8, 1970. Applicant: HILL & WILLIAMS BROS., INC., 1904 Mount Vernon Road SE., Cedar Rapids, Iowa 52403. Applicant's representative: William L. Fairbank, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Banking equipment and supplies; security systems; and parts, materials, equipment, and supplies* used in the installation or manufacture of banking equipment and security systems, (1) from Cedar Rapids, Iowa, to points in the United States (except Alaska and Hawaii), and (2) from points in California, Illinois, Indiana, Ohio, Pennsylvania, and Wisconsin to Cedar Rapids, Iowa, under continuing contract with LeFebure Corp., a subsidiary of Walter Kidde & Co., Inc., of Cedar Rapids, Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 134876, filed August 17, 1970. Applicant: CRITES AND SAILER CONSTRUCTION CO., a corporation, Post Office Box 702, Gordonville Road, Cape Girardeau, Mo. 63701. Applicant's representative: Ben K. Wilmot, Post Office Box 153, Division Building, Lancaster Street, Stanford, Ky. 40484. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment and related parts, materials and supplies when their transportation is incidental to the aforesaid commodities; (2) *materials, supplies, machinery, and equipment* used by contractors of all kinds, including but not limited to building contractors, road contractors, bridge contractors, and paving contractors; (3) *tractors*, regardless of how they are equipped (except truck tractors designed and used for pulling highway semitrailers) *scrapers; motor graders*, regardless of how they are equipped; *wagons, engines, generators, engines and generators combined; welders; road rollers; and compactors; cranes,*

regardless of how they are equipped; power sweepers; ditchers; pavers; asphalt plants; and conveyors; and (4) parts, attachments, and accessories for the above-named commodities, between points in Cape Girardeau, Perry, Bollinger, Scott, Mississippi, New Madrid, Stoddard, Wayne, Madison, and St. Genevieve Counties, Mo.; and Alexander, Pulaski, and Union Counties, Ill.; on the one hand, and, on the other, points in Illinois, Kentucky, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cape Girardeau or St. Louis, Mo.

No. MC 134899 (Sub-No. 1), filed September 2, 1970. Applicant: FRASSE TRANSPORTATION COMPANY, INC., Three Dakota Drive, Lake Success, N.Y. 11040. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Steel and aluminum articles*, such as bars, billets, wire, rods coiled, rods not coiled, angles, channels, tees, beams, wrought pipe, tubing pipe, plate and sheet, castings, sheets, strip, plate and rings, between plants of Peter A. Frasse & Co., Inc., at Twinsburg, Ohio; Philadelphia, Pa.; Lindhurst, N.J.; Wethersfield, Conn.; Cambridge, Mass.; Syracuse and Tonawanda, N.Y. Restriction: The proposed service to be under contract solely with Peter A. Frasse & Co., Inc. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134905, filed August 31, 1970. Applicant: P. INGERSOLL, INC., 605 North American Street, Philadelphia, Pa. 19123. Applicant's representative: Herbert Somerson, 2032 Land Title Building, Philadelphia, Pa. 19110. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fire smoked and water damaged merchandise, surplus, salvage, and closeout merchandise*, from Philadelphia, Pa., to points in New York, Connecticut, New Jersey, Delaware, Maryland, Virginia, Ohio, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 134910 (Sub-No. 1), filed August 31, 1970. Applicant: CALLIS TRUCKING, INC., Clay and Market Streets, Box 25, Centerton, Ind. 46116. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Brick*, from points in Medina, Richland, Franklin, Hocking, Delaware, Perry, Stark, Tuscarawas, and Wyandot Counties, Ohio; Clearfield, Adams, and Beaver Counties, Pa.; and Cook, Knox, Vermilion, and Kankakee Counties, Ill., to an area in Indiana bounded on the north by Indiana Highway 218 at the Indiana-Ohio State line; thence in a westerly direction along said State Highway 218 to its junction with Indiana Highway 15; thence northwesterly along Indiana Highway 15 to its junction with Indiana Highway 16;

thence westerly along Indiana Highway 16 to its junction with U.S. Highway 41; thence north along U.S. Highway 41 to its junction with Indiana Highway 114; thence westerly along Indiana Highway 114 to the Indiana-Illinois State line; and on the south by U.S. Highway 50; (2) *structural facing tile*, from points in Stark County, Ohio, and Beaver County, Pa., to the above-named destination points; (3) *floor tile*, from points in Franklin County, Ohio, to the above-named destination points; (4) *brick*, from points in Morgan County, Ind., to points in the Lower Peninsula of Michigan on and south of U.S. Highway 10; Jefferson and Kenton Counties, Ky.; points in Champaign County, Ill., and the Chicago, Ill., commercial zone; and points in Montgomery, Franklin, Lucas, and Butler Counties, Ohio, under continuing contract, or contracts, with Adams Clay Products Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 134912 (Sub-No. 1), filed September 8, 1970. Applicant: N. J. MATLOCK AND COY HILL, a partnership, doing business as M & H TRANSPORT, 1805 Cushman, Fairbanks, Alaska. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in truckaway service, in secondary movements, between Fairbanks, Alaska, on the one hand, and, on the other, Seattle, Wash., and Anchorage, Seward, and Valdez, Alaska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fairbanks, or Anchorage, Alaska, or Seattle, Wash.

No. MC 134922, filed September 8, 1970. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from points in Wisconsin and Minnesota to points in Ohio, Pennsylvania, New York, New Jersey, Vermont, New Hampshire, Maine, Connecticut, Rhode Island, Massachusetts, Virginia, West Virginia, Maryland, Delaware, Florida, Georgia, Mississippi, Alabama, South Carolina, North Carolina, Tennessee, Kentucky, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.

No. MC 134934, filed September 11, 1970. Applicant: DONALD L. BROWN, doing business as DONALD BROWN TRUCKING, Post Office Box 335, Warren, Ill. 61087. Applicant's representative: Carl E. Munson, 675 Fischer Building, Dubuque, Iowa 52001. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer*, liquid in bulk, in tank vehicles, between points in Bureau, Carroll, Jo Daviess, Ogle, and

Winnebago Counties, Ill., Clinton, Dubuque, and Jackson Counties, Iowa, Dane, Grant, Green, Lafayette, and Walworth Counties, Wis., under contract with H & H Farm Chemicals, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Des Moines, Iowa.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 156), filed September 10, 1970. Applicant: GREY-HOUND LINES, INC., 1400 West Third Street, Cleveland, Ohio 44113. Applicant's representative: L. C. Major, Jr., Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers; (1) between Washington, D.C., and Baltimore, Md.; From Washington, D.C., over U.S. Highway 29 to its junction with Interstate Highway 495 (Interchange No. 23 of Interstate Highway 495), thence over Interstate Highway 495 to its junction with Interstate Highway 95 (Interchange No. 26 of Interstate Highway 495), thence over Interstate Highway 95 to Baltimore, Md., and return over the same route, serving the intermediate point of Silver Spring, Md., and all intermediate points between Silver Spring and Baltimore, Md. Restriction: Use of the above-described route is restricted against the transportation of any traffic originating at Silver Spring, Md., and destined to Washington, D.C., or originating at Washington, D.C., and destined to Silver Spring, Md.; and (2) between the junction of Interstate Highway 495 and Interstate Highway 95 (Interchange No. 26 of Interstate Highway 495) and the junction of Interstate Highway 495 and the Baltimore-Washington Expressway (Interchange No. 29 of Interstate Highway 495), serving no intermediate points, for operating convenience only: From the junction of Interstate Highway 495 and Interstate Highway 95 (Interchange No. 26 of Interstate Highway 495) over Interstate Highway 495 to its junction with the Baltimore-Washington Expressway (Interchange No. 29 of Interstate Highway 495), and return over the same route. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Silver Spring, Md., or Washington, D.C.

No. MC 107896 (Sub-No. 2) (Amendment), filed June 4, 1970, published in the FEDERAL REGISTER issue of July 2, 1970, amended, and republished as amended, this issue. Applicant: GEORGE W. CHAPIN, doing business as CHAPIN AND SADLER, Post Office Box 1, Montague, Mass. 03510. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, from Amherst, Greenfield, Northampton, Montague, Deerfield, Sunderland, Conway, Buckland, Shelburne Falls, Bernardston, and Erving, Mass.,

to points in Connecticut, Maine, New Hampshire, Rhode Island, Vermont, and New York; and return. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to add Amherst, Greenfield, and Northampton to the origin point and delete part (2) of the application. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass., Hartford, Conn., or Albany, N.Y.

No. MC 134909 (Sub-No. 1), filed September 8, 1970. Applicant: RAMIREZ TRANSPORTATION CO., INC., 1504 West 18th Street, Chicago, Ill. 60608. Applicant's representative: Robert H. Hirsch, 30 North La Salle Street, Suite 700, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special door-to-door service, limited to the transportation of not more than 12 passengers, beginning and ending at Laredo, Tex., and extending to points in Chicago, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

APPLICATION FOR FREIGHT FORWARDER

No. FF-269 (Sub-No. 1) (Correction) (ALOHA CONSOLIDATORS AND FREIGHT FORWARDERS EXTENSION—OREGON), filed September 1, 1970, published in the FEDERAL REGISTER issue of September 17, 1970, and republished in part, as corrected this issue. Applicant: ALOHA CONSOLIDATORS AND FREIGHT FORWARDERS, Post Office Box 20039, Long Beach, Calif. 90801. Applicant's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. The purpose of this partial republication is to show the correct Docket number as FF-269 (Sub-No. 1), in lieu of FF-269 as was previously published. The rest of the application remains as published.

APPLICATION FOR WATER CARRIER

No. W-431 (Sub-No. 12) (Amendment) (SIOUX CITY AND NEW ORLEANS BARGE LINES, INC. EXTENSION—MISS. RIVER SYSTEM (2)), filed August 11, 1970, published in the FEDERAL REGISTER issue of September 3, 1970, and republished in part, as amended this issue. Applicant: SIOUX CITY AND NEW ORLEANS BARGE LINES, INC., 7745 Carondelet, St. Louis, Mo. 63105. Applicant's representative: Eldon S. Olson, Southern Building, 15th and H Streets NW., Washington, D.C. 20005. The purpose of this partial republication is to reflect the changes in the territorial scope of (e) and the addition of (f) below as follows: (e) Between ports and points along the Gulf Intracoastal Waterway System from St. Marks, Fla., to and including Brownsville, Tex., and all tributaries and connecting ship channels including the Black Warrior River, the Apalachicola River, the Chattahoochee River, the Pearl and West Pearl Rivers, the Trinity River to the head of navigation of the Port Alen route between Baton Rouge, La., and the Gulf Intracoastal Waterway System on the one

hand, and, points and ports listed in (a), (b), (c), and (d) (previous publication) on the other hand, and (f) between ports and points along the Illinois Waterway, the Ohio River, the Mississippi River, the Tennessee River, and the Gulf Intracoastal Waterway System individually as specified in (a) (previous publication) through (e). All of the above addition to the ports and points which the applicant is presently authorized to serve pursuant to its Sixth Amended Certificate and Order No. W-431 dated October 10, 1969. The rest of the application remains as previously published.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 124211 (Sub-No. 161), filed September 10, 1970. Applicant: HILT TRUCK LINE, INC., Post Office Drawer 988, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, between Omaha, Nebr., and points in Kansas and Missouri. **NOTE:** Applicant states that the requested authority could be tacked at Omaha, Nebr. However, applicant does not intend to tack and is willing to restrict the application against tacking.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[P.R. Doc. 70-13041; Filed, Sept. 30, 1970; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 28, 1970.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FS# No. 42053—*Liquefied Petroleum Gas to Sarasota, Fla.* Filed by Southwestern Freight Bureau, agent (No. B-188), for interested rail carriers. Rates on liquefied petroleum gas, in tank carloads, as described in the application, from Anse La Butte and Unatex, La., to Sarasota, Fla.

Grounds for relief—Water competition.

Tariff—Supplement 268 to Southwestern Freight Bureau, agent, tariff ICC 4486.

FS# No. 42054—*Newsprint Paper to Alexandria, Va.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2987), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from Chandler, Quebec, Canada, to Alexandria, Va.

Grounds for relief—Water competition.

Tariff—Supplement 70 to Canadian National Railways tariff ICC E.543.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[P.R. Doc. 70-13137; Filed, Sept. 30, 1970; 8:50 a.m.]

[No. 12530]

DISTRIBUTION AMONG COAL MINES OF PRIVATELY-OWNED CARS AND CARS FOR RAILROAD FUEL

SEPTEMBER 23, 1970.

Notice is hereby given that on September 4, 1970, The Baltimore and Ohio Railroad Co., The Chesapeake and Ohio Railway Co., The Denver and Rio Grande Western Railroad Co., The Illinois Central Railroad Co., and the Penn Central Transportation Co. (George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, Trustees), jointly filed a petition for leave to file and a petition for a declaratory order, as authorized by section 554(e) of the Administrative Procedure Act, stating that the Commission's order in this proceeding, 80 ICC 520 and 93 ICC 701, prescribing a rule which prohibits the use of privately-owned rail coal cars to the extent that the supply thereof exceeds a mine's pro rata share of the general car supply, does not apply to privately-owned cars moving in unit-train coal operations, or in the alternative, that the said order be modified to except such cars moving in the specified operations.

In support thereof, petitioners assert that when the said order was issued there were no unit trains in existence, and that recently they have received requests for unit-train rates on shipper-owned equipment.

Any person interested in the matter which is the subject of the petition and who wishes to participate actively in any further proceedings herein by filing and receiving copies of pleadings, shall make known that fact by notifying the Commission in writing on or before 30 days from the date of publication of this notice in the FEDERAL REGISTER. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentation to the greatest extent possible. The Commission desires participation only of those who intend to take an active part in the proceedings.

As soon as practicable thereafter, the Secretary will serve a list of the names and addresses of all persons upon whom service of all pleadings must be made. The nature of any further proceedings will be specified in the future.

Notice of the filing of said petition is given by publication hereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[P.R. Doc. 70-13143; Filed, Sept. 30, 1970; 8:50 a.m.]

[Rev. S.O. 1002; Car Distribution Direction No. 91]

THE BALTIMORE AND OHIO RAILROAD CO. AND THE PITTSBURGH AND SHAWMUT RAILROAD CO.

Car Distribution

Pursuant to Section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Revised Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Baltimore and Ohio Railroad Co., shall deliver to the Pittsburgh and Shawmut Railroad Co., a weekly total of 100 empty B. & O. serviceable open top hopper cars for return loading to the B. & O.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty open top hopper cars must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler on or before each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., September 28, 1970.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., October 11, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., September 24, 1970.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[P.R. Doc. 70-13138; Filed, Sept. 30, 1970; 8:50 a.m.]

[Notice 160]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 25, 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 51146 (Sub-No. 177 TA), filed September 22, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Post Office Box 2298, ZIP 54303, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (address same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaging materials*, from Milwaukee, Wis., to points in Indiana, Michigan, and Ohio, for 180 days. Supporting shipper: Menasha Corp., Box 367, Neenah, Wis. 54956. (Carl H. Kraus, corporate 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 92633 (Sub-No. 17 TA), filed September 22, 1970. Applicant: ZIRBEL TRANSPORT, INC., 420 28th Street N., Lewiston, Idaho 83501. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Scrap automobiles and parts; and used automobile parts*, from points in Asotin, Garfield, Whitman, Columbia, Walla Walla, Benton, and Franklin Counties, Wash., to points in Multnomah and Washington Counties, Oreg., for 150 days. Supporting shipper: For-Mark, Inc., Post Office Box G, Lewiston, Idaho 83501. Send protests to: Interstate Commerce Commission, Bureau of Operations, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 109994 (Sub-No. 37 TA), filed September 22, 1970. Applicant: SIZER TRUCKING, INC., Post Office Box 97, Rochester, Minn. 55901. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, packinghouse products and articles distributed by meat packinghouses*, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 and food stuffs (except meat and meat products as described above) when transported in mixed truckloads with meat and meat products from the plantsite and warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., to points in Hertford County, N.C., and that portion of Tennessee on and east of U.S. Highway 27, and on and north of Tennessee Highway 68, for 150 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 111170 (Sub-No. 147 TA), September 21, 1970. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, 2811 North West Avenue, El Dorado, Ark. 71730. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil*, in bulk, from El Dorado, Ark., to Macon, Ga., and Nashville, Tenn., for 180 days. Supporting shipper: Lion Oil Co., Lion Oil Building, El Dorado, Ark. 71730. Send protests to: District Supervisor, William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 117644 (Sub-No. 21 TA), filed September 21, 1970. Applicant: D & T TRUCKING CO., INC., Post Office Box 2611, New Brighton, Minn. 55112. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract 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 1 to the report and description in *Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in

bulk) from the plantsites and/or storage facilities utilized by Armour & Co., at or near Green Bay, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Armour & Co., Chicago, Ill. Send protests to: District Supervisor A. E. Rathet, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 124379 (Sub-No. 3 TA), filed September 21, 1970. Applicant: MCGIFFEN MILK DELIVERY SERVICE, INC., Rural Route No. 3, Post Office Box No. 805, Vincennes, Ind. 47591. Applicant's representative: Loser and Loser, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, frozen desserts, fruit drinks—fresh and frozen, puddings, yogurt, dip 'n dressings, creamers*, from St. Louis, Mo., to Flora, Olney, Lawrenceville, Casey, Greenup, Marshall, Effingham, Palestine, Robinson, West Union, and Martinsville, Ill.; and Carlyle, Terre Haute, Vincennes, Oaktown, Clinton, Rockville, Linton, Jasonville, Sullivan, Shelburn, and Farmersburg, Ind. Return shipments of the commodities specified above from the destination points described above to St. Louis, Mo. Restricted: To traffic originating at the plantsite and storage facilities of Sealtest Foods Division, Kraftco Corp., St. Louis, Mo., for 180 days. Supporting shipper: Sealtest Foods Division, Kraftco Corp., 455 East Grand Avenue, Chicago, Ill. 60611. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 124679 (Sub-No. 37 TA), filed September 22, 1970. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South Street, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma, human and commodities exempt under section 203(b)(6) of the act* in same vehicle at same time, from: Norfolk, Va., Elizabeth, N.J., and New York City, N.Y. To: Berkeley, Calif., for 180 days. Sup-

porting shipper: Cutter Laboratories, Inc., Fourth and Parker Streets, Berkeley, Calif. (Lester T. Fitzsimmons, Traffic Manager). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111

No. MC 134300 (Sub-No. 6 TA), filed September 22, 1970. Applicant: PELHAM PRODUCE CARRIERS, INC., 649 Pelham Boulevard, St. Paul, Minn. 55114. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, packinghouse products and articles distributed by meat packinghouses*, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and foodstuffs (except meat and meat products as described above), when transported in mixed truckloads with meat and meat products, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., to points in Herford County, N.C., and that portion of Tennessee on and east of U.S. Highway 27 and on and north of Tennessee Highway 68, for 150 days. Supporting shipper: Geo. A. Hormel & Co., Austin, Minn. Send protests to: District Supervisor, A. E. Rathet, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 Fourth Street, Minneapolis, Minn. 55401.

No. MC 134824 (Sub-No. 2 TA), filed September 21, 1970. Applicant: FOREST PRODUCTS TRANSPORTS, INC., 216 Newsom Building, Columbia, Miss. 39429. Applicant's representative: Harold D. Miller, Jr., Suite 700, Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood chips*, from the plantsite of Georgia-Pacific Corp. at or near Goss Community, Miss., to the plant or facilities of the Crown Zellerbach Co. at Bogalusa, La., and to the plant or facilities of The St. Regis Paper Co. at or near Mobile, Ala.; (2) *Lumber*, from the plantsite of Georgia-Pacific Corp. at or near Goss Community, Miss., to points in Alabama, Louisiana, and Tennessee. Said services are to be performed under a continuing contract with Georgia-Pacific Corp., for

180 days. Supporting shipper: Georgia-Pacific Corp., Crossett Division—Columbia, Post Office Box 563, Columbia, Miss. 39429. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 300, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 134840 (Sub-No. 1 TA) (Correction), filed September 8, 1970, published in the FEDERAL REGISTER issue of September 17, 1970, and republished in part corrected, this issue. Applicant: HARRY WANN, doing business as TWIN CITY DRAYAGE, Route 3, De Soto, Mo. 63020. Applicant's representative: B. W. LaTourette, Jr., 1850 Railway Exchange Building, 611 Olive Street, St. Louis, Mo. 63101. NOTE: The purpose of this partial republication is to show contract carrier, in lieu of common carrier. The rest of the application remains as previously published.

MOTOR CARRIER OF PASSENGERS

No. MC 134861 (Sub-No. 1 TA), filed September 22, 1970. Applicant: DICKENSON LINES, INC., Route 1, Anoka, Minn. 55303. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in round trip charter service, from points in Anoka, Hennepin, Ramsey Counties, Minn., to points in the Upper Peninsula of Michigan, Wisconsin, Iowa, South Dakota, North Dakota, Chicago, Illinois and points in international boundary line between the United States-Canadian border in Minnesota, for 180 days. Supporting shippers: There are approximately 17 supporting statements attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor A. E. Rathet, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Acting Secretary.

[F.R. Doc. 70-13144; Filed, Sept. 30, 1970; 8:50 a.m.]

