

FEDERAL REGISTER

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Agencies in this issue—

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Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Domestic Commerce Bureau
Environmental Protection Agency
Federal Aviation Administration
Federal Home Loan Bank Board
Federal Maritime Commission
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Transportation Department

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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, 1971, and specifies how they are affected.

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Title 3—The President

PROCLAMATION 4031

Proclaiming the Suspension of the Davis-Bacon Act of March 3, 1931

By the President of the United States of America

A Proclamation

Section 1 of the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494, as amended, 40 U.S.C. 276a), provides:

“ . . . every contract in excess of \$2,000, to which the United States or the District of Columbia is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the United States or the District of Columbia within the geographical limits of the States of the Union, or the District of Columbia, and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State in which the work is to be performed, or in the District of Columbia if the work is to be performed there”;

Various other acts provide for the payment of wages, with these provisions dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act.

The Nation is now confronted by a set of conditions involving the construction industry which, taken together, create an emergency situation:

- Construction industry collective bargaining settlements are excessive and show no signs of decelerating.
- Increased unemployment and more frequent and longer work stoppages in the construction industry have accompanied the excessive and accelerating wage demands and settlements in the construction industry.
- The excessive and accelerating wage settlements in the construction industry have affected collective bargaining in other industries, thus contributing to inflation in the overall economy.

THE PRESIDENT

- This combination of factors in the construction industry has threatened the basic economic stability of the construction industry and thus the Nation's economy.
- Construction industry employers and employee representatives have been unable voluntarily to agree upon any arrangement which would ameliorate these conditions.
- The Federal Government is planning to expand its direct and financially-assisted construction, in part to reduce unemployment in the construction industry and in the national economy.
- The Federal Government anticipates that a larger portion of total resources will be devoted to construction activity as the economy expands.
- The Davis-Bacon Act and other acts dependent upon it frequently require contractors working on federally involved projects to pay the high negotiated wage settlements to mechanics and laborers, thereby sanctioning and spreading the high rates and thus inducing further acceleration contributing to the threat to the Nation's economy.

Section 6 of the Davis-Bacon Act provides:

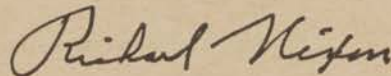
"In the event of a national emergency the President is authorized to suspend the provisions of this Act."

WHEREAS I find that a national emergency exists within the meaning of section 6 of the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494, as amended, 40 U.S.C. 276a).

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do by this proclamation suspend, as to all contracts entered into on or subsequent to the date of this proclamation and until otherwise provided, the provisions of the Davis-Bacon Act of March 3, 1931, as amended, and the provisions of all other acts providing for the payment of wages, which provisions are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act;

And I do hereby suspend until otherwise provided the provisions of any Executive Order, proclamation, rule, regulation or other directive providing for the payment of wages, which provisions are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act;

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



[FR Doc.71-2708 Filed 2-24-71;11:17 am]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary to the Principal Deputy Assistant Secretary of Defense (Systems Analysis) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER (2-25-71), subparagraph (39) is added to paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *
(39) One Private Secretary to the Principal Deputy Assistant Secretary (Systems Analysis).

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-2552 Filed 2-24-71; 8:48 am]

PART 213—EXCEPTED SERVICE

Export-Import Bank of the United States

Section 213.3342 is amended to reflect in Schedule C the following title changes: From Private Secretary to the Vice President for Planning and Export Expansion to Private Secretary to the Senior Vice President for Planning and Export Expansion and from Assistant and Confidential Secretary to the Vice President and Special Assistant to the Board to Confidential Assistant to the Vice President for Export Expansion. Effective on publication in the FEDERAL REGISTER (2-25-71), paragraphs (e) and (f) of § 213.3342 are amended as set out below.

§ 213.3342 Export-Import Bank of the United States.

(e) One Private Secretary to the Senior Vice President for Planning and Export Expansion.

(f) One Confidential Assistant to the Vice President for Export Expansion.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-2553 Filed 2-24-71; 8:48 am]

PART 213—EXCEPTED SERVICE

Executive Office of the President

Section 213.3303 is amended to show the change in title of Bureau of the Budget to Office of Management and Budget and place all of the affected positions under paragraph (a). Paragraph (a) is amended as set out below and paragraph (h) is revoked.

§ 213.3303 Executive Office of the President.

(a) *Office of Management and Budget.*

(1) Five Secretaries to the Director.

(2) One Special Assistant to the Deputy Director.

(3) One Private Secretary to the Deputy Director.

(4) Associate Director.

(5) One Special Assistant to the Associate Director.

(6) One Secretary to the Associate Director.

(7) Four Assistant Directors.

(8) One Private Secretary to each of the four Assistant Directors.

* * * * *

(h) [Revoked]

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-2669 Filed 2-24-71; 8:51 am]

PART 213—EXCEPTED SERVICE

Post Office Department

Section 213.3111 is amended to show that positions in locations authorized by the Civil Service Commission are excepted under Schedule A when filled after February 28, 1971, through new, experimental, examining and rating techniques and procedures. Effective on publication in the FEDERAL REGISTER (2-25-71), subparagraph (16) is added to paragraph (a) of § 213.3111 as set out below.

§ 213.3111 Post Office Department.

(a) *General.* * * *

(16) Positions in locations authorized by the Commission when filled after February 28, 1971, through new, experimental, examining and rating techniques and procedures.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-2670 Filed 2-24-71; 8:51 am]

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—Regulations¹

BASIS FOR CHARGES

The Agricultural Marketing Act of 1946 authorizes official inspection and certification of fresh fruits and vegetables and other products.² Such inspection and certification is voluntary and is made available only upon request of financially interested parties and upon payment of a fee. The Act requires such fees to be reasonable and, as nearly as possible, to cover the cost of rendering the service.

Statement of considerations leading to amendment of regulations. The rising costs of maintaining the inspection service in destination markets have made it necessary to increase inspection fees charged for major categories of inspections. The current fees for small lots (such as for export to Canada or delivery to institutions), the base fee for peanuts, pecans or other nuts, and the additional hourly charge for inspections made outside of the inspector's regularly scheduled workweek will remain unchanged.

In order to more nearly recover costs of rendering the service the following adjustments have been made in the inspection schedule of fees and charges applicable in destination markets:

1. For quality and condition inspections: Fees are raised from \$18 to \$19 when more than a half-carlot equivalent is involved, from \$15 to \$16 for a half-carlot equivalent or less, and the maximum fee per carlot equivalent, when more than one kind of product is involved, is raised from \$36 to \$38.

2. For condition only inspections: Fees are raised from \$15 to \$16 when more than a half-carlot equivalent is involved, from \$13 to \$14 for a half-carlot equivalent or less, and the maximum fee per carlot equivalent, when more than one kind of product is involved, is raised from \$30 to \$32.

3. The hourly rate, where applicable, is increased from \$8 to \$9.

¹ None of the requirements in the regulations of this subpart shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to products covered in the regulations in this subpart.

² Among such other products are the following: Raw nuts, Christmas trees and evergreens; flowers and flower bulbs; and onion sets.

Pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U.S.C. 1621 et seq.), § 51.38 *Basis for charges* of the Subpart—Regulations governing inspection, certification and standards for fresh fruits, vegetables, and other products, is hereby amended to read as follows:

§ 51.38 *Basis for charges.*³

(a) The fee for each lot of products inspected by an inspector acting exclusively for the Department, except for peanuts, pecans, and other nuts, shall be on the following basis:

(1) Quality and condition inspections:

(i) \$19 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) \$16 for each half-carlot equivalent or less of an individual product.

(iii) \$38 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(2) Condition inspection only:

(i) \$16 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) \$14 for each half-carlot equivalent or less of an individual product.

(iii) \$32 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(3) When any lot involved is in excess of a carlot equivalent, the quantity shall be calculated in terms of carlot and fractions thereof of the customary carlot quantity for such carlots and carlot inspection fee rates: *Provided*, That such fractions shall be calculated in terms of fourths, or next higher fourths.

(b) The base fee for peanuts (shelled), pecans or other nuts shall be 90 cents per ton: *Provided*, That the minimum fee shall be \$12 per lot, the different grades and varieties of peanuts shall be considered separate lots, and the fee for Farmers' stock peanuts (unshelled) shall be \$1.80 per ton.

(c) When inspections are made and the products inspected cannot readily be calculated in terms of carlots, or when the services rendered are such that a charge on the carlot or other unit basis would be inadequate or inequitable, charges for inspections may be based on the time consumed by the inspector in connection with such inspections, computed at the rate of \$9 per hour.

(d) Notwithstanding the fee rates prescribed in the preceding paragraphs, fees and charges for the inspection of small lots where detailed reports of inspection are not normally required,⁴ the following rates may be applied:

1 to 25 packages inclusive	\$3.25
26 to 50 packages inclusive	4.25
51 to 150 packages inclusive	6.00
151 to one-half customary carlot equivalent	9.00

³ Carlot equivalent shall be based on the customary quantity of a product loaded in common carrier rail cars.

⁴ For example, the inspection of small lots for export to Canada or delivery to private and public institutions.

(e) Whenever inspections are performed at the request of the applicant on Saturdays, Sundays, holidays, or at any other periods which are outside the inspector's regular scheduled workweek, the charge for inspection service shall be \$4 per hour or portion thereof per inspector in addition to the regular commercial lot or hourly fees specified in this subpart.

Notice of proposed rule making, public procedure thereon, and the postponement of the effective time of this action later than March 1, 1971 (5 U.S.C. 553) are impracticable, unnecessary, and contrary to the public interest in that (1) the Agricultural Marketing Act of 1946 provides that the fees charged shall be reasonable and, as nearly as possible, cover the cost of the service rendered; (2) the increases in fee rates set forth herein are necessary to more nearly cover such cost including, but not limited to, Federal employee salary adjustments; (3) it is imperative that these increases in fee rates become effective in time to cover such increased costs; and (4) additional time is not required by users of the inspection service to comply with this amendment.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended, 7 U.S.C. 1622, 1624)

Dated February 22, 1971, to become effective at 12:01 a.m., March 1, 1971.

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

[FR Doc.71-2581 Filed 2-24-71; 8:51 am]

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

[Orange Reg. 67, Amdt. 5]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Navel, Temple, and Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice,

engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of varieties of oranges grown in Florida.

Order. In § 905.529 (Orange Reg. 67; 35 F.R. 18741, 19245, 19246; 36 F.R. 1522, 2860, 3194,) the provisions of paragraph (a)(2)(i) are amended to read as follows:

§ 905.529 *Orange Regulation 67.*

(a) * * *

(2) * * *

(i) Any oranges, except Navel, Temple, and Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 1: *Provided*, That Early and Midseason oranges and other types commonly called "round oranges", except Navel oranges and except Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type, may be shipped if they grade at least U.S. No. 1 Golden;

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

Dated: February 19, 1971, to become effective February 22, 1971.

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

[FR Doc.71-2543 Filed 2-24-71; 8:48 am]

[Navel Orange Reg. 227]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.527 *Naval Orange Regulations 227.*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 35 F.R. 16359), regulating the handling of Navel 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 Navel 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 Navel 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 Navel 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 Navel 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 February 23, 1971.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period February 26, 1971, through March 4, 1971, are hereby fixed as follows:

- (i) District 1: 876,000 Cartons;
 - (ii) District 2: 325,000 Cartons;
 - (iii) District 3: Unlimited.
- (2) As used in this section, "handled," "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: February 24, 1971.

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

[FR Doc. 71-2709 Filed 2-24-71; 11:30 am]

[Valencia Orange Reg. 336]

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

Limitation of Handling

§ 908.636 Valencia Orange Regulation 336.

(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 February 23, 1971.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period February 26, 1971, through March 4, 1971, are hereby fixed as follows:

- (i) District 1: Unlimited;
 - (ii) District 2: Unlimited;
 - (iii) District 3: 89,762 cartons.
- (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: February 24, 1971.

ARTHUR E. BROWNE,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[FR Doc. 71-2710 Filed 2-24-71; 11:30 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 224—FEDERAL RESERVE BANK INTEREST RATES

Change in Rates

1. Effective immediately the heading of Part 224 is amended to read as set forth above.

2. Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below:

a. Section 224.2 is amended to read as follows:

§ 224.2 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships, or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston	4 3/4	Feb. 13, 1971
New York	4 3/4	Feb. 19, 1971
Philadelphia	4 3/4	Feb. 13, 1971
Cleveland	4 3/4	Do.
Richmond	4 3/4	Do.
Atlanta	4 3/4	Do.
Chicago	4 3/4	Do.
St. Louis	4 3/4	Do.
Minneapolis	4 3/4	Do.
Kansas City	4 3/4	Do.
Dallas	4 3/4	Do.
San Francisco	4 3/4	Do.

b. Section 224.3 is amended to read as follows:

§ 224.3 Advances to member banks under section 10(b).

The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston	5 1/4	Feb. 13, 1971
New York	5 1/4	Feb. 19, 1971
Philadelphia	5 1/4	Feb. 13, 1971
Cleveland	5 1/4	Do.
Richmond	5 1/4	Do.
Atlanta	5 1/4	Do.
Chicago	5 1/4	Do.
St. Louis	5 1/4	Do.
Minneapolis	5 1/4	Do.
Kansas City	5 1/4	Do.
Dallas	5 1/4	Do.
San Francisco	5 1/4	Do.

c. Section 224.4 is amended to read as follows:

§ 224.4 Advances to persons other than member banks.

The rates for advances under the last paragraph of section 13 of the Federal Reserve Act to individuals, partnerships, or corporations other than member banks secured by direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency thereof are:

Federal Reserve Bank of—	Rate	Effective
Boston	6½	Feb. 13, 1971
New York	6½	Feb. 10, 1971
Philadelphia	6½	Feb. 13, 1971
Cleveland	6½	Do.
Richmond	7	Jan. 29, 1971
Atlanta	6½	Feb. 13, 1971
Chicago	6½	Do.
St. Louis	6½	Do.
Minneapolis	6½	Do.
Kansas City	6½	Do.
Dallas	6½	Do.
San Francisco	6½	Do.

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action. (12 U.S.C. 248(i). Interprets or applies 12 U.S.C. 357)

By order of the Board of Governors, February 19, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-2531 Filed 2-24-71; 8:47 am]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 71-192]

PART 523—MEMBERS OF BANKS

Deposits in Bank for Savings and Loan Associations, Chicago, Ill.

FEBRUARY 19, 1971.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend § 523.10 of the regulations for the Federal Home Loan Bank System (12 CFR 523.10) for the purpose of conforming the provisions of said § 523.10 to the provisions of section 916 of the Housing and Urban Development Act of 1970 (section 916, Public Law 91-609, approved Dec. 31, 1970), regarding the consideration of unpledged deposits in the Bank for Savings and Loan Associations, Chicago, Ill., as assets for purposes of meeting the liquidity requirements of section 5A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1425a(b)). Accordingly, the Federal Home Loan Bank Board hereby amends said § 523.10 as follows, effective February 25, 1971:

Paragraphs (a) and (g)(1) of said § 523.10 are revised to read as follows:

§ 523.10 Definitions.

For the purposes of this section, §§ 523.11, and 523.12:

(a) The term "cash" means the amount of cash on hand and unpledged demand deposits in a Federal Home Loan Bank, an insured bank, or the Bank for Savings and Loan Associations, Chicago, Ill.

(g) Prior to January 1, 1972, the term "liquid assets" means the total of cash, accrued interest on unpledged assets which qualify as liquid assets under this paragraph, or would so qualify except for their maturities, and the book value of unpledged assets specified in subparagraphs (1) through (6) of this paragraph, without regard to the proviso contained in subparagraph (2) of this paragraph. Beginning on January 1, 1972, the term "liquid assets" means the total of cash, accrued interest on unpledged assets which qualify as liquid assets under this paragraph, or would so qualify except for their maturities, and the book value of the following unpledged assets:

(1) Time deposits in a Federal Home Loan Bank or the Bank for Savings and Loan Associations, Chicago, Ill.;

(Sec. 916, Public Law 91-609, 84 Stat. 1816; sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended; sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425a, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that the Board hereby finds that notice and public procedure under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b) are not necessary regarding the above amendments for the reason that said amendments conform the regulations for the Federal Home Loan Bank System to the provisions of the above-mentioned section 916 of the Housing and Urban Development Act of 1970; and, for the same reason, the Board also finds that publication of said amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of said amendments is likewise unnecessary; and the Board hereby provides that said amendments shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[FR Doc.71-2546 Filed 2-24-71; 8:48 am]

[No. 71-191]

PART 523—MEMBERS OF BANKS

Liquidity Requirements

FEBRUARY 19, 1971.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend § 523.11 of the regulations for the Federal Home Loan Bank System (12 CFR 523.11) for the purpose of increasing the overall liquidity requirement of each Federal Home Loan Bank member from 5½ percent to 6½ percent of its liquidity base and the short-term liquid-

ity requirement from 2 percent to 2½ percent of such base. Accordingly, the Federal Home Loan Bank Board hereby amends said § 523.11 by revising paragraph (a) thereof, to read as follows, effective April 1, 1971:

§ 523.11 Liquidity requirements.

(a) *General.* For each calendar month, each member shall maintain an average daily balance of liquid assets in an amount not less than 6½ percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section. For each calendar month beginning with January 1972, each member, other than a mutual savings bank or an insurance company, shall maintain an average daily balance of short-term liquid assets in an amount not less than 2½ percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section.

(Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended, sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425a, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further, that since affording notice and public procedure on the above amendment and publishing said amendment in the FEDERAL REGISTER at least 30 days prior to the effective date of said amendment would delay said amendment from becoming effective as of the beginning of the second calendar quarter of 1971, the Board hereby finds that notice and public procedure on said amendment are impracticable under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[FR Doc.71-2545 Filed 2-24-71; 8:48 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 10866; Amdt. 11-11]

PART 11—GENERAL RULE-MAKING PROCEDURES

Grant or Denial of Medical Exemptions

The purpose of these amendments to Part 11 of the Federal Aviation Regulations is to state the general course and method by which petitions for exemption from provisions of Part 67 (Medical

Standards and Certification) are granted or denied. This function will now be performed by the Federal Air Surgeon, with the assistance of consultant medical specialists where appropriate, and the services of an advisory panel of medical specialists, as previously provided for in § 11.55, will no longer be required.

Under the procedural rules of § 11.55, each petition for an exemption from any provision of Part 67 has been referred to a panel of medical specialists for its recommendation. The panel's function has been to examine the petitioner's medical condition by thorough review of all pertinent medical documents and to advise the Administrator whether the specific nature the applicant's medical defect that made him unable to meet the standards of Part 67 was such that he could be exempted from those standards without endangering public safety during the period the medical exemption would be in effect. Based on the public interest and in the light of the specific situation involved, the Administrator has granted or denied the petition after receiving the panel's recommendation.

The Federal Air Surgeon has not had explicit authority to recommend to the Administrator the disposition of petitions for exemption or to actually dispose of them himself. However, under § 67.19 he may, in certain cases, authorize special medical flight or practical tests, or special medical evaluations, to determine whether the applicant can perform his duties under his airman certificate in a manner that will not endanger public safety. Upon the required showing, the Federal Air Surgeon may issue specially to the applicant a medical certificate of the appropriate class, with any operational limitation or limit on the duration thereof that the Federal Air Surgeon determines is needed for safety. Thus, the Federal Air Surgeon has in fact had a substantial area of authority in dealing with applicants who do not meet the specific standards of Part 67.

Under the system previously in effect, a petition for exemption referred to the panel may not have been considered for up to 2 months (the frequency of panel meetings), and the per-case cost of considering matters has been substantial. By delegating to the Federal Air Surgeon the authority to grant or deny petitions for exemption from any section of Part 67, the disposition of petitions in many cases will be accelerated and some savings in the overall cost of review can be made. The Federal Air Surgeon will consider all petitions and grant those where he finds an exemption would be in the public interest and deny those where he does not so find. The Federal Air Surgeon will obtain the opinions of consultant medical specialists in case where this appears to be appropriate in attaining the continuance of full objectivity and expertise in the review of petitions for exemption.

The delegation of authority to the Federal Air Surgeon is consistent with delegations made to the heads of the other Services or Offices. Similarly, if the Federal Air Surgeon finds that a grant

or denial involves a policy determination that should be made by the Administrator, he will refer the petition and any recommendations, including those of the General Counsel, to the Administrator for final action.

These amendments therefore revoke § 11.55 (Exemptions from Part 67) and make appropriate changes in §§ 11.15 and 11.53 to reflect the authority of the Federal Air Surgeon to grant or deny petitions for medical exemptions.

Since these amendments are procedural in nature, notice and public procedure thereon are not required.

In consideration of the foregoing, Part 11 of the Federal Aviation Regulations is amended, effective March 29, 1971, as follows:

§ 11.15 [Amended]

a. By striking out the term "11.55," in the second sentence of § 11.15.

b. By amending the section heading and paragraph (a) of § 11.53 to read as follows:

§ 11.53 Grant or denial of exemption.

(a) The head of the Office or Service concerned may, subject to the approval of the General Counsel with respect to form and legality, grant or deny any petition for an exemption. However, if the head of the Office or Service concerned finds that the grant or denial involves a technical or policy determination that should be made by the Administrator, he refers the petition and his recommendations and those of the General Counsel to the Administrator for final action.

§ 11.55 [Revoked]

c. By revoking § 11.55.
(Secs. 313(a), 601(c), Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421(c), sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on February 19, 1971.

J. H. SHAFFER,
Administrator.

[FR Doc.71-2563 Filed 2-24-71;8:49 am]

[Airspace Docket No. 71-WA-4]

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

Revocation of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Snapper, Hawaii, Reporting Point.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations

is amended, effective 0901 G.m.t., April 1, 1971, as hereinafter set forth.

Section 71.215 (36 F.R. 2315) is amended by deleting: "Snapper INT: INT Maui, 331° and Malokai, Hawaii, 262° radials."

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

Issued in Washington, D.C., on February 17, 1971.

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

[FR Doc.71-2565 Filed 2-24-71;8:49 am]

[Airspace Docket No. 70-WE-73]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, AIRSPACE, AND REPORTING POINTS

Alteration of Control Zones and Transition Area

On January 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 325) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the descriptions of the Ephrata and Grant County, Wash., control zones and Moses Lake, Wash., transition area.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendments are hereby adopted subject to the following changes.

Beginning in the sixth line of the text of the proposed amendment to the Moses Lake, Wash., transition area delete " * * * Moses Lake VOR 144° radial * * *" and substitute " * * *", within 5 miles each side of the Moses Lake VOR 144° radial " * * *" therefor.

Delete the FEDERAL REGISTER citations "§ 71.171 (35 F.R. 2054) * * *" for the Ephrata and Grant County, Wash., control zones and " * * * § 71.181 (35 F.R. 2134) * * *" for the amendment to the Moses Lake, Wash., transition area and substitute " * * * § 71.171 (36 F.R. 2055) * * *" for the control zones and " * * * § 71.181 (36 F.R. 2140) * * *" for the transition area.

Effective date. These amendments shall be effective 0901 G.m.t., April 29, 1971.

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

Issued in Los Angeles, Calif., on February 17, 1971.

LEE E. WARREN,
Acting Director, Western Region.

In § 71.171 (36 F.R. 2055) the description of the Ephrata, Wash., control zone is amended to read as follows:

EPHRATA, WASH.

Within a 5-mile radius of Ephrata Municipal Airport (latitude 47°18'27" N., longitude 119°30'38" W.) and within 3 miles

each side of the Ephrata VORTAC 043° and 223° radials, extending from the 5-mile-radius zone to 8 miles northeast of the VORTAC.

In § 71.171 (36 F.R. 2055) the description of the Grant County, Wash., control zone is amended to read as follows:

GRANT COUNTY, WASH.

Within a 5-mile radius of Grant County Airport, Moses Lake, Wash. (latitude 47°-12'35" N., longitude 119°18'50" W.); within 2 miles each side of the Ephrata VORTAC 156° radial, extending from the 5-mile-radius zone to 3 miles southeast of the VORTAC and within 2 miles each side of the Moses Lake ILS localizer south course, extending from the 5-mile-radius zone to the Moses Lake VOR, excluding the portion within the Ephrata, Wash., control zone. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

In § 71.181 (36 F.R. 2140) the description of the Moses Lake, Wash. transition area is amended by beginning in the second line and deleting all between " * * * longitude 119°18'50" * * * " and substituting therefor " * * * within 3.5 miles west and 4 miles east of the Moses Lake ILS localizer south course extending from the 5-mile-radius area to 9.5 miles south of the Pelican. RBN, within 7 miles southeast and 10 miles northwest of the Ephrata VORTAC 043° and 223° radials, extending from 8 miles southwest to 19 miles northeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the Ephrata VORTAC 043° radial extending from the VORTAC to the ARC of a 21-mile-radius circle centered on the Ephrata VORTAC, within 5 miles southwest and 9.5 miles northeast of the Ephrata VORTAC 337° radial extending from the VORTAC to 19 miles northwest of the VORTAC * * * "

[FR Doc.71-2566 Filed 2-24-71; 8:49 am]

[Airspace Docket No. 70-SO-89]

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

Designation of Control Zone and Alteration of Control Zones and Transition Area

On February 5, 1971, F.R. Doc. No. 71-1614 was published in the FEDERAL REGISTER (36 F.R. 2480), amending Part 71 of the Federal Aviation Regulations by designating and altering controlled airspace in the Jacksonville, Fla., terminal complex.

In the amendment, references were made to NAS Cecil VOR "260°" radial and the "260°" bearing from NAS Cecil RBN in lieu of "285." It is necessary to amend the FEDERAL REGISTER document to reflect this change. Since this amendment imposes no additional burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 71-1614 is amended as follows:

In line 32 of the third paragraph and in line 4 of the Jacksonville, Fla. (NAS Cecil Field), control zone description " * * * 260° * * * " is deleted and " * * * 285° * * * " is substituted therefor.

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

Issued in East Point, Ga., on February 16, 1971.

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

[FR Doc.71-2567 Filed 2-24-71; 8:49 am]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

Chamois

Notice is given that no objections were filed in the matter of section 501.4 which prescribed an exemption for packaged and labeled chamois from the requirements of section 500.13 of Part 500 of the Fair Packaging and Labeling Act's regulations (35 F.R. 19572). Accordingly, the effective date of section 501.4, January 23, 1971, is confirmed.

Issued: February 16, 1971.

By direction of the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.71-2544 Filed 2-24-71; 8:48 am]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-407; Order 423]

PART 2—GENERAL POLICY AND INTERPRETATIONS

One-Day Suspension Period

FEBRUARY 18, 1971.

The Commission on November 6, 1970, issued a notice of proposed rulemaking in this proceeding (35 F.R. 17427, November 13, 1970) proposing to amend § 2.56, in Part 2, General Policy and Interpretations, Chapter I, Title 18 of the Code of Federal Regulations, to establish as a matter of general policy that the Commission will suspend for only 1 day a change in rate filed by an independent

producer under section 4(d) of the Natural Gas Act (15 U.S.C. 717c(d)) in a situation where the Commission decides to suspend such rate change under section 4(e) of the Act (15 U.S.C. 717c(e)). The Commission, however, would reserve the right to impose a longer suspension period if such action is deemed necessary in a particular case.

In response to the notice comments have been filed by a number of independent producers and pipeline purchasers, by the Independent Natural Gas Association of America (INGAA), by Associated Gas Distributors (AGD), by the Public Service Commission of New York (New York), by Memphis Light, Gas and Water Division (Memphis) and by American Public Power Association (APPA). The producers favor the proposed policy, and, with one proposed modification, INGAA and the pipelines also favor such policy. AGD, New York, Memphis, and APPA oppose the proposed action.

INGAA and a number of pipelines recommend that the proposed amendment be modified so as to provide that the 1-day suspension policy shall apply only if a producer files its notice of change in rate at least 75 days prior to the proposed effective date for such change. Such modification was proposed to assure pipeline purchasers that they will be able to properly track, without delay, producer increases covered by the 1-day suspension policy. However, Columbia Gas System Service Corp. (Columbia) indicates that 60 days should be sufficient.

We agree that the notice period in this situation should be longer than the 30-day notice period required under section 4(e) of the Natural Gas Act. A 60-day notice period should give pipeline purchasers adequate time to track producer increases. The adoption of this modification will also necessitate other changes, minor in nature, in the amendment proposed in the November 6 notice.

Memphis and New York argue that adoption of a general policy of suspending producer filings for only 1 day is unjustified. AGD also opposes the proposed rule claiming that the suspension period should depend on a number of factors, including the size of the sale in question, the increased price to be charged, the vintage of the contract and others.

The Commission under section 4(e) of the Natural Gas Act has the power to suspend a proposed rate change "but not for a longer period than 5 months". This language in our view indicates a Congressional intent to give the Commission discretionary authority as to the length of a suspension period. The 5-month suspension period is thus discretionary not mandatory.

While consideration of the factors mentioned by AGD may justify in a particular case a longer suspension period than 1 day, we believe, as a general rule, that a 1-day suspension period is sufficient. A producer is at a disadvantage when its increase is suspended for 5 months because it is also limited

by contract as to when it may make an increase effective. Consequently, a producer cannot anticipate a 5-month suspension by an early filing because the suspension period does not commence until the expiration of the 30-day statutory notice period or until the proposed effective date, whichever is later, and because the contract provides a limitation as to when the producer may propose to make its increase effective. A 5-month suspension period also deprives a producer of revenues to which it would otherwise be entitled in the event the proposed rate is found to be just and reasonable.

Edward H. Forgotson argues that where contracts have periodic price escalation provisions, third parties should not be allowed to intervene with respect to rate filings. This proposal is outside the scope of the subject rulemaking proceeding, and, therefore, we shall deny the request.

We do not believe there is adequate justification at this time for adopting Mobil Oil Corp.'s suggestion that the Commission issue guidelines with respect to those situations where the Commission will suspend rate changes for longer than 1 day. We prefer to remain flexible in these matters and shall make ad hoc determinations based on the various factors involved in each case.

The Commission finds:

(1) The notice and the opportunity to participate in this rulemaking proceeding through the submission, in writing, of data, views, comments and suggestions are in accordance with all procedural requirements therefor as prescribed in section 553, title 5 of the United States Code. Since the action taken herein constitutes a statement of policy and relieves a restriction previously imposed on producers, compliance with the effective date requirements of 5 U.S.C. 553(d) is unnecessary.

(2) The action taken herein is necessary and appropriate for the administration of the Natural Gas Act.

(3) Since the modifications adopted herein to the amendment proposed in the notice of this proceeding are of a minor nature, and are consistent with the prime purpose of the proposed rulemaking herein, further notice thereof is unnecessary.

The Commission acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 4 and 16 (52 Stat. 882, 830; 76 Stat. 72; 15 U.S.C. 717c, 717o orders:

(A) Section 2.56, in Part 2, General Policy and Interpretations, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a new paragraph (g) to read as follows:

§ 2.56 Area price levels for natural gas sales by independent producers.

(g) If the Commission decides to suspend a rate change filing made by an independent producer under section 4(d) of the Natural Gas Act, and such rate change is filed at least 60 days prior to

its proposed effective date, the suspension period will be 1 day from the proposed effective date, or 1 day from the date of initial delivery, whichever is later, unless the Commission waives the notice period required herein or imposes a longer suspension period.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(C) The amendment adopted herein shall be effective upon issuance of this order.

By the direction of the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc. 71-2528 Filed 2-24-71; 8:46 am]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Manpower Administration

PART 614—UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEN

Schedule of Remuneration

The issuance of Executive Order 11577, 36 F.R. 349, providing increased pay and allowances for members of the uniformed services pursuant to Public Law 91-231, 84 Stat. 195, and Public Law 90-207, 81 Stat. 649, makes it necessary to amend § 614.19 of Title 20 of the Code of Federal Regulations, which contains the schedule of remuneration for each pay grade of ex-servicemen used in the administration of the program of unemployment compensation for ex-servicemen established by subchapter II of chapter 85 of title 5 of the United States Code (5 U.S.C. 8521-8525).

The provisions of 5 U.S.C. 553 which require notice of proposed rulemaking, public participation in their adoption, and delay in effective date are not applicable because the regulations relate solely to public benefits and are not addressed primarily to members of the public but rather to the several States which administer such programs, and further, notice, public participation, and delay is found not to be in the public interest which in this instance makes desirable the prompt implementation of the amended schedule of remuneration by the several State agencies administering such programs.

1. Section 614.19 of Title 20, Code of Federal Regulations, is revised to read:

§ 614.19 Schedule of remuneration.

(a) The schedule provided in this paragraph applies to first claims under the UCX program filed on or after April 4, 1971.

Pay grades	Monthly rate
1. Commissioned officer:	
O-10 -----	\$3,291
O-9 -----	2,941

Pay grades	Monthly rate
O-8 -----	2,684
O-7 -----	2,376
O-6 -----	2,057
O-5 -----	1,657
O-4 -----	1,397
O-3 -----	1,158
O-2 -----	895
O-1 -----	704
2. Warrant officer:	
W-4 -----	\$1,360
W-3 -----	1,126
W-2 -----	971
W-1 -----	800
3. Enlisted personnel:	
E-9 -----	\$1,147
E-8 -----	1,000
E-7 -----	873
E-6 -----	762
E-5 -----	627
E-4 -----	502
E-3 -----	380
E-2 -----	333
E-1 -----	319

(b) The deletion from paragraph (a) of this section of schedules of remuneration applicable to periods of time prior to April 4, 1971, and heretofore published in 35 F.R. 9000; 34 F.R. 12434; 33 F.R. 10086; 33 F.R. 3635; 32 F.R. 20974; 30 F.R. 13120; 29 F.R. 13102; and 23 F.R. 8699, does not revoke such schedules.

(5 U.S.C. 8508 and 8521(a)(2); Secretary's Order No. 14-69, Mar. 14, 1969, 34 F.R. 6502)

Signed at Washington, D.C., this 16th day of February 1971.

MALCOLM R. LOVELL, JR.,
Assistant Secretary for Manpower.

[FR Doc. 71-2538 Filed 2-24-71; 8:47 am]

Title 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

[Amdt. 123]

PART 1690—DETERMINATION OF AVAILABILITY OF MEMBERS OF THE STANDBY RESERVE OF THE ARMED FORCES FOR ORDER TO ACTIVE DUTY

Part 1690—Determination of Availability of Members of The Standby Reserve Of The Armed Forces For Order To Active Duty is amended to read as follows:

Sec.	
1690.1	Authority of local boards.
1690.2	Local board which has jurisdiction.
1690.3	Quorum, meetings, and disqualification of local board and its members.
1690.4	Minutes of meetings of local board.
1690.5	Standby reserve folder (SSS Form 90).
1690.6	Standby reserve questionnaire (SSS Form 80).
1690.7	Assignment of standby reserve number.
1690.8	Duty of local board to determine reservist's availability promptly.
1690.9	Category I-R: Reservist available for order to active duty.

- Sec.
1690.10 Category II-R: Reservist not available for order to active duty because of civilian occupation.
- 1690.11 Category III-R: Reservist not available for order to active duty by reason of extreme hardship to dependents.
- 1690.12 Category IV-R: Reservist not found available for order to active duty who is not eligible for another category.
- 1690.13 Reconsideration and redetermination by local board of reservist's availability and category.
- 1690.14 Government appeal agent.
- 1690.15 Determination of availability and category by Director of Selective Service.
- 1690.16 Notification and recording of availability and category.
- 1690.17 Notifying armed force of availability of reservist.
- 1690.18 Records which are confidential.
- 1690.19 Availability and use of confidential records and information.
- 1690.20 Identification of records of reservists.

AUTHORITY: The provisions of this Part 1690 issued under 10 U.S.C. 672(a).

§ 1690.1 Authority of local boards.

(a) Local boards are authorized to determine the availability of members of the Standby Reserve of the armed forces, male or female, for involuntary order to active duty under section 672(a) of title 10 of the United States Code, as amended, in time of war or national emergency declared by the Congress or whenever otherwise authorized by law, except when it is determined by the Director as provided in § 1690.15.

(b) Hereafter in this part a member of the Standby Reserve is referred to as a "reservist" which term shall include both male and female members of the Standby Reserve.

§ 1690.2 Local board which has jurisdiction.

(a) Whenever a member of the Standby Reserve of the armed force is to be ordered involuntarily to active duty, in time of war or national emergency declared by the Congress or whenever otherwise authorized by law, the reservist will be ordered by his armed force to report immediately to any selective service local board convenient to him for a determination of his availability for active duty. Copies of such orders should be provided to the Director of Selective Service.

(b) Notification shall be fully and sufficiently accomplished by the Reserve Component concerned through the mailing of the orders addressed to the reservist concerned at the mailing address which records of the activity mailing the orders indicate as the most recent one furnished by that individual as an address at or from which official mail will be received by or forwarded to him.

(c) Absence of indication of delivery, or return as undeliverable, of orders addressed as above is alike immaterial as respects its efficacy as notice to or notification of the reservist concerned.

(d) It is the responsibility of each member of a Reserve Component to assure that the military records pertaining to him accurately and currently reflect

a mailing address at which he can be reached.

(e) Notwithstanding the provisions of paragraph (a) of this section, the Director of Selective Service may, at any time, designate the local board which shall have jurisdiction to determine the availability for order to active duty of any reservist.

§ 1690.3 Quorum, meetings, and disqualification of local board and its members.

The provisions of §§ 1604.52a, 1604.55, and 1604.56 of this chapter and the provisions of paragraphs (b) and (c) of § 1623.9 of this chapter concerning the quorum, meetings, and disqualification of a local board and the disqualification of members of a local board with respect to the classification of a registrant shall be applicable to a local board and its members when determining the availability of a reservist for order to active duty under this part.

§ 1690.4 Minutes of meetings of local board.

A record of each meeting of the local board held for the purpose of determining the availability of a reservist for order to active duty shall be kept by the board on Minutes of Local Board Meeting—Standby Reserve (SSS Form 82) which shall be completed in duplicate. The original shall be filed in the local board office as minutes of such meetings and the copy shall be forwarded to the State Director of Selective Service.

§ 1690.5 Standby reserve folder (SSS Form 90).

The local board shall open an individual file for each reservist who reports to the local board as prescribed in § 1690.2 by preparing a Standby Reserve Folder (SSS Form 90) which file hereafter in this part is referred to as the "standby reserve folder." Every paper and document pertaining to the determination of the availability of the reservist for order to active duty, except such papers and documents as may be designated by the Director of Selective Service, shall be filed in his standby reserve folder.

§ 1690.6 Standby reserve questionnaire (SSS Form 80).

(a) The local board shall furnish a Standby Reserve Questionnaire (SSS Form 80) to each reservist for immediate completion by the reservist at the local board.

(b) When appropriate, the reservist shall be given the opportunity to submit additional written information, including information from dependents and employers, within 5 working days after he has completed the Standby Reserve Questionnaire.

§ 1690.7 Assignment of standby reserve number.

(a) After a reservist who is not required to be registered under the Military Selective Service Act of 1967, has completed the Standby Reserve Questionnaire (SSS Form 80), the local board shall assign the reservist a standby reserve number, if he has not previously been assigned a standby reserve number

by this local board. The first element of the standby reserve number, reading from left to right, shall be the number of the State in which the local board is located as shown on the list of States, Territories, and possessions in paragraph (b) of § 1621.2 of this chapter. The second element of the number shall be the number of the reservist's local board within the State. The third element of the number shall be assigned in numerical sequence, beginning with the numeral 1, according to the sequence in which the local board assigns standby reserve numbers to nonregistrant reservists. The fourth element of the number shall be the one of the following symbols which identifies the Standby Reserve of which the reservist is a member: "A" for Army Reserve, "AF" for Air Force Reserve, "N" for Naval Reserve, "MC" for Marine Corps Reserve, or "CG" for Coast Guard Reserve.

(b) The local board shall keep a record of all standby reserve numbers it assigns to reservists on the Standby Reserve Register (SSS Form 81). Once a standby reserve number has been assigned to a reservist, the same number shall never be used again.

§ 1690.8 Duty of local board to determine reservist's availability promptly.

(a) Notwithstanding any previous determinations of availability, local boards shall determine the reservist's availability promptly by holding a special local board meeting if necessary, or, if a meeting cannot be held, by telephone poll with the Executive Secretary or clerk. In determining the availability of a reservist for order to active duty and his category consideration shall be given to (1) the information contained in his Standby Reserve Questionnaire (SSS Form 80), (2) such other written information as may be contained in his standby reserve folder and, if he is a registrant, in his Cover Sheet (SSS Form 101), and (3) current instructions issued by the Director of the Selective Service.

(b) Standby reservists determined by the local board to be available for military service shall promptly proceed to station of initial assignment as prescribed in the orders issued by the Reserve Component concerned; those Standby reservists determined by the local board to be not available for military service will proceed back to their home and so notify the Reserve Component who issued orders with the least practicable delay.

§ 1690.9 Category I-R: Reservist available for order to active duty.

In Category I-R shall be placed every reservist who is found to be available for order to active duty.

§ 1690.10—Category II-R: Reservist not available for order to active duty because of civilian occupation.

In Category II-R shall be placed any reservists whose continuance in his civilian employment, occupation, activity, or other endeavors in time of war or national emergency declared by the

Congress is found to be more essential to the maintenance of the national health, safety, or interest than the performance by him of active duty in the Armed Forces.

§ 1690.11 Category III-R: Reservist not available for order to active duty by reason of extreme hardship to dependents.

(a) In Category III-R shall be placed any reservist who is found to be not available for order to active duty solely because his performance of active duty in the Armed Forces in time of war or national emergency declared by the Congress would result in extreme hardship (1) to the reservist's husband, wife, divorced wife, child, parent, grandparent, brother or sister who is dependent upon the reservist for support, or (2) to a person under 18 years of age or a person of any age who is physically or mentally handicapped whose support the reservist has assumed in good faith: *Provided*, That a person shall be considered to be a dependent of a reservist under this paragraph only when such person is either a citizen of the United States or lives in the United States, its Territories, or possessions.

(b) The term "child" as used in this section shall include a legitimate or an illegitimate child from the date of its conception, a child legally adopted, a stepchild, a foster child, and a person who is supported in good faith by the reservist in a relationship similar to that of parent and child but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

§ 1690.12 Category IV-R: Reservist not found available for order to active duty who is not eligible for another category.

In Category IV-R shall be placed any reservist who is not found to be available for order to active duty and who is not eligible for either Category II-R or Category III-R.

§ 1690.13 Reconsideration and redetermination by local board of reservist's availability and category.

(a) The local board shall reconsider and redetermine a reservist's availability for order to active duty and his category upon request of the Director of Selective Service or the State Director of Selective Service.

(b) The local board may reconsider and redetermine a reservist's availability for order to active duty upon request of the reservist if such request is received by the local board within 5 days after the reservist receives notice of his category and if such request is accompanied by written information presenting facts not considered when the reservist's category was determined, which, if true, would justify a change in the reservist's category. If the local board is of the opinion that the information accompanying such request fails to present any facts in addition to those considered

when the original determination was made, or even if new facts are presented, the local board is of the opinion that such facts, if true, would not justify a change in the reservist's category it shall not reconsider and redetermine the reservist's availability.

§ 1690.14 Government appeal agent.

In accordance with the provisions of § 1604.71 of this chapter, it shall be the duty of the Government Appeal Agent and, in his absence or inability to act or at his direction, the duty of the associate Government Appeal Agent:

(a) To recommend to the local board a reconsideration and redetermination of a reservist's category where the interest of justice, in his opinion, requires such action and to submit to the local board, any additional information which has caused him to arrive at his decision that the case should be reconsidered;

(b) To forward recommendation to the Director for resolution of the reservist's availability under the provisions of § 1690.15 when, in the opinion of the Government Appeal Agent, local action under paragraph (a) of this section, requires further consideration and resolution at the Director level.

§ 1690.15 Determination of availability and category by Director of Selective Service.

Notwithstanding any other provisions of this part, the Director of Selective Service may at any time determine whether any reservist is available or not available for order to active duty and place the reservist in any category he may deem appropriate. Such action under this section by the Director of Selective Service shall be final unless he thereafter requests the local board to reconsider and redetermine the reservist's category.

§ 1690.16 Notification and recording of availability and category.

As soon as practicable after the local board has determined or redetermined the reservist's availability and category and also after the local board receives notice of the determination of a reservist's case by the Director of Selective Service, the local board shall:

(a) Enter on the Standby Reserve Questionnaire (SSS Form 80) a notation of the determination of the reservist's availability and category.

(b) Inform his original local board of jurisdiction by letter of the determination of availability if he is a registrant or a standby reservist of that local board.

(c) Inform the reservist as to determination of his availability as soon as possible.

§ 1690.17 Notifying armed force of availability of reservist.

The local board shall notify the armed force of which a reservist is a member of his availability for order to active duty in accordance with the instructions in his military orders.

§ 1690.18 Records which are confidential.

The records in a reservist's standby reserve folder and the information contained in such records shall be confidential.

§ 1690.19 Availability and use of confidential records and information.

(a) Information contained in records in a reservist's standby reserve folder may be disclosed or furnished to, or examined by, the following persons:

(1) The reservist, or any person having written authorization signed by the reservist.

(2) All personnel of the Selective Service System while engaged in carrying out the functions of the Selective Service System or the functions conferred by this part.

(3) Any person having specific written authority from the Director of Selective Service.

(b) In the prosecution of a reservist for a violation of the Military Selective Service Act of 1967, the regulations in this chapter, any orders or directions made pursuant to such act or regulations, or for perjury, any records in the reservist's standby reserve folder shall be produced in response to the subpoena of the court in which the prosecution is pending.

(c) Except as provided in paragraph (b) of this section, no officer or employee of the Selective Service System shall produce a reservist's standby reserve folder, or any part thereof, or testify regarding any confidential information contained therein, in response to the subpoena of any court without the consent, in writing, of the reservist concerned, or of the Director of Selective Service.

(d) Whenever, under the provisions of this section, a reservist's standby reserve folder, or any part thereof, is produced as evidence in the proceedings of any court, such folder shall remain in the personal custody of an official of the Selective Service System, and permission of the court be asked, after tender of the original folder, to substitute a copy of the folder with the court.

§ 1690.20 Identification of records of reservists.

All forms in the titles of which the words "Standby Reserve" do not appear and all other records used by the Selective Service System in carrying out the functions conferred by this part shall be identified by stamping or otherwise placing thereon the words "Standby Reserve."

The foregoing amendment to the Selective Service Regulations shall become effective upon filing with the Office of the Federal Register.

[SEAL] CURTIS W. TARR,
Director.

FEBRUARY 22, 1971.

[FR Doc. 71-2572 Filed 2-24-71; 8:50 am]

Title 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of
the Interior

PART 18—RECREATION FEES

User Fees

Part 18 of Title 43 of the Code of Federal Regulations entitled "Recreation Fees" is amended as follows:

1. The words "mechanical or hydraulic" are inserted before the phrase "boat launching facilities" in § 18.8(a), and

2. The entry "Boat launching ramps or facilities" in the table which is part of § 18.8(c) is revised to read "Mechanical or hydraulic facilities."

Since these revisions are not substantive, and are made to clarify the present regulations, they are effective as of the date of publication in the FEDERAL REGISTER (2-25-71).

ROGERS C. B. MORTON,
Secretary of the Interior.

FEBRUARY 18, 1971.

[FR Doc.71-2522 Filed 2-24-71;8:46 am]

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5023]

[Arizona 2831]

ARIZONA

Withdrawal for Department of the Air Force

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Department of the Air Force, as a buffer zone and azimuth marker site:

GILA AND SALT RIVER MERIDIAN

T. 15 S., R. 11 E.,
Sec. 19, lot 4;
Sec. 30, lots 2 and 5.

The areas described aggregate 140.46 acres in Pima County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses or permits will be issued only if the De-

partment of the Air Force finds that the proposed use of the lands will not interfere with the purposes of this withdrawal.

Grazing use will continue to be administered by the Bureau of Land Management with the concurrence of the Department of the Air Force.

HARRISON LOESCH,
Assistant Secretary of the Interior.

FEBRUARY 19, 1971.

[FR Doc.71-2519 Filed 2-24-71;8:45 am]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of
Transportation

PART 7—PUBLIC AVAILABILITY OF INFORMATION

Appendix D—Federal Highway Administration

The purpose of this amendment to Appendix D of Part 7 of Subtitle A of Title 49, Code of Federal Regulations, is to reflect a number of recent internal organizational changes that have taken place in the Federal Highway Administration and also the deletion of material pertaining to certain National Highway Traffic Safety Administration records as a result of the establishment of the National Highway Traffic Safety Administration (formerly the National Highway Safety Bureau) as a separate operating administration within the Department of Transportation. Previously, these National Highway Traffic Safety Administration records were available at Federal Highway Administration document inspection centers.

Since this amendment relates to internal organization, procedures and practices of the Federal Highway Administration, notice and public procedure thereon are not required and the amendment may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Appendix D of Part 7 of Subtitle A of Title 49, Code of Federal Regulations, is amended, effective upon publication in the FEDERAL REGISTER, to read as follows:

APPENDIX D—FEDERAL HIGHWAY ADMINISTRATION

1. *General.* This appendix describes the document inspection facilities of the Federal Highway Administration (FHWA), the kinds of records that are available for public inspection and copying at these facilities, and the procedures by which members of the public may make requests for identifiable records.

2. *Documents inspection facilities.* Document inspection facilities are maintained for FHWA Headquarters, and each FHWA Regional and Division Office. These facilities are open to the public during regular working hours at the following addresses:

WASHINGTON HEADQUARTERS

Federal Highway Administration, Office of the Records Officer, 400 Seventh Street SW., Room 4426, Washington, DC 20591.

REGIONAL OFFICES

Regional Federal Highway Administrator, Region 1, Federal Highway Administration, 4 Normanskill Boulevard, Delmar, NY 12054.

Regional Federal Highway Administrator, Region 2, Federal Highway Administration, 31 Hopkins Plaza, Baltimore, MD 21201.

Regional Federal Highway Administrator, Region 3, Federal Highway Administration, Suite 200, 1720 Peachtree Road NW., Atlanta, GA 30309.

Regional Federal Highway Administrator, Region 4, Federal Highway Administration, 18209 Dixie Highway, Homewood, IL 60430.

Regional Federal Highway Administrator, Region 5, Federal Highway Administration, 6301 Rockhill Road, Kansas City, MO 64131.

Regional Federal Highway Administrator, Region 6, Federal Highway Administration, 819 Taylor Street, Fort Worth, TX 76102.

Regional Federal Highway Administrator, Region 7, Federal Highway Administration, 450 Golden Gate Avenue, Box 36096, San Francisco, CA 94102.

Regional Federal Highway Administrator, Region 8, Federal Highway Administration, 222 Southwest Morrison Street, Portland, OR 97204.

Regional Federal Highway Administrator, Region 9, Federal Highway Administration, Room 242, Building 40, Denver Federal Center, Denver, CO 80225.

Regional Engineer, Region 15, Federal Highway Administration, 1000 North Glebe Road, Arlington, VA 22201.

DIVISION OFFICES

Division Engineer, FHWA, 441 High Street, Montgomery, AL 36104.

Division Engineer, FHWA, 709 West Ninth Street, Juneau, AK 99801.

Division Engineer, FHWA, 230 North First Avenue, Room 5404, Phoenix, AZ 85025.

Division Engineer, FHWA, 700 West Capitol Avenue, Little Rock, AR 72201.

Division Engineer, FHWA, Eighth and I Streets, Sacramento, CA 95809.

Division Engineer, FHWA, Room 267, Building 40, Denver Federal Center, Denver, CO 80225.

Division Engineer, FHWA, 990 Wethersfield Avenue, Hartford, CT 06114.

Division Engineer, FHWA, Arden Building, 11 North Street, Dover, DE 19901.

Division Engineer, FHWA, 425 13th Street NW., Room 1248, Washington, DC 20004.

Division Engineer, FHWA, Post Office Box 1079, 222 West Pensacola Street, Tallahassee, FL 32302.

Division Engineer, FHWA, 900 Peachtree Street NE., Atlanta, GA 30309.

Division Engineer, FHWA, 336 Federal Building, Post Office Box 120, Honolulu, HI 96810.

Division Engineer, FHWA, 3010 West State Street, Post Office Box 7527, Boise, ID 83707.

Division Engineer, FHWA, 200 West Washington Street, Springfield, IL 62705.

Division Engineer, FHWA, Room 707, I.S.T.A. Center, 150 West Market Street, Indianapolis, IN 46204.

Division Engineer, FHWA, Sixth and Kellogg Streets, Ames, IA 50010.

Division Engineer, FHWA, 512 West Sixth Street, Topeka, KS 66603.

Division Engineer, FHWA, 151 Elkhorn Court, Post Office Box 536, Frankfort, KY 40601.

Division Engineer, FHWA, Room 239, Federal Office Building, 750 Florida Boulevard, Baton Rouge, LA 70801.

Division Engineer, FHWA, 40 Western Avenue, Augusta, ME 04330.

Division Engineer, FHWA, Room 206, 31 Hopkins Plaza, Baltimore, MD 21201.
 Division Engineer, FHWA, Room 612, John F. Kennedy Federal Building, Boston, MA 02203.
 Division Engineer, FHWA, Room 211, Federal Building, Post Office Box 147, Lansing, MI 48901.
 Division Engineer, FHWA, 461 Rice Street, St. Paul, MN 55103.
 Division Engineer, FHWA, 301 Building, 301 North Lamar Street, Jackson, MS 39202.
 Division Engineer, FHWA, 209 Adams Street, Jefferson City, MO 65101.
 Division Engineer, FHWA, 11th and Fee Streets, Helena, MT 59601.
 Division Engineer, FHWA, 1701 South 17th Street, Lincoln, NE 68502.
 Division Engineer, FHWA, 106 East Adams Street, Carson City, NV 89701.
 Division Engineer, FHWA, Federal Building, 55 Pleasant Street, Concord, NH 03301.
 Division Engineer, FHWA, 25 Scotch Road, Post Office Box 211, Trenton, NJ 08628.
 Division Engineer, FHWA, 117 U.S. Courthouse, Santa Fe, NM 87501.
 Division Engineer, FHWA, 12-14 Russell Road, Albany, NY 12206.
 Division Engineer, FHWA, 310 New Bern Avenue, Post Office Box 26806, Raleigh, NC 27611.
 Division Engineer, FHWA, New Federal Building, Post Office Box 1755, Bismarck, ND 58501.
 Division Engineer, FHWA, 700 Bryden Road, Columbus, OH 43215.
 Division Engineer, FHWA, 2409 North Broadway Street, Oklahoma City, OK 73103.
 Division Engineer, FHWA, 477 Cottage Street NE., Salem, OR 97308.
 Division Engineer, FHWA, 228 Walnut Street, Post Office Box 1086, Harrisburg, PA 17108.
 Division Engineer, FHWA, 407 Del Parque, Santurce, PR 00912.
 Division Engineer, FHWA, 40 Fountain Street, Providence, RI 02903.
 Division Engineer, FHWA, 1813 Main Street, Room 303, Columbia, SC 29201.
 Division Engineer, FHWA, Federal Office Building, Post Office Box 700, Pierre, SD 57501.

Division Engineer, FHWA, 226 Capitol Boulevard Building, Room 414, Nashville, TN 37219.
 Division Engineer, FHWA, 300 East Eighth Street, Austin, TX 78701.
 Division Engineer, FHWA, 125 South State Street, Salt Lake City, UT 84111.
 Division Engineer, FHWA, Federal Building, Post Office Box 568, Montpelier, VT 05602.
 Division Engineer, FHWA, 400 North Eighth Street, Richmond, VA 23219.
 Division Engineer, FHWA, 1007 South Washington Street, Olympia, WA 98501.
 Division Engineer, FHWA, 500 Quarrier Street, Charleston, WV 25301.
 Division Engineer, FHWA, 4502 Vernon Boulevard, Madison, WI 53705.
 Division Engineer, FHWA, 2120 Capitol, Post Office Box 1127, Cheyenne, WY 82001.
3. Records available at document inspection facilities. (a) The following records are available at the FHWA headquarters document inspection facility:
 (1) Final opinions and orders made in the adjudication of cases and issued from within the Federal Highway Administration.
 (2) Any policy or interpretation issued within the Federal Highway Administration, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.
 (b) The following records are available at all FHWA document inspection facilities:
 FHWA Orders. These orders are issued by Federal Highway Administration and contain policy, instructions, and general procedures.
 FHWA Policy and Procedure Memorandums (PPM's). PPM's state official policies and provide procedural direction.
 FHWA Instructional Memorandums (IM's). IM's are temporary in nature. They are used to state official policies and procedures, until such time as they can be converted to a permanent type directive series, such as a PPM.
 FHWA Manuals. These Manuals are issued by Federal Highway Administration and contain more detailed procedures relating to

policies and program responsibilities, and include the following:
 (1) Administrative Manual.
 (2) Audit Manual.
 (3) Labor Compliance Manual.
 (4) Highway Planning Program Manual.
 (5) Construction Manual.
 (6) Emergency Planning and Operations Manual.
 (7) Highway Safety Program Manual.
 (8) Motor Carrier Safety Operations Manuals.
 FHWA Notices. These Notices are issued by Federal Highway Administration and transmit one-time or short-term announcements or temporary directives (usually 90 days or less).
 Motor Carrier Safety Administrative Rulings.
 Motor Carrier Safety Waivers from Regulations.
4. Requests for identifiable records under Subpart E of this part. Each person desiring to inspect a record, or to obtain a copy thereof, may submit his request, in writing, to any FHWA document inspection facility. If that facility does not have custody of the record, it will forward the request to the appropriate office. Each request must be accompanied by the appropriate fee prescribed in Subpart H of this part.
5. Reconsideration of determinations not to disclose records. Any person to whom a record is not made available within a reasonable time after his request, and any person who has been notified that a record he has requested cannot be disclosed, may apply, in writing, to the Associate Administrator for Administration, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20591, for reconsideration of his request. The decision of the Associate Administrator for Administration is administratively final. (5 U.S.C. 552; section 9, Department of Transportation Act, 49 U.S.C. 1657; 49 CFR 7.1(c).)
 Issued in Washington, D.C., on February 19, 1971.
 F. C. TURNER,
 Federal Highway Administrator.
 [FR Doc.71-2539 Filed 2-24-71;8:47 am]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 75]

MANDATORY SAFETY STANDARDS, UNDERGROUND COAL MINES

Notice of Proposed Rule Making

In accordance with the provisions of section 311(e) of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91-173), and pursuant to the authority vested in the Secretary of the Interior under section 301(d) of the Act, it is proposed that Part 75 of Subchapter O, Chapter I, Title 30, Code of Federal Regulations be amended by adding the following §§ 75.1107-1 through 75.1107-16, as set forth below, which prescribe the specifications for fire suppression devices required to be installed on underground equipment and designate suitable fire-resistant hydraulic fluids approved by the Secretary for use in the hydraulic systems of such equipment.

Interested persons may submit written comments, suggestions, or objections to the Director, Bureau of Mines, Washington, D.C. 20240, no later than 45 days following publication of this notice in the FEDERAL REGISTER.

ROGERS C. B. MORTON,
Secretary of the Interior.

FEBRUARY 18, 1971.

Part 75 of Chapter I, Subchapter O, Title 30, Code of Federal Regulations will be amended by adding the following:

§ 75.1107-1 Unattended underground equipment; approved fire suppression devices; approved fire-resistant hydraulic fluids; requirements.

(a) On and after March 30, 1971, approved fire-resistant hydraulic fluids shall be used in the hydraulic system of (1) all unattended underground equipment using hydraulic fluid, which employs an electric current supplied by either a power conductor or battery and consumes more than 2,250 watts of electricity and which is mounted in a fixed location, or to be mounted in a fixed location, for a period of 3 months, or more, and (2) all other underground equipment which uses hydraulic fluid and is not equipped with an approved fire suppression device.

(b) On and after March 30, 1971, fire suppression devices shall be installed on (1) all unattended underground equipment that employs an electric current supplied by either a power conductor or battery and consumes more than 2,250 watts of electricity and is mounted in a fixed location, or to be mounted in a fixed location, for a period of 3 months, or more, and (2) all other underground equipment which uses hydraulic fluid

and does not employ approved fire-resistant hydraulic fluid in its hydraulic system.

(c) For purposes of this section, the following underground equipment shall be considered attended equipment:

(1) Any machine or device operated by a miner regularly assigned to operate such equipment;

(2) Any machine or device which is mounted in the direct line of sight of a jobsite located within 500 feet of such equipment which is regularly occupied by a miner assigned to perform job duties at such jobsite during each production shift.

§ 75.1107-2 Approved fire-resistant hydraulic fluids; minimum requirements.

On and after March 30, 1971, fire-resistant hydraulic fluids and concentrates required to be employed in the hydraulic system of underground equipment in accordance with the provisions of § 75.1107-1 shall be considered suitable only if they have been produced under an approval, or any extension thereof, issued pursuant to Bureau of Mines Schedule 30 (Part 35, Subchapter E of Chapter I, Title 30, Code of Federal Regulations).

§ 75.1107-3 Fire suppression devices; approved components; installation requirements.

(a) The components of each fire suppression device required to be installed in accordance with the provisions of § 75.1107-1 shall where appropriate be approved by Underwriters Laboratories, Inc., or Factory Mutual Research Corp. and carry appropriate labels as to type and purpose.

(b) Fire suppression devices required to be installed in accordance with the provisions of § 75.1107-1 shall meet the manufacturer's specifications for installation.

§ 75.1107-4 Fire suppression devices; minimum requirements; general.

(a) Fire suppression devices installed on underground equipment on and after March 30, 1971, shall be assembled from components which meet the minimum requirements set forth in §§ 75.1107-5 through 75.1107-11.

(b) Any other fire suppression device, the components of which have been approved by the Secretary, which provides no less effective means of suppressing fires on underground equipment shall meet the requirements of § 75.1107-3.

§ 75.1107-5 Automatic fire sensors and manual actuators; installation; minimum requirements.

(a) (1) Where fire suppression devices are installed on unattended underground equipment, one or more sensors shall be installed for each 150 square feet

over the top surface area, or fraction thereof, covered by such equipment, and each sensor shall be designed to disconnect the electrical power source to the equipment protected when the sensor is activated; in addition, a manual control shall be installed to operate the system.

(2) Where manually activated fire suppression devices are installed on other equipment, two or more manual controls shall be provided at different locations on the equipment which shall actuate the fire control system.

(i) Where manual actuators are installed on equipment regularly operated by a miner, at least one of the manual controls shall be located within easy reach of the operator's normal operating position.

(ii) Where manual controls are installed on equipment not regularly operated by a miner, manual controls shall be located within easy reach of any person approaching the equipment to extinguish a fire.

(b) Sensors shall, where practicable, be installed in accordance with the recommendations set forth in Local Protective Signaling Systems, National Fire Protection Association, Code No. 72A.

(c) If operated by the power source to the equipment protected, each fire suppression device installed on unattended equipment shall be provided with a standby power source which will remain operative for a minimum of 4 hours after the primary source of power has been deenergized.

(d) Sensors located in ventilated passageways which have preset temperature actuators shall, where practicable, be installed downwind from the equipment protected to take advantage of the ventilation current.

(e) Sensor systems and manual controls installed to actuate fire suppression devices shall include a warning indicator, test arrangement, or other suitable method for showing the operative condition of the fire control actuator.

§ 75.1107-6 Sensor systems; manual backup devices; requirements.

Each sensor system installed in accordance with § 75.1107-5(a)(1), shall be equipped with a system designed to actuate the fire suppression device manually.

§ 75.1107-7 Electrical components of fire suppression devices; permissibility requirements.

On and after March 30, 1971, the electrical components of each fire suppression device used or intended to be used on permissible equipment in by the last open cross-cut or in the return airways of any coal mine shall be permissible and such components shall be maintained in permissible condition.

§ 75.1107-8 Capacity of fire suppression devices; location and direction of nozzles.

(a) Each fire suppression device shall be:

(1) Adequate in size and capacity and equipped with sufficient nozzles to extinguish the quantity of combustible present in the equipment protected;

(2) Adapted to the potential class of fire(s) which may be encountered;

(3) Adapted to the atmospheric conditions surrounding the equipment protected (e.g., air velocity, type and proximity of adjacent combustible material); and,

(4) When installed on mining equipment, compatible with the rough usage and vibration to which such machines are subjected during operation.

(b) The extinguishant-discharge nozzles of each fire suppression device shall, where practicable, be located to take advantage of existing mine ventilation air currents and installed to direct the extinguishing agent toward the hazardous locations on the equipment protected as follows:

(1) Onto all hydraulic tanks, transmissions, pumps, motors, and other hydraulic components subject to leakage hazards;

(2) Onto cable reel components and electrical cables on the equipment which are subject to flexing or to external damage.

§ 75.1107-9 Water sprays; capacity; water supply; minimum requirements.

(a) Where water is employed as an extinguishing agent on unattended underground equipment or on equipment not regularly operated by a miner, the rate of flow from the system shall be equivalent to 0.25 gallon per square foot per minute over the top surface area of the equipment and the supply of water shall be adequate to provide a constant flow of water for 10 minutes.

(b) Where water is employed as an extinguishing agent on other underground equipment regularly operated by a miner, the rate of flow from the system shall be equivalent to 0.1875 gallon per square foot per minute over the top surface area of the equipment, excluding conveyors, cutters and gathering heads, and the supply of water shall be adequate to provide a flow of water for 10 minutes.

(c) The amount of water discharged into the cable reel compartments of underground equipment regularly operated by a miner shall be approximately 25 percent of the amount required to be discharged by the system, however, the quantity of water discharged need not exceed 8 gallons per minute.

(d) Water systems supplying fire suppression devices for all underground equipment shall:

(1) Be maintained at a water pressure consistent with the pipe, fittings, valves, and nozzles contained in the system;

(2) Employ water which is free from excessive sediment and non-corrosive to the system;

(3) Include strainers equipped with flush-out connections and a rising stem or other visual indicator-type shutoff valve.

(4) Water supplies for fire suppression devices installed on underground equipment may be maintained in mounted water tanks or by connection to water mains: *Provided, however,* That when employed, connections to water mains shall be maintained whenever such equipment is connected to a power source.

§ 75.1107-10 Dry powder devices; capacity; minimum requirements.

(a) Where multipurpose dry powder is employed as an extinguishing agent on underground equipment:

(1) The dry powder system including all hose and nozzles shall provide protection against the entrance of moisture, dust or dirt into the system;

(2) The system shall be located so as to protect the piping and hose of the system against damage during operation of the equipment protected;

(3) Hose, if used, shall be protected by wire braid or its equivalent;

(4) Hose and pipe shall be as short as possible, and the maximum distance between the reservoir and each discharge nozzle shall not exceed 50 feet; and,

(5) The metal hose and piping between the control valve and nozzle shall have a bursting pressure of 500 pounds per square inch (gage) or higher.

(b) Where multipurpose dry powder is employed as an extinguishing agent on underground equipment not regularly operated by a miner, the following amounts of multipurpose dry powder shall be discharged through the nozzles of the system in 1 minute or less:

Equipment surface area (square feet)	Dry powder, pounds
0- 50	50
51-150	120
151-300	240
301-400	360
401-500	480

(c) Where multipurpose dry powder is employed as an extinguishing agent on underground equipment regularly operated by a miner, the number of pounds of multipurpose dry powder employed by the system shall equal 5 times the total number of hazardous locations. The amount of dry powder discharged into the cable reel compartments of all such equipment shall be approximately 25 percent of the amount required to be discharged by the system; however, the quantity of dry powder discharged need not exceed 10 pounds.

§ 75.1107-11 High expansion foam devices; minimum capacity.

(a) Where high expansion foam is employed as an extinguishing agent on underground equipment not regularly operated by a miner, the following amounts of water shall be delivered as

high expansion foam for a period of approximately 20 minutes:

Equipment surface area (square feet)	Water discharged as high expansion foam, gallons per minute
0- 50	3.2
51-150	8
151-300	16
301-400	24
401-500	32

(b) Where high expansion foam is used as an extinguishing agent on underground equipment regularly operated by a miner, fire may be suppressed by internal injection or by inundation of the entire machine, provided however, that each such foam system shall deliver water at the following rates for 10 minutes:

Hazardous locations (number)	Water discharged as high expansion foam, gallons per minute internal injection	Inundation
2	1.5	5
4	1.5	6
6	3.0	7.5
8	4.5	12
10	6.0	15

(c) Where internal injection is employed, the amount of water discharged as high expansion foam into the cable reel compartments of underground equipment regularly operated by a miner shall be approximately 25 percent of the total amount required to be discharged by the system; however, the quantity of foam discharged as water need not exceed 1.5 gallons per minute.

§ 75.1107-12 Extinguishing agents; requirements on mining equipment employed in low coal.

Where fire suppression devices are installed on mining equipment operating in coal seams no more than 32 inches high, the quantity of extinguishing agent required under the provisions of §§ 75.1107-9, 75.1107-10, and 75.1107-11 may be reduced by one-fourth if space limitations on the equipment require such reduction.

§ 75.1107-13 Inerting of mine atmosphere prohibited.

No fire suppression device designed to control fire by total flooding shall be installed to protect unattended underground equipment except in enclosed dead-end entries or enclosed rooms as defined in National Fire Protection Association Code No. 17.

§ 75.1107-14 Guards and handrails; requirements where fire suppression devices are employed.

All underground equipment provided with fire suppression devices which are mounted in dead-end entries, enclosed rooms or other hazardous location designated by the District Manager, shall be equipped with adequate guards over all moving or rotating components and handrails shall be installed at such locations to facilitate rapid egress from the area surrounding such equipment.

§ 75.1107-15 Fire suppression devices; hazards; training of miners.

Each operator shall instruct all miners normally assigned to the active workings of the mine with respect to the hazards inherent in the operation of all fire suppression devices installed in accordance with § 75.1107-1 and, where appropriate, the safeguards available at each such installation.

§ 75.1107-16 Inspection of fire suppression devices.

(a) All fire suppression devices shall be visually inspected at least once each week by a person qualified to make such inspections and each fire suppression system shall be subjected to a functional maintenance test at least once each year following installation.

(b) A record of inspections conducted in accordance with paragraph (a) of this section shall be maintained by the operator.

[FR Doc.71-2523 Filed 2-24-71;8:46 am]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1120, 1121, 1126, 1127, 1128, 1129, 1130]

[Docket No. AO-384-A3, etc.]

MILK IN SOUTH TEXAS AND CERTAIN OTHER MARKETING AREAS

Notice of Extension of Time for Filing Exceptions to the Partial Recommended Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

7 CFR part	Market	Docket No.
1121	South Texas	AO-384-A3.
1126	North Texas	AO-231-A35.
1127	San Antonio	AO-232-A21.
1128	Central West Texas	AO-238-A24.
1129	Austin-Waco	AO-256-A17.
1130	Corpus Christi	AO-259-A21.
1120	Lubbock-Plainview	AO-328-A11.

Notice is hereby given that the time for filing exceptions to the partial recommended decision with respect to the proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the marketing areas heretofore specified which was issued on February 8, 1971 (36 F.R. 2916) is hereby extended to March 5, 1971.

This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C., on February 19, 1971.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.71-2541 Filed 2-24-71;8:47 am]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 5]

NURSING HOME CONTRACTS WITH VETERANS ADMINISTRATION FOR CARE OF VETERAN-PATIENTS

Proposed Variation From Certain Labor Standards

Notice is hereby given that, pursuant to section 105 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 331), the Department of Labor is considering the granting of a variation from the overtime requirements of the Act with respect to employees of nursing homes performing under Veterans Administration contracts for the care of veteran-patients. The purpose of the variation as proposed below is to correct any misunderstandings which may exist regarding potential liabilities for overtime pay to the employees of nursing homes performing on such contracts. The conflict between the 48 hour overtime provisions of the Fair Labor Standards Act and the more stringent overtime provisions of the Contract Work Hours and Safety Standards Act, which would become applicable to any such contract in excess of \$2,500 with the U.S. Government for the care of patients, has created confusion within the nursing home industry and led to a reluctance on the part of nursing homes to accept Veterans Administration contracts to a degree which could seriously impair the proper functioning of the nation's veteran-care program. To overcome this difficulty, the Veterans Administration has requested a variation under section 105 of the Contract Work Hours and Safety Standards Act to permit nursing homes performing on such contracts to pay overtime only after 48 hours a week as provided under the Fair Labor Standards Act.

In actuality, the 8 hour a day, 40 hour a week overtime pay standards of the Contract Work Hours and Safety Standards Act have little or no practical effect on employees working in nursing homes with Veterans Administration contracts because the relatively small number of veteran-patients to be cared for under each contract make it improbable that any nursing home employee will spend more than 8 hours in a day or 40 in a week on contract work. Overtime pay to such employees would thus generally be governed by the 48 hour standard of the Fair Labor Standards Act rather than the 8 or 40 standard of the Contract Work Hours and Safety Standards Act, notwithstanding the inclusion of the required Contract Work Hours and Safety Standards Act stipulations in such contracts.

Therefore, pursuant to the authority contained in section 105 of the Contract Work Hours and Safety Standards Act, I propose to find that a variation from the overtime provisions of the Act should be granted for certain Veterans Administration contracts with nursing homes for veteran-patient care, as being necessary and proper in the public interest to avoid

the serious impairment of the conduct of Government business.

Part 5 of Title 29, Code of Federal Regulations, would be amended by adding a new subparagraph (3) of § 5.14(d), reading as follows:

§ 5.14 Limitations, variations, tolerances, and exemptions under the Contract Work Hours and Safety Standards Act.

(d) Variations * * *

(3) In the performance of any contract entered into pursuant to the provisions of 38 U.S.C. 620 to provide nursing home care of veterans, no contractor or subcontractor under such contract shall be deemed in violation of section 102 of the Contract Work Hours and Safety Standards Act by virtue of failure to pay the overtime wages required by such section for work in excess of 8 hours in any calendar day or 40 hours in the workweek to any individual employed by an establishment which is an institution (other than a hospital) primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises, if such individual receives compensation for employment in excess of 48 hours in any workweek at a rate not less than 1½ times the regular rate at which he is employed, computed in accordance with the requirements of the Fair Labor Standards Act of 1938, as amended. This variance is found necessary and proper and in the public interest to avoid serious impairment of the conduct of Government business.

(Sec. 105, 76 Stat. 359; 40 U.S.C. 331, S.O. Order No. 20-70, 36 F.R. 305)

Interested persons may, within 30 days of publication of this notice in the FEDERAL REGISTER, submit written data, views or arguments relative to this proposal to the Office of the Administrator of Workplace Standards, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, D.C., this 16th day of February 1971.

ROBERT D. MORAN,
Administrator of
Workplace Standards.

[FR Doc.71-2537 Filed 2-24-71;8:47 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration [14 CFR Part 71]

[Airspace Docket No. 71-WE-5]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the descriptions of Wenatchee, Wash., control zone and transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Region Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, CA 90045.

Two new proposed instrument approach procedures have been developed for Pangborn Field, Wenatchee, Wash. (VOR A and VOR B). Both procedures utilize the Wenatchee 124° T (102° M) radial for the final approach and procedure turn radial.

The VOR A approach authorizes the procedure turn within 10 nautical miles of the Malaga fan marker; the VOR B authorizes the procedure turn within 10 nautical miles of the Wenatchee, Wash., VOR and is intended to replace the current VOR Runway 29 instrument approach.

The two proposed instrument approach procedures were developed in accordance with criteria contained in U.S. Standard for Terminal Instrument Procedures (TERPs). As a result, it has been determined that the descriptions of the Wenatchee, Wash., control zone and transition area must be amended to provide controlled airspace protection for aircraft executing the prescribed instrument procedures.

The 1,200-foot portion of the transition area is required for holding and for the procedure turn areas, the 700-foot portion of the transition area is required for aircraft executing the portions of the approach procedures between 1,500 and 700 feet above the surface. The control zone will provide controlled airspace protection for aircraft executing the proposed instrument approach procedures while operating below 1,000 feet above the surface.

In consideration of the foregoing, the FAA proposes the following airspace actions.

In § 71.171 (36 F.R. 2055) the description of the Wenatchee, Wash., control zone is amended to read as follows:

WENATCHEE, WASH.

Within a 5-mile radius of Pangborn Field, Wenatchee, Wash. (latitude 47°24'00" N., longitude 120°12'30" W.) and within 3 miles each side of the Wenatchee VOR 124° radial extending from the 5-mile radius zone to 8 miles southeast of the VOR, excluding the airspace within a 1-mile radius of Fancher Field, Wash. (latitude 47°26'55" N., longitude 120°16'40" W.).

In § 71.181 (36 F.R. 2140) the description of the Wenatchee, Wash., transition area is amended to read as follows:

WENATCHEE, WASH.

That airspace extending upward from 700 feet above the surface within 4 miles each side of the Wenatchee VOR 124° radial, extending from the VOR to 12.5 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface within 5 miles south and 8 miles north of the Wenatchee VOR 092° and 272° radials, extending from 7 miles west to 14 miles east of the VOR and within 5 miles southwest and 9.5 miles northeast of the 124° radial, extending from the VOR to 23 miles southeast of the VOR.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on February 17, 1971.

LEE E. WARREN,

Acting Director, Western Region.

[FR Doc. 71-2568 Filed 2-24-71; 8:49 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-16]

TRANSITION AREA

Proposed Designation

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

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, South-

ern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Baxley transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Baxley Municipal Airport (lat. 31°42'50" N., long. 82°23'25" W.); within 2 miles each side of Alma VORTAC 028° radial, extending from the 5-mile-radius area to 8 miles north of the VORTAC.

The proposed designation is required to provide controlled airspace protection for IFR operations at Baxley Municipal Airport. A prescribed instrument approach procedure to this airport, utilizing the Alma VORTAC, is proposed in conjunction with this transition area.

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

Issued in East Point, Ga., on February 12, 1971.

GORDON A. WILLIAMS, JR.,

Acting Director, Southern Region.

[FR Doc. 71-2569 Filed 2-24-71; 8:49 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-17]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Madison, Ga., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Madison transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile

radius of Madison Municipal Airport (lat. 33°36'46" N., long. 83°27'41" W.).

The application of current airspace criteria to Madison terminal requires an increase in the basic radius circle from 5 to 6.5 miles.

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

Issued in East Point, Ga., on February 16, 1971.

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

[FR Doc. 71-2570 Filed 2-24-71; 8:50 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-18]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Jefferson, Ga., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Jefferson transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Jackson County Airport (lat. 34°-10'29" N., long. 83°33'37" W.).

The application of current airspace criteria to Jefferson terminal requires an

increase in the basic radius circle from 6 to 6.5 miles.

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

Issued in East Point, Ga., on February 12, 1971.

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

[FR Doc. 71-2571 Filed 2-24-71; 8:50 am]

ENVIRONMENTAL PROTECTION AGENCY

[42 CFR Part 481]

CERTAIN AIR QUALITY CONTROL REGIONS IN ALASKA

Proposed Designation of Regions; Consultation With Appropriate State and Local Authorities

Notice is hereby given of a proposal to designate Intrastate Air Quality Control Regions in the State of Alaska as set forth in the following new §§ 481.246-481.248 inclusive which would be added to Part 481 of Title 42, Code of Federal Regulations. It is proposed to make such designations effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Acting Commissioner, Air Pollution Control Office, Room 17-82, 5600 Fishers Lane, Rockville, MD 20852. All relevant material received not later than 20 days after the publication of this notice will be considered.

Interested authorities of the State of Alaska and appropriate local authorities, both within and without the proposed regions, who are affected by or interested in the proposed designations, are hereby given notice of an opportunity to consult with representatives of the Administrator concerning such designations. Such consultation will take place at 9 a.m., March 10, 1971, in Room 117, Federal Building, U.S. Post Office and Courthouse, 709 West Ninth Street, Juneau, AK 99801.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Doyle J. Borchers, Air Pollution Control Office, Environmental Protection Agency, Room

17-82, 5600 Fishers Lane, Rockville, MD 20852.

In Part 481 the following new sections are proposed to be added to read as follows:

§ 481.246 Northern Alaska Intrastate Air Quality Control Region.

The Northern Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alaska:

1956 Election Districts 18-23, inclusive, as described in Article XIV, § 3 of the Constitution of the State of Alaska.

§ 481.247 South Central Alaska Intrastate Air Quality Control Region.

The South Central Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alaska:

Those portions of the 1956 Election Districts 7-17, inclusive, and Election District 24 as described in Article XIV, § 3 of the Constitution of the State of Alaska, which are not included in the designated Cook Inlet Intrastate Air Quality Control Region as designated August 12, 1970 (35 F.R. 12757).

§ 481.248 Southeastern Alaska Intrastate Air Quality Control Region.

The Southeastern Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alaska:

1956 Election Districts 1-6, inclusive, as described in Article XIV, § 3 of the Constitution of the State of Alaska.

This action is proposed under the authority of section 301(a), 81 Stat. 504; 42 U.S.C. 1857g(a) as amended by section 15(c)(2) of Public Law 91-604.

Dated: February 19, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc. 71-2511 Filed 2-24-71; 8:45 am]

Notices

POST OFFICE DEPARTMENT

EXECUTIVE ASSISTANT TO POSTMASTER GENERAL

Delegation of Authority

The following is the text of an order issued by the Postmaster General on February 17, 1971:

Effective immediately in every case in which the Chief Hearing Examiner has rendered the initial decision in a proceeding conducted pursuant to the requirements of the Administrative Procedure Act, Mr. Holman Head, Executive Assistant to the Postmaster General, is authorized to act upon, and sign in his own name, orders relating to motions and requests for continuances and extensions of time.

(5 U.S.C. 301, 39 U.S.C. 308a, 501)

DAVID A. NELSON,
General Counsel.

[FR Doc.71-2534 Filed 2-24-71;8:47 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A 6087]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Reclamation, United States Department of the Interior, has filed an application, Serial No. A 6087, for the withdrawal of the lands described below, from all forms of appropriation under the general mining laws, subject to existing valid claims. The lands were originally withdrawn under first form withdrawal as authorized by section 3 of the Act of June 17, 1902 (32 Stat. 388) for the Salt River Project by Orders of March 2, 1903, July 20, 1905, and January 19, 1933. Secretary's Orders of July 29, 1939, and December 29, 1939, opened the land to location, entry and patent under the general mining laws, as provided by the Act of April 23, 1932 (47 Stat. 136).

The closure of these lands to mining location, entry, and patent is again necessary because the land will be used for facilities proposed for the Central Arizona Project. The Bureau of Reclamation desires the withdrawal of these lands to prevent any increased acquisition costs for the Central Arizona Project which might occur if use or disposition of the lands is made under the mining laws.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present

their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, AZ 85025.

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

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

The lands involved in the application are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 2 N., R. 7 E.,
Sec. 4, S $\frac{1}{2}$ of lot 9, lots 10, 11, 12, and
E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 5, lot 9 and E $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described aggregates approximately 368.94 acres within the Tonto National Forest.

Dated: February 17, 1971.

GLENDON E. COLLINS,
Acting State Director.

[FR Doc.71-2520 Filed 2-24-71;8:46 am]

[New Mexico 12322]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands; Correction

FEBRUARY 18, 1971.

In F.R. Doc. 71-1678, appearing at pages 2573-2574 of the issue for Saturday, February 6, 1971, the following correction is made in the land description: Change "Sec. 30" to "Sec. 19."

W. J. EGAN,
Acting Land Office Manager.

[FR Doc.71-2521 Filed 2-24-71;8:46 am]

[OR 6409-A]

OREGON

Notice of Termination of Classification of Public Lands

FEBRUARY 18, 1971.

Notice of a classification of public lands for disposal by exchange was published as F.R. Doc. 70-16936 on pages 19194 and 19195 of the issue for December 18, 1970. The classification has been canceled insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR 2411.1-2(e) (3) (ii), such lands will be at 10 a.m., March 26, 1971, relieved of any segregative effect the above-mentioned classification may have had.

The lands involved in this notice of termination are:

WILLAMETTE MERIDIAN

GRANT COUNTY

T. 8 S., R. 28 E.,
Sec. 19, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 9 S., R. 28 E.,
Sec. 6, lots 3 and 6.
T. 8 S., R. 31 E.,
Sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

ARTHUR W. ZIMMERMAN,
Acting State Director.

[FR Doc.71-2549 Filed 2-24-71;8:48 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 9]

SALES OF CERTAIN COMMODITIES

Monthly Sales List

The CCC Monthly Sales List for the fiscal year ending June 30, 1971, published in 35 F.R. 10922, is amended as follows:

1. Section 7 entitled "Credit Interest Rates" is revised to reflect a reduction in the rates of interest, reading as follows:

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-4) are 6 $\frac{1}{8}$ percent for U.S. bank obligations and 7 $\frac{1}{8}$ percent for foreign bank obligations.

Effective date. This revision shall become effective with respect to the financing of sales made under the CCC Export Credit Sales Program on February 16, 1971.

Signed at Washington, D.C., on February 19, 1971.

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

[FR Doc.71-2580 Filed 2-24-71;8:50 am]

Consumer and Marketing Service

GRAIN STANDARDS

Texas Grain Inspection Point

Statement of considerations. On November 20, 1970, there was published in the FEDERAL REGISTER (35 F.R. 17863) a notice to consider requests from three parties interested in operating an official inspection agency as defined in section 3(a) of the U.S. Grain Standards Act (7 U.S.C. 75(m)) at Tulia, Tex.

Inspection agencies, members of the grain trade, and other interested parties were given until December 21, 1970, to submit written data, views, or arguments with respect to who should be designated to operate an official inspection agency at Tulia, Tex.

In response to the notice published in the FEDERAL REGISTER, three additional parties applied for designation to operate an official inspection agency at Tulia, Tex. Comments were received from members of the grain trade recommending three of the six applicants. Under the U.S. Grain Standards Act, only one of

ficial inspection agency can be operative at any one time for any city, town, or other area except under certain circumstances not present in this case.

It is the Department's policy, in designating a party to operate an official inspection agency, to cooperate with State agencies and then with existing agencies, if feasible and if in the public interest. None of the applicants is a State agency. One applicant, the Plainview Grain Exchange, Plainview, Tex., is currently operating an official inspection agency and has been providing temporary inspection services at Tulia, Tex.

After due consideration of all submissions made pursuant to the notice of November 20, 1970, and all other relevant matters, and pursuant to the authority contained in sections 7(f) and 16 of the U.S. Grain Standards Act (7 U.S.C. 79(f) and 87e), the Plainview Grain Exchange, Plainview, Tex., is hereby designated as the official inspection agency at Tulia, Tex.

Effective date. This notice is effective upon publication in the FEDERAL REGISTER (2-25-71).

Done in Washington, D.C., this 22d day of February 1971.

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

[FR Doc.71-2542 Filed 2-24-71; 8:48 am]

Foreign Agricultural Service IMPORT QUOTAS

Submission of Information To Establish Eligibility for Licenses

In accordance with Part 3 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202), hereinafter referred to as TSUS, as amended by Proclamation 4026 of December 31, 1970, articles subject to the import quotas provided for in TSUS items 950.10E and 950.16 may be entered, on and after July 1, 1971, only pursuant to a license issued under the authority of the Secretary of Agriculture. With respect to the quota provided for in TSUS item 950.10E, it should be noted that it covers only cheese containing 0.5 percent or less of butterfat having a purchase price under 47 cents per pound or shipped otherwise than in pursuance to a purchase.

Notice is hereby given that, in order for a person to establish eligibility on a historical basis for a license to import such articles, evidence satisfactory to the licensing authority must be submitted on or before March 15, 1971, showing the quantity of such articles as described below which was imported by such person during the 12 months July 1969 through June 1970 and the purchase price thereof in the case of cheese.

For license to improve the commodity covered by TSUS item:

950.10E -----

Submit evidence of imports of:

Cheese, and substitutes for cheese, containing 0.5 percent or less by weight of butterfat, as provided for in items 117.75 and 117.85 of subpart C, part 4, schedule 1, except articles within the scope of other import quotas provided for in part 3 of the appendix to the TSUS.

950.16 -----

Chocolate provided for in item 156.30 of part 10 and articles containing chocolate provided for in item 182.95, part 15, schedule 1, containing 5.5 percent or less by weight of butterfat (except articles for consumption at retail as candy or confection).

Records as to the entire quantity imported, regardless of price or whether imported pursuant to a purchase, must be submitted for the cheese described above. Copies of duty paid Customs Entry Forms No. 7501 or Customs Warehouse Withdrawal Forms No. 7505 provide the most acceptable evidence. If these forms are not available, other records may be submitted for a determination of their acceptability as evidencing the quantity of such articles imported during said period and, in the case of cheese, the purchase price. The records should be sent to the Chief, Import Branch, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250, and postmarked not later than March 25, 1971.

Issued at Washington, D.C., this 23d day of February 1971.

RAYMOND A. IOANES,
Administrator,
Foreign Agricultural Service.

[FR Doc.71-2663 Filed 2-24-71; 8:51 am]

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce SOUTHERN ILLINOIS UNIVERSITY ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

Correction

In F.R. Doc. 71-1389 appearing at page 1922 in the issue for Wednesday, February 3, 1971, the following paragraphs should be inserted immediately following the first complete paragraph in the third column on page 1923:

Docket No. 69-00293-33-46500. Applicant: Albany Medical College, Medical Genetics Division, 47 New Scotland Avenue, Albany, N.Y. 12208. Article: Ultramicrotome, "Om U2". Date of denial without prejudice to resubmission: February 19, 1969.

Docket No. 69-00323-33-46095. Applicant: New York State Department of Mental Hygiene, Institute for Basic Research in Mental Retardation, 1050 Forest Hill Road, Staten Island, NY 10314. Article: Photo microscope II. Date of denial without prejudice to resubmission: March 27, 1969.

Docket No. 69-00329-01-10100. Applicant: University of Illinois, 223 Administration Building, Urbana, IL 61801. Article: Temperature-jump relaxation spectrometer. Date of denial without prejudice to resubmission: June 23, 1969.

Docket No. 69-00340-33-46040. Applicant: Temple University School of Medicine, 3420 North Broad Street, Philadelphia, PA 19140. Article: Electron microscope, Elmiskop IA. Date of denial without prejudice to resubmission: July 18, 1969.

Docket No. 69-00347-99-29800. Applicant: WGBH Educational Foundation, 125 Western Avenue, Boston, MA 02134. Article: Film editing machine. Date of denial without prejudice to resubmission: March 4, 1969.

Docket No. 69-00384-40-30600. Applicant: University of Maryland, Department of Civil Engineering, College Park, MD 20742. Article: Fluid friction apparatus. Date of denial without prejudice to resubmission: August 28, 1969.

Bureau of International Commerce

[File 26(70)-8]

HERTZ RESEARCH LABORATORY AND D. K. CHAN

Order Denying Export Privileges for an Indefinite Period

In the matter of Hertz Research Laboratory and D. K. Chan, Sincere Insurance Building, 17th Floor, West Wing, 4 Hennessy Road, Hong Kong, B.C.C., respondents.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above respondents all export privileges for an indefinite period because the said respondents, without good cause being shown, failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested. This application was made pursuant to § 388.15 of the Export Control regulations. (Title 15, Chapter III, Subchapter B, Code of Federal Regulations.)

In accordance with the usual practice, the application for an indefinite denial

order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent Hertz Research Laboratory has a place of business in Hong Kong; Mrs. Eckila S. Chan, wife of the respondent D. K. Chan, is the registered proprietor of the firm; the respondent D. K. Chan is the active manager of the firm; the firm is engaged as an importer and distributor of electronic and scientific instruments and components. The evidence presented further shows that during the years 1969 and 1970 the respondent firm, acting through the respondent Chan, ordered strategic equipment from U.S. suppliers having an aggregate value of approximately \$45,000; four exportations of such commodities, having an approximate value of \$17,000 were made to respondents between July 1969 and March 1970. The Investigations Division is conducting an investigation to ascertain the disposition of the commodities exported to respondents and also to ascertain the intended disposition of other commodities that were ordered.

It is impracticable to subpoena the respondents, and relevant and material interrogatories were served on them pursuant to section 388.15 of the Export Control Regulations. The respondents, also pursuant to said section, were requested to furnish certain specific documents relating to this transaction. Said respondents have failed to respond to said interrogatories or to furnish the documents requested as required by said section, and they have not shown good cause for such failure. I find that an order denying export privileges to said respondents for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Administration Act of 1969.¹

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondents appear or participate, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondents, their assigns, representatives, agents and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States

¹This Act is the successor to the Export Control Act of 1949. The new Act (50 U.S.C. App. sec. 2412(b)), provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 . . . shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act".

in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith. This order is also applicable to Eckila S. Chan, registered proprietor of the respondent Hertz Research Laboratory.

IV. This order shall remain in effect until the respondents provide responsive answers, written information, and documents in response to the interrogatories heretofore served upon them or give adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Control Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondents, or whereby the respondents may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any respondent, or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

tation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondents.

VII. In accordance with the provisions of section 388.15 of the Export Control Regulations, the respondents may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D.C. at the earliest convenient date.

Dated: February 19, 1971.

This order shall become effective February 25, 1971.

RAUER H. MEYER,
Director, Office of Export Control.

[FR Doc.71-2510 Filed 2-24-71;8:45 am]

National Oceanic and Atmospheric Administration

[Docket No. C-336]

GERALD WILLIAM SAWYER

Notice of Loan Application

FEBRUARY 17, 1971.

Gerald William Sawyer, 321 McCormick Avenue, Capitola, CA 95010, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 56-foot length overall steel vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,

Division of Financial Assistance.

[FR Doc.71-2535 Filed 2-24-71;8:47 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

SOCIAL SECURITY ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 8 (Social Security Administration) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare (33 F.R. 5828 et seq., Apr. 16, 1968) is hereby amended as follows:

8-B Assistant Bureau Director, *Intermediary Operations, Division of Intermediary Operations* (BHI) through the *Office of the Regional Representative, Health Insurance* (BHI) is superseded by the following:

Deputy Bureau Director, Program Policy (BHI). Provides national leadership and executive direction in initiating, developing, promulgating and interpreting Medicare program policies, standards and directives. This includes: Substantive policies relating to services provided by hospitals, extended care facilities, home health agencies, physicians (including provider-based and teaching physicians), and other suppliers of services; policies for reimbursement under the medical insurance program; provider reimbursement and accounting policies and procedures and technical policies on eligibility requirements for beneficiaries, nonmedical coverage exclusions, hearings and appeals, deductibles and coinsurance, etc. Sets standards for and coordinates the issuance of HI program-related manuals, policy directives and other instructional issuances. Ensures that inter-related policy areas are meshed into well-coordinated overall policies for the Medicare program. Provides Bureau leadership in developing legislative proposals and considering and making recommendations to the Bureau Director on issues concerning national health care administration and financing.

Division of Provider and Medical Services Policy (BHI). Develops, evaluates and maintains policies for the coverage of Medicare services; policies for reimbursing physicians (including provider-based and teaching physicians) and other suppliers of services under the medical insurance program; and standards and criteria for use by intermediary personnel in adjudicating claims submitted for payment. Studies and evaluates existing policies to determine their effectiveness and develops new or revised policies where necessary. Prepares guidelines for regional office review of intermediary performance in applying reasonable charge criteria.

Division of Provider Reimbursement and Accounting Policy (BHI). Develops, evaluates and maintains policies for reimbursement of reasonable costs of Medicare providers and related accounting policies and procedures. Maintains liaison on reimbursement policy and ac-

counting with the American Institute of Certified Public Accountants, intermediary advisory groups, the American Hospital Association and others. Develops and maintains a provider cost analysis program. Determines the nature and extent of deviations by intermediaries from the reasonable cost concept of provider reimbursement and recommends appropriate corrective action. Evaluates the propriety of intermediaries' interpretations of reimbursement principles.

Division of Technical Policy (BHI). Develops, evaluates and maintains policies pertaining to technical and nonmedical program issues such as beneficiary eligibility, deductibles and coinsurance, overpayments, nonmedical exclusions from coverage, etc.; and policies and procedures for reconsiderations, hearing and appeals. Coordinates the development of specifications for health insurance regulations. Develops standards, coordinates and arranges for the issuance of all HI program-related manual and instructional issuances. Prepares the Bureau's case and represents it at hearings involving determinations on provider participation and other administrative determinations.

Deputy Bureau Director, Program Operations (BHI). Provides national leadership and executive direction for Medicare operating systems and program operations involving contractual relationships with intermediaries and carriers and the certification of Medicare providers through State agencies. Develops and monitors systems, methods and procedures for Medicare program operations, including systems involving intermediaries, carriers, providers, and other suppliers of services, enrollment and collection of premiums from beneficiaries, State buy-in and group premium operations. Develops and maintains conditions of participation for providers of services. Directs negotiation of agreements with State agencies for certifying providers and directs the administrative and fiscal relationships with these agencies. Directs the Bureau central and regional administrative and fiscal relationships with intermediaries and carriers including the development of administrative and fiscal policies, procedures and controls relating to contractor operations; preparing the national contractor budget and developing the contents of national subcontracts. Maintains relations with national contractors (Blue Cross Association, Travelers Insurance Co., Railroad Retirement Board, etc.). Provides Bureau leadership in considering and making recommendations to the Bureau Director on issues concerning national health care administration and financing. Takes part in development of legislative proposals.

Division of Contractor Operations (BHI). Develops regulations, policies and procedures for the selection of intermediaries and carriers. Develops and evaluates the terms of intermediary and carrier contracts; policies and procedures regarding contract renewals; and criteria for the approval of subcontracts. Develops, evaluates and maintains fiscal

and operating policies, standards and instructions for contractor performance, and guidelines for regional office administrative and financial management relationships with contractors. Conducts the Bureau's relations with the Blue Cross Association and other national contractors. Formulates the national budget for contractor operations. Develops a program for analysis of contractor operations and analyzes the effectiveness of contractor operations on a national basis.

Division of State Operations (BHI). Develops and evaluates the contents of State agency agreements. Develops, evaluates and maintains policies, standards and instructions for State agency administrative and fiscal activities, and guidelines for the regional office relationships with State agencies and regional office review of State agency operations. Formulates the national budget for State agencies. Develops the conditions of participation for providers of services; develops and maintains policies and procedures for provider certification. Reviews and evaluates the provider certification process. Coordinates Bureau activities related to title XIX. Controls the processing of emergency services claims. Reviews regional office decisions on HEW Audit Agency audit exceptions of State agencies and approves sensitive audit exceptions.

Division of Systems (BHI). Directs the development and issuance of specifications, procedures, and other instructional material to implement and maintain operational systems for intermediaries, carriers, providers and other suppliers of services; the enrollment and eligibility of beneficiaries, their notification as to utilization of services, and the collection of premiums. Within the framework of overall SSA systems planning, prepares general systems plans and develops requirements for the detailed design and programming for model systems used by intermediaries and carriers. Plans, conducts, and evaluates studies aimed at long-range improvements in systems, methods, and procedures.

Assistant Bureau Director, Program Review (BHI). Provides national leadership and executive direction for the review and evaluation of the Medicare program. Is responsible for assessing the extent to which program objectives are being met and how they might be better met. Evaluates the performance of all Bureau components, including regional office surveillance of contractor and State agency operations. Develops and manages a national program to prevent, detect, and document fraud and program abuse situations and assure appropriate follow-through actions, and to validate the effectiveness of Bureau policies, procedures, and screening techniques. Identifies patterns and trends of aberrant payments for health services and appropriately refers identified problems. Develops and negotiates techniques for determining the amount of and means to recover overpayments to institutional providers, physicians, and other suppliers of services. Appraises the provider audit

program, as to resources, costs, effectiveness, etc., and the responsiveness of the program to the Bureau's requirements. Considers and evaluates alternatives to the existing audit program.

Advisory Groups Staff (BHI). Provides technical program support and staff services for the Health Insurance Benefits Advisory Council, its subcommittees and other health insurance advisory bodies. Coordinates BHI legislative activity in connection with Congressional activity and other activities in connection with Congressional hearings in which the Bureau is involved. Drafts the annual report on Medicare. Obtains information for special projects from components throughout BHI, SSA and DHEW and prepares necessary presentations.

Appraisal Staff (BHI). Appraises the Medicare program. Examines the extent to which program objectives are being met and how they might be better met. Evaluates the quality and effectiveness of program administration, program regulations, policies, procedures and operating systems. Serves as Bureau focal point for audit liaison with the Office of Administration and is responsible for coordinating the preparation and assuring the appropriateness of the Bureau's replies to GAO and HEW Audit Agency reports.

Program Evaluation Staff (BHI). Develops policies and procedures for ensuring the integrity of the health insurance program, including the detection of potential fraud and program abuse situations and improving contractor and regional office program integrity activities. Coordinates the Bureau's program integrity activities, including the review of and referral to the Office of Administration and/or the Office of General Counsel of fraud and program abuse cases referred by the regional offices. Develops a program to validate the effectiveness of Bureau policies, procedures, screening techniques, etc., including a system for the acquisition and analysis of operational data to identify aberrant providers. Provides leadership and technical direction to and develops guidelines for the use of regional offices in conducting on-site validation reviews. Conducts selected on-site validation reviews of critical or sensitive cases, to evaluate regional office performance and to maintain the expertise necessary to direct Medicare validation activities.

Provider Audit Program Appraisal Staff (BHI). Evaluates the provider audit program (including postreview of completed cost settlements) in terms of resources employed, costs incurred, degree of effectiveness and the responsiveness of the program to Bureau requirements. Considers and evaluates provider audit program alternatives.

Recovery Staff (BHI). In unusually sensitive or complex cases, develops the amount of overpayment to providers, physicians and other suppliers of services. Negotiates with providers, physicians and other suppliers as to the acceptability of the statistical and sampling

techniques used to determine the amount of the overpayment and negotiates the method of repayment. Provides consultation to other governmental components (including Department of Justice) where resort to the courts is necessary to recover an overpayment.

Assistant Bureau Director, Central Operations (BHI). Provides national leadership and executive direction for a variety of the Bureau's centralized staff and operating functions. Directs SSA's function as the intermediary for a nationwide mix of direct-dealing providers and group practice prepayment plans. Directs the Bureau's experimentation and demonstration projects programs, including the incentive reimbursement experimentation program. Makes determinations on intermediaries' decisions for all Part A claims where the beneficiary or his representative has requested reconsideration. Reviews overpayment cases involving beneficiaries to determine the amount of overpayment and completeness of documentation. Plans, directs and coordinates the BHI health insurance inquiries program. Plans, develops, coordinates and conducts a comprehensive program to establish and maintain effective professional relations with individuals and organizations in the health community. Develops, coordinates and implements a total management program for the Bureau, including Bureau-wide organization planning, operational planning and other management analysis functions; internal Bureau financial management; manpower selection and placement; employee development; manpower utilization and administrative services.

Division of Direct Reimbursement (BHI). Plans, directs, coordinates and performs the examination, review, authorization or disallowance, and determination on payments of bills submitted by direct-dealing providers and group practice prepayment plans. Develops methods and procedures for processing the bills of direct-dealers. Directs and coordinates liaison and communication as needed by direct-dealers on all aspects of the health insurance program. Collaborates and follows up with other BHI and SSA components, as necessary, on problems involving direct-dealing providers determines the methods, procedures, policies and reimbursement formulas for current payments to direct-dealing providers, and the amounts, methods and frequency of retroactive adjustments. Analyzes cost reports from direct-dealing entities to validate aggregate costs previously reimbursed and, as part of a continuing audit program, to determine final program liability for specific accounting periods.

Division of Management (BHI). Develops, coordinates, and implements a total management program for the Bureau, including Bureau-wide organization planning and other management analysis functions, internal Bureau financial management, manpower selection and placement, employee develop-

ment, position control and manpower utilization. Develops and issues Bureau-wide administrative directives. Provides Bureau-wide project control, problem area reporting, coordination of Bureau operational planning activities, management information and a variety of administrative support services.

Division of Special Operations (BHI). Makes determinations to affirm or reverse intermediaries' decisions on all Part A claims on which a beneficiary or his representative has requested reconsideration. Reviews liability and the amount of overpayment in individual beneficiary overpayment cases, and refers case files to the proper components for appropriate action. Plans, directs and coordinates the BHI inquiries analysis program, including responses to complex health insurance inquiries and analysis of inquiries to determine trends in Congressional and public thinking. Reports trends to top management. Directs the Bureau's experimentation and demonstration projects programs, including the incentive reimbursement experimentation program. Coordinates with related experimentation activities of other DHEW components, e.g., Public Health Service. Conducts studies of non-governmental reimbursement programs and management controls which show promise of cost containment.

Professional Relations Staff (BHI). Plans, develops, coordinates, and conducts a comprehensive program to establish and maintain effective professional relations with individuals and organizations in the health community. Participates with the Office of Public Affairs in the preparation of information for professional organizations and professional media covering the administration, operations and provisions of the health insurance program.

Office of the Regional Representative, Health Insurance (BHI). Represents the Bureau on a regional level. Assures effective administration of the Medicare program through day-to-day liaison, coordination, and continuing appraisal of Medicare contractors, State agencies, direct-dealing providers, State buy-in agencies, district offices, providers of services and other organizations and individuals involved in Medicare operations. Insures that SSA policies and procedures are implemented, initiates action to resolve problems and reports problems and trends needing national attention to central office. Conducts in-depth surveys to evaluate the health insurance program including contractor performance appraisals, program validation studies, and participation in State agency and district office comprehensive reviews. Directs and participates in program integrity activities in the region. Develops and implements a professional relations program for the region. Reviews, evaluates and approves (within limits of delegated authority) a variety of actions such as full renewal of intermediary and carrier contracts, certain subcontracts, budget actions and annual settlements, State

agency agreements, provider agreements and terminations, State agency budgets, and State buy-in agreements.

(Sec. 6 Reorganization Plan No. 1 of 1953)

Dated: February 17, 1971.

RODNEY H. BRADY,
Assistant Secretary for
Administration and Management.

By: RONALD BRAND,
Deputy Assistant Secretary
for Management Systems.

[FR Doc. 71-2560 Filed 2-24-71; 8:49 am]

INTERSTATE COMMERCE COMMISSION

[Notice 14]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

FEBRUARY 19, 1971.

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

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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 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 2, 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 340 (Sub-No. 17), filed January 29, 1971. Applicant: QUERNER TRUCK LINES, INC., 1131-33 Austin Street, San Antonio, TX 78208. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, TX 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), (a) from the plantsites and storage facilities of Caviness Packing Co., located at or near Hereford and Dalhart, Tex., to points in Illinois, Wisconsin, Michigan, Ohio, and Indiana, and (b) from the plantsite storage facilities of Wilson Beef and Lamb Co., located at or near Hereford, Tex., to points in Massachusetts, Connecticut, New York, New Jersey, Maryland, Pennsylvania, Ohio, 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 Dallas, Tex.

No. MC 1824 (Sub-No. 54), filed January 28, 1971. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, MD 21655. Applicant's representative: Frank V. Klein (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Foodstuffs*, frozen or not frozen, in vehicles equipped with mechanical refrigeration, serving the

plantsite and warehouses of The Great Atlantic and Pacific Tea Co. at Salem, Ohio, as an off-route point in connection with carrier's regular route operation between Youngstown, Ohio, and Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 16672 (Sub-No. 15), filed January 29, 1971. Applicant: MCGUIRE LUMBER AND SUPPLY, INC., Wylliesburg, Va. 23976. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood pallets and skids*, from Chase City, Va., to the District of Columbia, and points in Maryland, Delaware, Pennsylvania, New Jersey, New York, and Connecticut. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 119182 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Washington, D.C.

No. MC 17037 (Sub-No. 1), filed January 25, 1971. Applicant: JOHN CURRY, INC., 401 North Broad Street, Philadelphia, PA 19108. Applicant's representative: Alvin S. Moses, 5920 North Broad Street, Philadelphia, PA 19141. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products and other products sold by Lindenmeyr-Ward Co., and by Whiting Patterson Co., Inc.*, limited to a service wherein motor vehicles, operated by drivers employed by applicant are leased to the respective shippers and used exclusively by them in the transport of their respective property, (1) from the warehouse of Lindenmeyr-Ward Co., located at Philadelphia, Pa., to points in New Jersey and New York, N.Y., and points in Nassau County, N.Y.; (2) from warehouses and supplies in New York, N.Y., to points in New Jersey, and the commercial zone of Philadelphia, Pa.; and (3) from the warehouse of Whiting Patterson Co., Inc., located at Philadelphia, Pa., to points within New Jersey, New York, N.Y., points in Nassau and Suffolk Counties, N.Y., and return of rejected items to the point of origin, under contract with Lindenmeyr-Ward Co., in (1) and (2) above, and Whiting Patterson Co., Inc., in (3) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 19105 (Sub-No. 31), filed February 3, 1971. Applicant: FORBES TRANSFER COMPANY, INC., Post Office Box 346, 301A Highway South, Wilson, NC 27894. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Baltimore, Md., to points in North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

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 New York, N.Y.

No. MC 30837 (Sub-No. 421), filed December 7, 1970. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *All terrain vehicles* (not designed for highway use and excluding farm and industrial tractors and vehicles weighing 15,000 pounds or more), and parts and accessories therefor when moving therewith, (1) from points in Arkansas, Colorado, Illinois, Iowa, Kansas, Ohio, Pennsylvania, Tennessee, and Wisconsin to points in the United States, including Alaska but excepting Hawaii; and (2) *returned all terrain vehicles*, as described above, from the destination States described above to the origin States named in (1) above. 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 30884 (Sub-No. 15) (Amendment), filed January 11, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, amended and republished as amended, this issue. Applicant: JACK COOPER TRANSPORT CO., INC., 3501 Manchester Trafficway, Kansas City, MO 63011. Applicant's representative: Warren A. Goff, 2111 Sterick Building, Memphis, TN 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (except trailers), in initial movements, in truckaway and driveway service, from places of manufacture and assembly located in Kansas City, Mo., except those portions of the Kansas City, Mo., commercial zone, which lie within the State of Kansas, to points in the States of Alabama and Wisconsin, under contract with General Motors Corp. NOTE: Common control may be involved. The purpose of this republication is (1) to reflect proposed operations as that of a *contract carrier* in lieu of common carrier, which was shown erroneously in the previous publication, and (2) to reflect restriction and add Alabama and Wisconsin as destination States. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Detroit, Mich.

No. MC 37578 (Sub-No. 21) (Correction), filed January 11, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, and republished in part, as corrected, this issue. Applicant: JOSEPH W. TREHAN, INCORPORATED, Box 332, North Lima, OH 44452. Applicant's representative: Joe F. Asher, 88 East Broad Street, Columbus, OH 43215. NOTE: The purpose of this partial republication is to include the restriction as follows: "Restricted against the transportation

of clay products, from Canfield, Ohio, to Ashland, Ky., and points in Kentucky located within the Cincinnati, Ohio, commercial zone as defined by the Commission", which was inadvertently omitted from previous publication. The rest of the application remains the same.

No. MC 41404 (Sub-No. 94), filed February 4, 1971. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Post Office Box 440, Fulton Highway, Martin, TN 38237. Applicant's representative: Tom D. Copeland (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods and bakery goods*, from Jackson, Tenn., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin. 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 Chicago, Ill.

No. MC 43144 (Sub-No. 9), filed January 29, 1971. Applicant: GUILFORD TRUCKING, INC., 123 Brook Road, Quincy, MA 02169. Applicant's representative: A. David Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, scrapped and parts of scrapped automobiles*, for the account of D. & R. Auto Parts, Inc., from Johnston, R.I., to Everett, Mass. NOTE: Applicant states no duplication is involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 59640 (Sub-No. 21), filed January 29, 1971. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, NJ 07016. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, from Parkersburg, Pa., to Woodbridge Township, N.J. Restriction: The authority sought herein is limited to a transportation service to be performed under a continuing contract, or contracts, with Supermarkets General Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 61231 (Sub-No. 55), filed January 25, 1971. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane*

and urethane products, and related materials, supplies and accessories incidental thereto, from the plantsite of the Celotex Corp. at Dubuque, Iowa, to points in Indiana and Wisconsin. NOTE: Applicant states it could tack with authority from Iowa, Minnesota, North Dakota, and South Dakota, however no tacking is intended. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 64932 (Sub-No. 489), filed February 2, 1971. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, IL 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed*, in bulk, in tank vehicles, from Muscatine and Sioux City, Iowa, to points in Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, South Dakota, 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 83835 (Sub-No. 77), filed February 1, 1971. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6168, Dallas, TX 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, TX 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Enamelled steel silos, loading and unloading devices, waste storage tanks, livestock feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems; and, parts and accessories* for the above, from Kankakee, Eureka, and Elkhorn, Ill., to points in Colorado, Illinois, Kansas, Missouri, Nebraska, Arizona, Oklahoma, Arkansas, Texas, Louisiana, New Mexico, and Utah. 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 St. Louis, Mo.

No. MC 97357 (Sub-No. 37), filed January 22, 1971. Applicant: ALLYN TRANSPORTATION COMPANY, a corporation, 14011 South Central Avenue, Los Angeles, CA 90059. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Suite 606, Los Angeles, CA 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda* (sodium hydroxide), liquid, in bulk, in tank vehicles, from points in Los Angeles County, Calif., to points in California located on the international boundary between the United States and the Republic of Mexico, and to points in Maricopa and Pima Counties, 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 Los Angeles, Calif.

No. MC 100666 (Sub-No. 182), filed February 3, 1971. Applicant: MELTON

TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, OK 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fencing and materials* used in the installation thereof, from Houston, Tex., to points in Arkansas, Louisiana, and Oklahoma. 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, Tex., or Shreveport, La.

No. MC 103993 (Sub-No. 609), filed January 25, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk) from the plants and warehouses facilities of Fingerle Lumber Co., in Washtenaw County, Mich., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, 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 Detroit, Mich.

No. MC 106398 (Sub-No. 526), filed January 25, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representatives: Irvin Tull (same address as applicant) and Leonard A. Jaskiewicz, 1730 M Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings, complete, knocked down, or in sections*, (2) *building sections* (3) *building panels*, (4) *parts and accessories* used in the installation and completion of commodities described in (1), (2), and (3) above, from points in Fayette County, Ohio, to points in the United States (except Hawaii and Alaska). NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Dayton, Ohio.

No. MC 106509 (Sub-No. 21), filed January 28, 1971. Applicant: YOUNGER TRANSPORTATION, INC., 4904 Griggs Road, Post Office Box 14066, Houston, TX 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anti-pollution systems, equipment and parts, liquid cooling and vapor condensing sys-*

tems equipment and parts, environmental control and protective systems equipment and parts, and equipment, materials, and supplies used in the construction or installation of antipollution and environment control and protective systems and liquid cooling and vapor condensing systems, (1) between points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Montana, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming; and (2) between points described in (1) above, on the one hand, and, on the other all points in the United States (except Alaska and Hawaii). 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 Oklahoma City or Tulsa, Okla., or Houston or Dallas, Tex.

No. MC 107496 (Sub-No. 801), filed January 29, 1971. Applicant: RAUN TRANSPORT CORPORATION, Third at Keosauqua Way, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends*, in bulk, (1) from Keokuk, Iowa, to points in the United States (except Alaska and Hawaii), (2) from Clinton, Iowa, to points in the United States (except Alaska and Hawaii) and (3) from Muscatine, Iowa, to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. 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 Omaha, Nebr.

No. MC 107515 (Sub-No. 727) (Correction), filed January 4, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, and republished in part, as corrected, this issue. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representatives: B. L. Gundlach (same address as applicant) and Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. NOTE: The purpose of this partial republication is to include the State of New York as a destination point which was inadvertently omitted from previous publication. The rest of the application remains as previously published.

No. MC 107515 (Sub-No. 728) (Correction), filed January 4, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, and republished, in part, as corrected this issue. Applicant: REFRIGERATED TRANSPORT CO., INC.,

Post Office Box 308, Forest Park, GA 30050. Applicant's representatives: B. L. Gundlach (same address as applicant) and Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. NOTE: The purpose of this partial republication is to include the State of Tennessee as a destination point which was inadvertently omitted from previous publication, destination point which was inadvertently omitted from previous publication.

No. MC 107515 (Sub-No. 734), filed January 29, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representatives: B. L. Gundlach (same address as applicant) and Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Human plasma*, in vehicles equipped with mechanical refrigeration, from Houston, Tex., New Orleans, La., Jacksonville and Miami, Fla., to New Jersey, New York, Ohio, Michigan, Indiana, and Illinois. 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, Tex., or New Orleans, La.

No. MC 108207 (Sub-No. 313), filed February 8, 1971. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, TX 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared frozen foods and bakery goods*, from Jackson, Tenn., to points in Arkansas, Illinois, Iowa, Indiana, Kansas, Mississippi, Missouri, Minnesota, Michigan, Nebraska, Texas, Wisconsin, and Oklahoma. 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 Fort Worth, Tex., or Chicago, Ill.

No. MC 108341 (Sub-No. 27), filed January 28, 1971. Applicant: MOSS TRUCKING COMPANY, INC., Post Office Box 8409, Charlotte, NC 28208. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cargo freight handling equipment*; and (2) *equipment, materials, and supplies* used in the manufacture and assembly thereof, between Charlotte, N.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). 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 Charlotte, N.C.

No. MC 109397 (Sub-No. 248), filed February 1, 1971. Applicant: TRI-STATE MOTOR TRANSIT CO., Post Office Box

113, Joplin, MO 64801. Applicant's representatives: A. N. Jacobs (same address as applicant) and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers and instruments* requiring special equipment or special handling by reason of size or weight, and *parts and attachments* therefor when moving therewith, from points in Roanoke County, Va., to points in Maine, Vermont, New Hampshire, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Montana, Idaho, Nevada, Washington, Oregon, California, Utah, and Arizona. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its Sub-No. 195, which is size or weight authority, which can serve from Virginia to the 26 States, but applicant 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. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Roanoke, Va.

No. MC 110393 (Sub-No. 30), filed January 25, 1971. Applicant: GEM TRANSPORT, INC., 1559 East 10th Street, Jeffersonville, IN 47130. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, KY 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, from Louisville, Ky., to points in West Virginia, Virginia, Illinois, Kentucky, Indiana, and Ohio, under a continuing contract with Beatrice Foods Co., Blue Valley Division, in vehicles equipped with mechanical refrigeration (except commodities in bulk in tank vehicles), and (2) *Cheese, cheese foods and cheese spreads*, from Marshfield, Wis., to points in Georgia, Illinois, North Carolina, South Carolina, Virginia, Tennessee, and Mississippi, under a continuing contract with Central Cheese Co., Inc., in vehicles equipped with mechanical refrigeration (except commodities in bulk in tank vehicles). NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 110468 (Sub-No. 3), filed February 1, 1971. Applicant: JOSEPH HERR, doing business as HERR TRUCKING COMPANY, 820 Lime Street, Fremont, OH 43420. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime and limestone products* (except commodities in bulk), from the plantsite of National Gypsum Co., in Sandusky County, Ohio, to points in Kentucky, West Virginia, Pennsylvania, Michigan, and Indiana, and (2) *materials, supplies, equipment, and machinery* used in the manufacture of lime and limestone products (except

commodities in bulk), from points in Kentucky, West Virginia, Pennsylvania, Michigan, and Indiana, to the plantsite of National Gypsum Co., in Sandusky County, Ohio, under contract with National Gypsum Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110563 (Sub-No. 57), filed January 29, 1971. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh-frozen meat and precooked meat* in portion sizes, from Thorofare, N.J., to points in Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Missouri, Nebraska, and Kentucky. Restriction. Restricted to traffic originating at Thorofare, 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, Pa., or Washington, D.C.

No. MC 110683 (Sub-No. 78) (Clarification), filed December 18, 1970, published in the FEDERAL REGISTER issue of January 28, 1971, and republished as clarified, this issue. Applicant: SMITH'S TRANSFER CORPORATION, Post Office Box No. 1000, Staunton, VA 24401. Applicant's representative: Francis W. McInerny (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except articles of unusual value, classes A and B explosives (household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Nashville and Knoxville, Tenn., (1) from Nashville over U.S. Highway 70N to Knoxville and return over the same route; and (2) from Nashville over Interstate Highway 40 and Interstate Highway 40-75 to Knoxville and return over the same route, serving no intermediate points in (1) and (2) above, as alternate routes for operating convenience only in connection with its existing authority authorizing service at the terminal points of Nashville and Knoxville, Tenn. Restriction: The service authorized above is restricted to the transportation of traffic moving to, from or through Staunton, Va. NOTE: Common control may be involved. The purpose of this republication is to show the operations sought as regular alternate route authority in lieu of irregular which was inadvertently shown in the previous application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111170 (Sub-No. 159), filed January 29, 1971. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, AR 71730. Applicant's representative: Don Smith, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk, from the storage facilities of

Allied Chemical Corp. and from the storage facilities of Mississippi Chemical Corp. and/or Coastal Chemical Corp., located at or near Pine Bluff, Ark., to points in Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant also states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111401 (Sub-No. 315), filed January 21, 1971. Applicant: GROEN-DYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Enid, OK 73701. Applicant's representative: Alvin L. Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing ink*, in bulk, from Tulsa, Okla., 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 Tulsa, Okla., or Washington, D.C.

No. MC 111785 (Sub-No. 50), filed January 21, 1971. Applicant: BURNS MOTOR FREIGHT, INC., Post Office Box 149, U.S. Highway 219 North, Marlinton, WV 24954. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and wooden pallets*, from the plantsite of Hinchcliff Products Co., at or near Cambridge, Ohio, to the plantsite of Hinchcliff Lumber Co., at or near Hendricks (Tucker County), W. Va.; and (2) *lumber*, from points in West Virginia to points in North Carolina on and west of U.S. Highway 301 (except to points in Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain, and Transylvania Counties, N.C.). NOTE: Applicant states by tacking portions of existing authority, it may provide service to all points in North Carolina, to that extent applicant states it seeks to eliminate the need to observe gateways to North Carolina. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va.

No. MC 111812 (Sub-No. 415), filed February 3, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405 1/2 East Eighth Street, Post Office Box 1233, Sioux Falls, SD 57101. Applicant's representative: Donald L. Stern, 530 Univac Building 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Caribou, Maine, to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, West Virginia, Kansas, Nebraska, Colorado, North Dakota, South Dakota, California, and the District of Columbia. 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 does not specify a location.

No. MC 112595 (Sub-No. 44), filed February 3, 1971. Applicant: FORD BROTHERS, INC., Post Office Box 727 (Coal Grove), 510 Riverside Drive, Ironton, OH 45638. Applicant's representatives: James R. Stiverson and Edwin H. van Deusen, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, from the plantsite of United States Steel Corporation at or near Haverhill (Scioto County), Ohio, to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, 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 Columbus, Ohio.

No. MC 112713 (Sub-No. 130), filed January 25, 1971. Applicant: YELLOW FREIGHT SYSTEMS, INC., Box 8462, 92d at State Line, Kansas City, MO 64114. Applicant's representative: John M. Records (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 the use of special equipment), serving Spring Park, Minn., as an off-route point in connection with applicant's authorized regular routes to and from Minneapolis and St. Paul, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 113267 (Sub-No. 257), filed January 21, 1971. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, IL 62232. Applicant's representative: Lawrence A. Fischer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in 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 St. Charles, Ill., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Nebraska, North Carolina, South Carolina, and Tennessee. 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 Chicago, Ill.

No. MC 113666 (Sub-No. 51), filed January 29, 1971. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *urea and ammonium nitrate* in bags, from ports of entry on the international boundary line between the United States and Canada at Ogdensburg, Alexandria Bay, and Rooseveltown, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; and (2) *calcium carbide*, in bulk, in tank vehicles, from ports of entry on the international boundary line between the United States and Canada at Ogdensburg, Alexandria Bay, Rooseveltown, Champlain, and Rouses Point, N.Y., to points in Maryland and New Jersey. 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 113843 (Sub-No. 165), filed February 3, 1971. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, MA 02210. Applicant's representative: Lawrence T. Sheils (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and storage facilities of Swift & Co. at or near St. Charles, Ill., 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: Common control 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 114533 (Sub-No. 223), filed January 28, 1971. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, IL 60632. Applicant's representatives: Warren W. Wallin, 330 South Jefferson Street, Chicago, IL 60606, and Arnold Burke, 2220 Brunswick Building, 69 West Washington Boulevard, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Audit media and other business records*, between Oak Brook, Ill., on the one hand, and, on the other, Goshen, Ind. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority in MC 128616. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 115840 (Sub-No. 64), filed January 25, 1971. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representatives: C. E. Wesley (same address as applicant), and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe, fittings, and accessories*, in full or mixed loads, from Holt, Ala., to points in Georgia, Florida, and Tennessee; and (2) *scrap metals* from Georgia, Florida, and Tennessee, to Holt, Ala. Restriction: Restricted to traffic originating or destined to the plantsite of Central Foundry Co. at Holt, Ala., and the States named above. NOTE: Common control 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 Birmingham, Ala.

No. MC 115840 (Sub-No. 65), filed January 29, 1971. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representatives: C. E. Wesley (same address as applicant), and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Gadsden, Ala., to Birmingham and Guntersville, Ala., for joinder purposes only. Restriction: The above authority is restricted to traffic originating at the facilities of Republic Steel Corp., Gadsden, Ala. NOTE: Common control may be involved. Applicant states that it can and intends to tack to serve traffic destined to points in Georgia, Florida, Mississippi, Tennessee, Arkansas, Oklahoma, and Louisiana on and east of the Mississippi River. If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala.

No. MC 115841 (Sub-No. 398), filed January 28, 1971. Applicant: COLONIAL REFRIGERATED TRANSPORTATION,

INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representatives: C. E. Wesley (same address as applicant), and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Fargo and West Fargo, N. Dak., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, the District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Tennessee, Georgia, and Kentucky. NOTE: Common control 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 Nashville, Tenn., or Atlanta, Ga.

No. MC 115841 (Sub-No. 399), filed January 28, 1971. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 10327, Birmingham, AL 35202. Applicant's representative: C. E. Wesley (same address as applicant), and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from points in New Hanover County, N.C., to points in Alabama, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Ohio, Tennessee, West Virginia, Iowa, Nebraska and Missouri. NOTE: Common control may be involved. 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 Washington, D.C.

No. MC 116110 (Sub-No. 9), filed February 1, 1971. Applicant: P. C. WHITE TRUCK LINE, INC., Post Office Box 1488, Dothan, AL 36301. Applicant's representative: Drew L. Carraway, 618 Perpetual Building, Washington, DC 20004. 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, perishables, livestock, naval stores, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Birmingham and Montgomery, Ala., from Birmingham

over U.S. Highway 31 to Montgomery, serving no intermediate points. NOTE: The purpose of this application is to remove the restriction that applies to applicant's existing regular route general commodity authority over U.S. Highway 31 between Birmingham and Montgomery, Ala., and which reads as follows: "Between Birmingham and Montgomery, Ala., serving no intermediate points, and with service at the termini restricted to traffic moving in carrier's vehicles from or to points south of Montgomery, Ala., which carrier is authorized to serve: From Birmingham over U.S. Highway 31 to Montgomery, and return over the same route." If this application is granted, the described restricted authority will be offered by applicant for cancellation. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 116474 (Sub-No. 22), filed February 3, 1971. Applicant: LEAVITTS FREIGHT SERVICE, INC., Route 1, Box 170B, Springfield, OR 97477. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, OR 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vat or pressure treated poles and piling*, from points in Lane County, Oreg., to points in Idaho, Washington, and points in California south of Humboldt, Trinity, Tehama, Butte, Sutter, and Placer Counties, under contract with J. H. Baxter & Co. and L. D. McFarland Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 116626 (Sub-No. 6), filed February 4, 1971. Applicant: C. W. EANES, Route 1, Box 5, Gretna, VA. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber* (except plywood and veneer) (a) between points in Ohio, on the one hand, and, on the other, points in Virginia and (b) from points in Virginia to Norfolk and Hampton Roads, Va.; and (2) *Hardwood flooring and articles* used in the installation thereof, and *lumber* between Johnson City, Tenn., and Roanoke, Va. NOTE: Applicant states it has no present intention of tacking but it is possible on lumber at common points of service in Virginia with its lead and Sub 3 certificates. 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 Roanoke, Va., or Washington, D.C.

No. MC 117119 (Sub-No. 429), filed January 25, 1971. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from

Shawnee, Okla., to points in the United States (except Alaska and Hawaii) 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. or Memphis, Tenn.

No. MC 117068 (Sub-No. 13), filed January 29, 1971. Applicant: MIDWEST HARVESTORE TRANSPORT, INC., 2118 17th Avenue NW., Rochester, MN 55901. Applicant's representative: Paul F. Sullivan, 701 Washington Building, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silos, loading and unloading devices, waste storage tanks, livestock scales and feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems and parts and accessories therefor*; (a) from Kankakee and Eureka, Ill., and Elkhorn, Wis., to points in Iowa, Minnesota, North Dakota, and South Dakota; and (b) from Elkhorn, Wis., to Kankakee and Eureka, Ill. NOTE: Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 117940 (Sub-No. 38), filed January 25, 1971. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meats and packinghouse products*, from the storage facilities of Robel Beef Packers, Inc., at South St. Paul, Minn., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 114789 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 118039 (Sub-No. 12) (Clarification), filed January 14, 1971, published in the FEDERAL REGISTER issue of February 4, 1971, and republished as clarified this issue. Applicant: MUSTANG TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, GA 30310. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, GA 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boxes, fiberboard*, other than corrugated, and *bakery trays*, from the plantsite and warehouse of the Food Packaging Corp., De Kalb County, Ga., to points in Arkansas, Louisiana, Mississippi, Oklahoma, and

Texas; and (2) boxes, fiberboard, and beverage cartons; from the plantsite and warehouse of Mead Packaging Division of Mead Corp. in Fulton County, Ga., to points in Tennessee on and west of Tennessee Highway 13, beginning at the Alabama State line to the Kentucky State line. NOTE: Applicant states that the requested authority will be tacked from Mead Packaging Division of Mead Corp. to its existing authority under Sub 10, wherein applicant is authorized to serve points in Georgia, Mississippi, Arkansas, Oklahoma, Louisiana, and Texas. The purpose of this republication is to show the operation as "beginning at the Alabama State line" in lieu of Atlanta State line as was previously published. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 118263 (Sub-No. 42), filed February 3, 1971. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, IN 47131. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, GA 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foodstuff, from Salisbury, Md., and Downingtown, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Michigan, 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 Washington, D.C.

No. MC 119669 (Sub-No. 18), filed January 25, 1971. Applicant: TEMPCO TRANSPORTATION, INC., 546 South 31A Columbus, IN 47201. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas, pineapples, and coconuts, from Galveston, Tex., and New Orleans, La., to points in Wisconsin, Illinois, Alabama, Tennessee, Kentucky, Indiana, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Ohio, Nebraska, Minnesota, North Dakota, South Dakota, 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 119767 (Sub-No. 260), filed January 29, 1971. Applicant: BEAVER TRANSPORT CO., a corporation, Post Office Box 188, Pleasant Prairie, WI 53158. Applicant's representative: A. Bryant Torhorst, Post Office Box 188, Pleasant Prairie, WI 53158. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, from Hancock County, Ohio, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, North Dakota,

South Dakota, Wisconsin, and to Kansas City, Kans. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 119767 (Sub-No. 261), filed February 8, 1971. Applicant: BEAVER TRANSPORT CO., a corporation, Post Office Box 188, Pleasant Prairie, WI 53158. Applicant's representative: A. Bryant Torhorst (same address 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 packing-houses, as described in sections A, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides) and equipment, materials, and supplies used in the conduct of meat packing businesses, between the plantsite and facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., on the one hand, and, on the other, points in Iowa, Indiana, Kentucky, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin. NOTE: Common control may be involved. 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.

No. MC 119777 (Sub-No. 202), filed January 24, 1971. Applicant: LIGON SPECIALIZED HAULERS, INC., Post Office Drawer L, Madisonville, KY 42431. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, AL 36401. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plywood, paneling, moulding, materials, supplies and accessories (except commodities in bulk), used in the installation of plywood, paneling, and moulding when moving at the same time and in the same vehicle with plywood, paneling, and moulding from points in Manatee County, Fla., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia. NOTE: Applicant holds contract carrier authority under MC-129670 and subs thereunder, therefore, dual operations and common control may be involved. Applicant states that the authority cannot be tacked with its existing authority. Applicant also states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 119778 (Sub-No. 128), filed January 25, 1971. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, AL

35221. Applicant's representative: J. V. McCoy, Post Office Box 426, Tampa, FL 33601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Salt, in bulk, in tank vehicles, from Birmingham, Ala., to points in Georgia, Mississippi, and Tennessee. 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 Birmingham, Ala., or Washington, D.C.

No. MC 120257 (Sub-No. 10), filed February 2, 1971. Applicant: K. L. BREEDEN & SONS, INC., 401 Alamo Street, Terrell, TX 75160. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from Fort Collins, Colo., and points within 5 miles thereof, to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant has pending application to purchase portion of J H Marks Trucking Co., Inc. in MC 109101, which includes origin point and various States; applicant has earth drilling authority out of Lone Star Texas which could be joined to perform through service. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., Dallas, Tex., or Denver, Colo.

No. MC 123405 (Sub-No. 26), filed February 1, 1971. Applicant: FOOD TRANSPORT, INC., Post Office Box 1041, York, PA 17405. 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: Foodstuffs and related advertising materials, from the plant and storage facilities of H. J. Heinz Co., located at Allegheny County, Pa., to the Distribution Center for H. J. Heinz Co. at Hapeville, Ga. NOTE: Common control 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 Harrisburg, Pa., or Washington, D.C.

No. MC 124121 (Sub-No. 8), filed January 25, 1971. Applicant: NUSSBERGER BROS. TRUCKING CO., INC., 1109 Railroad Street, Prentice, WI 54556. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, MN 55114. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Hydraulic loading equipment, for trucks, trailers, or tractors, and component parts thereof, from Prentice, Wis., and Zebulon, N.C., to points in the United States (except Alaska and Hawaii), and (2) materials, equipment, and supplies, used in the manufacture of hydraulic loading equipment, for trucks, trailers, or tractors, and component parts thereof, from points in Illinois, Indiana, Ohio, and the Lower Peninsula of Michigan, to Prentice, Wis., and Zebulon, N.C.

under contract with Omark Industries, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.

No. MC 124211 (Sub-No. 171), filed January 29, 1971. Applicant: HILT TRUCK LINE, INC., Post Office Box 988 D.T.S., Omaha, NE 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: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and storage facilities used by Banner Beef Co., at or near Hospers, Iowa, to points in Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, Rhode Island, Vermont, and the District of Columbia. Restriction: The authority sought herein is restricted to the transportation of traffic originating at the above-named origins. 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 Omaha, Nebr.

No. MC 124211 (Sub-No. 172), filed February 2, 1971. Applicant: HILT TRUCK LINE, INC., Post Office Drawer 988 D.T.S., Omaha, NE 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: (1) *Caps and closures for glass bottles and containers*, from points in Jefferson County, Ala., and Cook County, Ill., to points in the United States (except Alaska and Hawaii) and (2) *Caps and closures for glass bottles and containers* when moving in mixed shipments with containers (presently authorized), between points in the United States (except Alaska and Hawaii). Restriction: The authority sought herein, to the extent it duplicates authority presently held by applicant, shall not be construed as conferring more than one operating right severable by sale or otherwise. 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 124679 (Sub-No. 40), filed January 29, 1971. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South, Salt Lake City, UT 84101. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Blood plasma* and (2) *commodities* which are exempt from economic regulation under section 203(b) (6) of the Interstate Commerce Act when

transported at the same time and in the same vehicle with the commodities in (1) above, from points in Wisconsin, Illinois, Indiana, Michigan, Ohio, West Virginia, Pennsylvania, Virginia, New York, New Jersey, Delaware, Maryland, Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, Kentucky, and Utah, to points in Berkeley, Calif. NOTE: Applicant holds contract carrier authority in MC 128813 and subs thereunder, 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 San Francisco, Calif.

No. MC 124783 (Sub-No. 14), filed January 25, 1971. Applicant: KATO EXPRESS, INCORPORATED, Post Office Box 291, Elizabethtown, KY 42701. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular 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), restricted to the transportation of shipments having a prior or subsequent movement by air, (1) between Standiford Field, and Louisville, Ky., on the one hand, and, on the other, points in Green, Taylor, Adair, and Clinton Counties, Ky., and (2) between Berry Field and Nashville, Tenn., on the one hand, and, on the other, points in Green, Taylor, Adair, and Clinton Counties, Ky. NOTE: Applicant states it will tack with its existing authority at common points. 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 Louisville, Ky.

No. MC 125474 (Sub-No. 28), filed February 2, 1971. Applicant: BULK HAULERS, INC., Post Office Box 3601, Wilmington, NC 28401. Applicant's representative: John C. Bradley, 618 Perpetual Building, Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphur*, from Norfolk, Va., and Savannah, Ga., to points in North Carolina. NOTE: Common control and dual operations may be involved. Applicant holds authority in MC-125474 to transport molten sulphur from the Wilmington (N.C.) area to Virginia and South Carolina. Tacking is thus technically possible, but applicant does not anticipate that the traffic offered will involve tacking. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Washington, D.C.

No. MC 125996 (Sub-No. 16), filed February 3, 1971. Applicant: ROAD RUNNER TRUCKING, INC., Post Office Box 37491, Millard, NE 68137. Applicant's representative: George Bacon (same address as applicant). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Emporia, Kans., and Dakota City, Nebr., to points in New Jersey and New York, restricted to traffic originating at the plantsites and storage facilities of Iowa Beef Processors, 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 Omaha, Nebr.

No. MC 127844 (Sub-No. 15), filed January 25, 1971. Applicant: L. B. BARNHILL AND I. S. JOHNSON, JR., a partnership doing business as B & J TRANSPORTATION, Post Office Box 48 X-A, Route No. 1, Sumter, SC 29150. Applicant's representative: Henry P. Willimon, Esq., Box 1075, Greenville, SC 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture, materials and veneer stock* used in the manufacture of new furniture, between points in Nichols, S.C., and the plantsites of Unagusta Manufacturing Corp., Inc., located at Hickory, Waynesville, and Claremont, N.C., Memphis, Tenn., and Nichols, S.C., and (2) *new furniture*, from Nichols, S.C., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, South Carolina, 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 Columbia, S.C.

No. MC 128497 (Sub-No. 8), filed January 25, 1971. Applicant: JACK LINK TRUCK LINE, INC., Post Office Box 127, Dyersville, IA 52040. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk) 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 the plantsite and warehouse facilities utilized by Wilson Sinclair Co., at or near Monmouth, Ill., to points in Michigan, Indiana, and Ohio, restricted to the transportation of traffic originating at the above named origin and destined to the above named destinations. NOTE: Applicant holds contract carrier authority under MC 124807, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128698 (Sub-No. 4), filed January 21, 1971. Applicant: ERDNER

BROS., INC., Fow and Leahy Avenues, Swedesboro, NJ 08085. Applicant's representative: Chester A. Zyblut, 1522 U Street NW., Suite 634, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Salisbury, Md., and Downingtown, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Michigan, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of the instant application is to convert its contract carrier authority to that of a common carrier. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128735 (Sub-No. 8), filed January 25, 1971. Applicant: ALVIN E. GOLNIK, doing business as GOLNIK TRUCKING, 731 Second Avenue, Koppel, PA 16136. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, PA 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Copper tubing and coils, precharged tubing, air cool coils, ingot bars, copper cathodes, copper scrap, and cooling towers*, from points in Illinois, Michigan, Indiana, New Jersey, New York, Ohio, Massachusetts, Rhode Island, Connecticut, Vermont, and Arkansas to the plantsite of Halstead & Mitchell Co., and Halstead Metal Products, Inc., at Zelenople, Pa., and (2) *copper tubing and coils, precharged tubing, air cool coils, ingot bars, copper cathodes, copper scrap, and cooling towers*, from the plantsite of Halstead & Mitchell Co., and Halstead Metal Products, Inc., at Wynne, Ark., to points in Ohio, Michigan, New York, and New Jersey, under a continuing contract, or contracts, with Halstead & Mitchell Co., and Halstead Metal Products, Inc., of Zelenople, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 128917 (Sub-No. 2), filed February 3, 1971. Applicant: HANDY TRUCK LINE, INC., Heyburn, Idaho 83336. Applicant's representative: Leo J. Handy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk or in bags, from Inkom, Idaho, to points in Box Elder, Cache, Davis, Rich, Salt Lake, Tooele, Morgan, Utah, and Weber Counties, Utah. 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 Pocatello or Boise, Idaho.

No. MC 133788 (Sub-No. 2), filed February 2, 1971. Applicant: E Z MESSENGER SERVICE, INC., 98-17 Horace Harding Expressway, Rego Park, NY

11368. Applicant's representative: William J. Hanlon, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobile accessories and parts*, between Rahway, N.J., on the one hand, and, on the other, New York, N.Y., and points in Bergen, Essex, and Hudson Counties, N.J., under contract with Ford Motor Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 133840 (Sub-No. 4), filed February 4, 1971. Applicant: TROY L. SMITH, doing business as TROY L. SMITH TRUCKING COMPANY, 2228 South Santa Fe (Post Office Box 94788), Oklahoma City, OK 73109. Applicant's representative: Rufus H. Lawson, 106 Bixler Building (Post Office Box 75124), Oklahoma City, OK 73107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Creamery butter* (not frozen), from Cushing, Okla., to San Francisco, Los Angeles, Oakland, Alameda, San Diego, Torrance, and Camp Pendleton, Calif., and points in Arizona and New Mexico, under contract with Burkey Creamery, Cushing, Okla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 133992 (Sub-No. 1), filed October 28, 1970. Applicant: CAPITAL TRANSPORT LTD., Corner of 144 Avenue and 140 Street, Post Office Box 3931, Station D, Edmonton, AB Canada. Applicant's representative: Gerald J. VanHoomissen, 912 Barnette Street, Fairbanks, AK 99701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings and construction materials*, from ports of entry on the international boundary line between the United States and Canada, located on the Alcan Highway of Alaska and the Yukon Territory, to points within the State of Alaska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 134073 (Sub-No. 9), filed February 2, 1971. Applicant: GENOVA TRANSPORT, INC., Clayton Road, Williamstown, N.J. 08094. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles*, from Glassboro, N.J., to points in Massachusetts, Connecticut, Rhode Island, Pennsylvania, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia, under a continuing contract with Crown Zellerbach Corp. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 134286 (Sub-No. 8), filed February 3, 1971. Applicant: ARTIC

TRANSPORT, INC., 1005 West South Omaha Bridge Road, Council Bluffs, IA 51501. Applicant's representative: Charles J. Kimball, 300 N.S.E.A. Building, Post Office Box 82028, Lincoln, NE 68501. 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 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities utilized by Wilson Certified Foods, Inc., at Cherokee, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, 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 Omaha, Nebr.

No. MC 134933 (Sub-No. 2), filed January 11, 1971. Applicant: IDLEWOOD TRUCKING COMPANY LIMITED, Post Office Box 100, 350 Fruitland Road, Fruitland, ON, Canada. Applicant's representative: Robert D. Gunderman, Suite 1708, Statler Hilton, Buffalo, NY 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from points in New York and Pennsylvania, to ports of entry on the international boundary line between the United States and Canada located on the Niagara River, under contract with International Iron and Metal Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 134978 (Sub-No. 3), filed February 3, 1971. Applicant: C. P. BELUE, doing business as BELUE'S TRUCKING, Greer, S.C. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, SC 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials* (1) from Athens, Ga., to points in South Carolina, (2) from Augusta, Ga., to points in North Carolina, South Carolina, and Tennessee, (3) from Waynesboro, Ga., to points in South Carolina, (4) from Charlotte, N.C., to points in South Carolina, (5) from points in Charleston County, S.C., to points in North Carolina, (6) from points in Darlington County, S.C., to points in North Carolina; and (7) from points in Spartanburg County, S.C., to points in Tennessee, Virginia, North Carolina (except Jackson, Macon, Swain, and Graham Counties, N.C.). 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 Columbia, S.C.

No. MC 135098 (Sub-No. 1), filed February 4, 1971. Applicant: GULF COAST MOLASSES COMPANY, INC., 560 Fairhope Avenue, Fairhope, AL

36532. Applicant's representative: D. H. Markstein, Jr., 512 Massey Building, Birmingham, AL 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid cattle feed supplement*, in bulk, in tank vehicles, from Mobile, Ala., to points in Florida, under contract with Rico Liquids, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or Birmingham, Ala.

No. MC 135227, filed December 29, 1970. Applicant: CHARLES CLARK, doing business as SPECIAL DISPATCH, 240 West Ohio, Post Office Box 460, Indianapolis, ID 46206. Applicant's representative: Keith F. Henley, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts, body parts, and materials and supplies* dealt in by automobile dealers, between Indianapolis, Ind., on the one hand, and, on the other, Cincinnati, Ohio, and points in the Cincinnati commercial zone as defined by the Interstate Commerce Commission. Restriction: The operations authorized herein are subject to the following conditions. No service shall be rendered in the transportation of any package or article weighing more than 300 pounds, and each package or article shall be considered as a separate and distinct shipment. No service shall be provided in the transportation of packages or articles weighing in the aggregate of more than 300 pounds, from one consignor at one location to one consignee at one location on any one day, under a continuing contract with the Chrysler Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 135289, filed February 1, 1971. Applicant: KYLE E. BURGESS, Graham Road, Crosswell, Mich. 48422. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Maumee, Ohio, to points in Huron, St. Clair, Sanilac, and Tuscola, Counties, Mich., under contract or contracts with Russell H. Schmidt, doing business as Anderson Fertilizer of Carsonville, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 135290, filed January 22, 1971. Applicant: GERALD C. PHELPS, LOREN PHELPS, AND RAY W. PHELPS, a partnership, doing business as PHELPS COAL COMPANY, 502 East 18th Street, Erie, PA 16503. 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: *Roofing and building materials, and materials, equipment and supplies* used in the manufacture, installation, or application of roofing and

materials (except roofing, tar roofing paper, shingles, and building paper), (1) between Erie, Pa., on the one hand, and, on the other, points in Ohio; and (2) from Erie, Pa., to points in Ohio (except Cincinnati, Ohio), south and west of a line beginning at the Michigan-Ohio State line approximately 1 mile north of Sylvania, Ohio, and extending along unnumbered highway to Sylvania, thence along Ohio Highway 120 to Junction U.S. Highway 20, thence along U.S. Highway 20 to Norwalk, Ohio, thence along U.S. Highway 250 to the Ohio-West Virginia State line. NOTE: Applicant now holds contract property authority under No. MC 89765 and Sub-No. 2. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 135292, filed January 25, 1971. Applicant: GUY MORRAL, 39 West Avenue, Wellsboro, PA 16901. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Tioga and Lycoming Counties, Pa., to points in Monroe, Orleans, Genesee, Wyoming, Allegany, Livingston, Steuben, Yates, Ontario, Wayne, Schuylers, Chemung, Seneca, Cayuga, Tompkins, Tioga, Oswego, Onondaga, Broome, Chenango, Madison, Oneida, Otsego Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 135293, filed January 25, 1971. Applicant: DON C. LAVELY, 2323 North Road, Galloway, OH 43119. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, between the plantsite of Supersweet Feed, Division, International Multifoods Co., Columbus, Ohio, on the one hand, and, on the other, points in Indiana, under contract with Supersweet Food Division, International Multifoods Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 135303, filed January 13, 1971. Applicant: G. D. T. AND S. T. COLEMAN, a partnership, doing business as SOUTH EAST TRANSFER, Box 218, Steinbach, MB Canada. Applicant's representative: S. T. Coleman, Box 218, Steinbach, MB Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Septic tanks, sidewalk blocks, steps, curbing, bar slabs, ornamental plant pots*, all made of concrete, and requiring special unloading equipment, from ports of entry on the United States-Canada boundary at Pine Creek, Minn., and Pembina, N. Dak., to points in Minnesota and North Dakota, on traffic originating in Steinbach, Manitoba, under contract with Barkman Concrete Co. and Barkman Manufacturing Ltd. NOTE: Common control may be involved. If a

hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 135310, filed February 8, 1971. Applicant: BERKELEY MOVING & STORAGE CO., a corporation, 4900 Allison, Arvada, CO 80002. Applicant's representative: Jack R. Smith, Sr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods in containers*, restricted to providing a local service for a forwarder of household goods, said operations are 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 between points in Adams, Arapahoe, Morgan, Summit, Denver, Larimer, Jefferson, Weld, Boulder, and Logan Counties, Colo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

APPLICATION OF FREIGHT FORWARDER

No. FF-398 (BOR-AIR FREIGHT CO., INC. FREIGHT FORWARDER APPLICATION), filed February 12, 1971. Applicant: BOR-AIR FREIGHT CO., INC., 351 West 38th Street, New York, NY 10018. Applicant's representative: Paul Reiber, 1625 Eye Street NW., Washington, DC 20006. Authority sought under section 410, Part IV of the Interstate Commerce Act, for a permit to institute operation as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by railroad, express, water, or motor vehicle in the transportation of: *General commodities*, between all points in the United States, restricted to shipments having a prior or subsequent movement by air.

No. FF-209 (Sub-No. 2) (Correction) (LYONS TRANSPORT, INC., EXTENSION-EXPORT), filed December 31, 1970, published in the FEDERAL REGISTER issue of January 14, 1971, and republished as corrected, this issue. Applicant: LYONS TRANSPORT, INC., 2800 West 38th Street, Chicago, IL 60632. Applicant's representative: H. Neil Garson, 417 West Broad Street, Suite 203, Falls Church, VA 22046. Authority sought under section 410, Part IV of the Interstate Commerce Act, for a permit to extend operation as a *freight forwarder*, in interstate or foreign commerce, through use of the facilities of common carriers by rail, motor carrier, and water carrier in the transportation of: *General commodities*, from points in Indiana and Illinois (except those points in Indiana and Illinois in the Chicago, Ill., commercial zone as defined by the Commission), Iowa, Michigan, Minnesota, Nebraska, Ohio, and Wisconsin to points in Alabama, California, Florida, Louisiana, Oregon, Virginia, and Washington when consigned for export. NOTE: No duplicating authority is sought by this application.

The purpose of this republication is to include the State of Nebraska in the origin territory, which State was inadvertently omitted in the previous publication.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 71-2492 Filed 2-24-71; 8:45 am]

[Notice 251]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 22, 1971.

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 96860 (Sub-No. 2 TA), filed February 16, 1971. Applicant: CAREY TRUCK LINE, INC., 2222 East 38th Street, Post Office Box 58371, Los Angeles, CA 90058. Applicant's representative: Donald Murchison, Suite 400, Glendale Federal Building, 9454 Wilshire Boulevard, Beverly Hills, CA 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are used or useful in the modernization and refurbishing of existing storage and production facilities of petroleum products, in shipments weighing less than 15,000 pounds, having an immediate prior or subsequent movement by motor carrier, between Los Angeles, Calif., and the designated commercial zone thereof, on the one hand, and, on the other points in Monterey County south of Salinas, and San Benito County, south of Hollister, Calif., for 150 days. NOTE: Applicant intends to interline with multiple state carriers at Los Angeles, Calif. Supporting shipper: Mobil Oil Corp., 612 South Flower Street, Los Angeles, CA 90054. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room

7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 114301 (Sub-No. 65 TA), filed February 16, 1971. Applicant: DELAWARE EXPRESS CO., Post Office Box 97, Elkton, MD 21921. Applicant's representative: James E. Spry (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Lewes, Del., to points in Pennsylvania, Maryland, New Jersey, and that part of Virginia on and east of the Chesapeake Bay, for 180 days. Supporting shipper: W. R. Grace & Co., Post Office Box 277, Memphis, TN 38101. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 227 Old Post Office Building, 129 East Main Street, Salisbury, MD 21801.

No. MC 124078 (Sub-No. 472 TA), filed February 16, 1971. Applicant: SCHWERTMAN TRUCKING CO. (Wis. Corp.), 611 South 28th Street, Milwaukee, WI 53215. Applicant's representative: Richard H. Pevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from Louisville, Ky., to the construction site of Farley Nuclear Plant near Columbia, Ala., for 180 days. Supporting shipper: Walter H. Handy Co., Inc., 1988 South Glenstone, Springfield, MO 65804 (John V. Tinen, President). Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 125000 (Sub-No. 5 TA), filed February 16, 1971. Applicant: LEON LEDBETTER, Post Office Box 277, Vega, TX 79092. Applicant's representative: Maston C. Courtney, 118 West Seventh Amarillo, TX 79101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water well gravel*, from points in Pueblo County, Colo., to points in Texas, for 180 days. Supporting shipper: W. D. Jones Drilling Co., Inc., Post Office Box 817, Dumas, TX 79029. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1012 Herring Plaza, 317 East Third Street, Amarillo, TX 79101.

No. MC 126276 (Sub-No. 43 TA), filed February 16, 1971. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, IL 60463. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, flavored or phosphated, in bottles or cans, from Munster, Ind., to points in Illinois, Kentucky, and St. Louis, Mo., and from Danville, Ill., to points in Indiana, Kentucky, and St. Louis, Mo., for 180 days. Supporting shipper: Kolmar Products Corp., 1745 North Kolmar Avenue, Chicago, IL 60619. Send protests to: District Supervisor Robert G. Anderson,

Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, IL 60604.

No. MC 126472 (Sub-No. 17 TA), filed February 16, 1971. Applicant: WILLCOXSON TRANSPORT, INC., Post Office Box 16, Bloomfield, IA 52537. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed, ground, or pulverized clay*, in bulk, from Oran, Mo., to El Paso, Ill., and Council Bluffs, Iowa, for 180 days. Supporting shipper: Chevron Chemical Co., Post Office Box 282, Ortho Way, Fort Madison, IA 52627. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 128201 (Sub-No. 5 TA), filed February 16, 1971. Applicant: SCHUSTER GRAIN COMPANY, INC., Seventh Avenue SE., Le Mars, IA 51031. Applicant's representative: David R. Parker, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa products*, (1) from points in Nebraska and Iowa to the plantsite and storage facilities of Sioux Alfalfa Meal Co. at or near Vermillion, S. Dak., and Meckling, S. Dak., and (2) from the plantsite and storage facilities of Sioux Alfalfa Meal Co. at or near Vermillion and Meckling, S. Dak., to points in Nebraska, Iowa, Minnesota, Wisconsin, and Illinois, for 150 days. Supporting shipper: Sioux Alfalfa Meal Co., Vermillion, S. Dak. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, 304 Federal Building, Bureau of Operations, Sioux City, IA 51101.

No. MC 135117 (Sub-No. 2 TA), filed February 16, 1971. Applicant: SPECIALIZED HAULING, INC., 1500 Omaha Street, Sioux City IA 51103. Applicant's representative: Wallace W. Huff, 314 Security Bank Building, Sioux City, IA 51101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hides, skins, and pelts, green*, (1) from the plantsite of Hormel & Co., Fremont, Nebr., to the plantsite of Needham Hide Division, Sergeant Bluff, Iowa; (2) from the plantsite of Midwestern Beef, Norfolk, Nebr., the plantsite of Platt Valley Packing, Darr, Nebr., the plantsite of Caldwell Packing Co., Windom, Minn., to the plantsite of Phillips Pre-Tanning, Inc., Sioux City, Iowa; (3) from the plantsite of Phillips Pre-Tanning, Inc., Sioux City, Iowa; to the plantsite of S. B. Foot Tanning Co., Red Wing, Minn., for 150 days. Supporting shipper: Needham Packing Co., Inc., 1911 Cunningham Drive, Sioux City, IA 51107. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, IA 51101.

No. MC 133240 (Sub-No. 13 TA) (Correction), filed January 29, 1971, published in the FEDERAL REGISTER issue of February 5, 1971, and republished in part, as corrected, this issue. Applicant: WEST END TRUCKING CO., INC., 530 Ducan Avenue, Jersey City, NJ 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. The purpose of this partial republication is to reflect Applicant's correct name as WEST END TRUCKING CO., INC., in lieu of Carolina Trucking Co., Inc., which was shown erroneously in previous publication. The rest of the application remains the same.

No. MC 135316 TA, filed February 16, 1971. Applicant: AIR-TRUCK SERVICE, INC., doing business as KANAWHA VALLEY AIR FREIGHT, 302 L & S Building, Charleston, WV 25301. Applicant's representative: David L. Caruthers (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular 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, having a prior or subsequent movement by air, between the airports serving Charleston and Huntington, W. Va., on the one hand, and on the other, points in Boone, Braxton, Cabell, Clay, Calhoun, Gilmer, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe, Pocahontas, Roane, Summers, Wayne, and Webster Counties, W. Va., points in Greenup and Boyd Counties, Ky., points in Lawrence, Scioto, and Gallia Counties, Ohio, for 180 days. Supporting shippers: Allegheny Airlines, Inc., Kanawha Airport, Charleston, W. Va. 25311, Attention: Ed Boyer, Manager; American Airlines, Inc., Kanawha Airport, Charleston, W. Va. 25311, Attention: Nelson Downes, Manager; Eastern Airlines, Inc., Kanawha Airport, Charleston, W. Va. 25311, Attention: Charles M. Ashby, Manager; Piedmont Airlines, Inc., Kanawha Airport, Charleston, W. Va. 25311, Attention: David Smith, Manager; United Airlines, Inc., Kanawha Airport, Charleston, W. Va. 25311, Attention: George W. Jackson, Manager of Sales and Service, Shulman Air Freight, 20 Olney Avenue, Cherry Hill, NJ 08034, Attention: Joseph W. Watson, Vice President. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-2562 Filed 2-24-71;8:49 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT REGIONAL ADMINISTRATOR FOR RENEWAL ASSISTANCE ET AL.

Redelegations of Authority With Respect to Specific Programs and Matters, Region VIII (Denver)

SECTION A. Authority redelegated with respect to renewal assistance programs. The officials listed below are authorized to exercise the following powers and authorities of the Secretary of Housing and Urban Development with respect to Renewal Assistance Programs:

1. The Assistant Regional Administrator for Renewal Assistance is authorized to exercise the power and authority described in section D of the redelegations with respect to Renewal Assistance Programs, 35 F.R. 16102, October 14, 1970.

2. The Assistant Regional Administrator for Renewal Assistance and the Rehabilitation Loan and Grant Specialist, each is authorized to exercise the power and authority described in section F of the redelegations with respect to Renewal Assistance Programs, 35 F.R. 16102, October 14, 1970.

3. The Assistant Regional Administrator for Housing Management and Community Services and the Relocation Advisor, each is authorized to exercise the power and authority described in section G of the redelegations with respect to Renewal Assistance Programs, 35 F.R. 16102, October 14, 1970.

SEC. B. Authority redelegated with respect to housing management. The officials listed below are authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to Housing Management:

1. The Assistant Regional Administrator for Housing Management and Community Services is authorized to exercise the power and authority described in section E of the redelegations with respect to Housing Management, 35 F.R. 16105, October 14, 1970.

2. The Housing Management Officer is authorized to exercise the power and authority described in section F of the redelegations with respect to Housing Management, 35 F.R. 16105, October 14, 1970.

3. The Regional Economist is authorized to exercise the power and authority described in section G of the redelegations with respect to Housing Management, 35 F.R. 16105, October 14, 1970.

SEC. C. Authority redelegated with respect to loan and contract servicing. The

Assistant Regional Administrator for Housing Management and Community Services is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to Loan and Contract Servicing described in sections A, 2; B; and C; 35 F.R. 16104, October 14, 1970.

SEC. D. Authority redelegated with respect to property disposition. The Assistant Regional Administrator for Housing Management and Community Services is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to Property Disposition described in section A, 35 F.R. 16106, October 14, 1970.

SEC. E. Exercise of redelegated authority. Redelegations of authority made under sections A through D shall not be construed to modify or otherwise affect the administrative and supervisory powers of the Regional Administrator or Assistant Regional Administrators, or any of them, to whom a delegate is responsible.

(Secretary's delegation of authority to redelegate published at 35 F.R. 15025, Sept. 26, 1970, and other authorities set forth therein)

Effective date. This redelegation of authority is effective as of September 1, 1970.

NORMAN V. WATSON,
Acting Assistant Secretary for
Renewal and Housing Management.

[FR Doc.71-2579 Filed 2-24-71;8:50 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 70-116]

GULF INTRACOASTAL WATERWAY, FLORIDA

Notice of Proposal To Establish Guide Clearances

The Commandant has under consideration a request by the Department of Natural Resources, State of Florida, to revise the existing guide (standard) clearances for bridges over the section of the Gulf Intracoastal Waterway between Pensacola Bay and Apalachee Bay, Fla., to conform with the greater guide clearances established for the Atlantic Intracoastal Waterway in Florida. The existing guide clearances are 50 feet vertical above mean high water and 125 feet horizontal. The proposed revision will increase these clearances to 65 feet vertical above mean high water and 150 feet horizontal.

The Commandant also is considering the establishment of guide clearances for those sections of the Gulf Intracoastal Waterway authorized for construction from Apalachee Bay to Tampa, Fla., including adjacent or connecting waterways as appropriate. It is proposed to establish the same guide clearance of 65 feet vertical above mean high water and 150 feet horizontal and thereby promote uniformity within the system east of Pensacola Bay to Tampa.

The intent of the establishment of these guide clearances is to inform bridge builders and navigation interests prospectively of the manner in which the Coast Guard proposes to act with respect to future bridge applications on a particular waterway viewed as an integral navigation system. These guide clearances will be applied to future bridges to be constructed within the designated waters, unless reasonable and substantial reasons for deviating therefrom are found to exist. In evaluating each application for a permit for construction of a bridge across these waterways, additional matters, such as the precise location of the bridge, its design and details concerning its operation and maintenance, also will be considered to determine the effect of the proposed structure on navigation and the environment. Authority for this action is set forth in section 9, 30 Stat. 1151, as amended (33 U.S.C. 401); section 1, 34 Stat. 84, as amended (33 U.S.C. 491); section 502 et seq. (except sections 502(c) and 503), 60 Stat. 847, as amended (33 U.S.C. 525 et seq.); sections 6(g)(A), (B), and (C), 80 Stat. 937 (49 U.S.C. 1655(g)(6)(A), (B), and (C)); 49 CFR 1.46(c)(8), (9), and (10) (35 F.R. 4959).

Interested persons may participate in the formulation of these guide clearances by submitting written data, views, arguments, or comments as they may desire on or before March 29, 1971. Submissions should be made in writing. Submissions pertaining to the proposed revision of the guide clearances between Apalachee Bay and Pensacola Bay should be made to the Commander, Eighth Coast Guard District (oan), Customhouse, New Orleans, LA 70130. Submissions pertaining to the proposed new guide clearances between Apalachee Bay and Tampa should be made to the Commander, Seventh Coast Guard District (oan), Room 1018, Federal Building, 51 Southwest First Avenue, Miami, Fla. 33130.

It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reason for any recommended change, and the name, address, and firm or organization, if any, making the submission. Each submission received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. These proposals may be changed in light of the comments received. Copies of all written submissions will be available for examination by interested persons at the office of the district commander who has jurisdiction over that portion of the Gulf Intracoast-

al Waterway concerned. After the time set for submission of comments by interested parties the Commanders of the Seventh and Eighth Coast Guard Districts will forward the record, including all written submissions and their recommendations with respect to the proposals and submissions to the Commandant, United States Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: February 12, 1971.

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

[FR Doc.71-2532 Filed 2-24-71; 8:47 am]

[CGFR 70-117]

KISSIMMEE RIVER BASIN AND UPPER ST. JOHNS RIVER, FLA.

Notice of Proposal To Establish Guide Clearances

The Commandant has under consideration the establishment of guide (standard) clearances for bridges across the Kissimmee River and the proposed Small Boat Navigation Projects of the U.S. Corps of Engineers for the Kissimmee River Basin and the upper St. Johns River Basin. Maps of the areas under consideration may be obtained on request from the Commander, Seventh Coast Guard District (oan), Federal Building, 51 Southwest First Avenue, Miami, FL 33130.

The guide clearances proposed for the Kissimmee River, from Lake Okeechobee to Cypress Lake, are 12 feet vertical above design water elevation and a horizontal clearance of 30 feet.

The guide clearances proposed for the Small Boat Navigation Project, Kissimmee River Basin are 6 feet vertical above design water elevation and a horizontal clearance of 30 feet. The waterways concerned consist of a complete loop of locks and canals in the headwaters which start at Cypress Lake proceeding upstream in a clockwise direction through Lakes Tohopekaliga, East Tohopekaliga, Hart, Mary Jane, Myrtle, Lizzie, Alligator, Gentry, and thence to Cypress Lake.

The guide clearances proposed for the Small Boat Navigation Project, upper St. Johns River Basin, are 12 feet vertical clearance above design water elevation and a horizontal clearance of 30 feet on the section between Lake Harney and U.S. Highway 192 above Lake Washington; and 6 feet vertical clearance above design water elevation and a horizontal clearance of 30 feet for the section between U.S. Highway 192 above Lake Washington and State Route 60 including the Sebastian Canal Outlet to Indian River.

The intent of the establishment of these guide clearances is to inform bridge builders and navigation interests prospectively of the manner in which the Coast Guard proposes to act with respect to future bridge applications on a particular waterway viewed as an integral navigation system. These guide clear-

ances will be applied to future bridges to be constructed within the designated waters, unless reasonable and substantial reasons for deviating therefrom are found to exist. In evaluating each application for a permit for construction of a bridge across these waterways, additional matters, such as the precise location of the bridge, its design and details concerning its operation and maintenance, also will be considered to determine the effect of the proposed structure on navigation and the environment.

Authority for this action is set forth in section 9, 30 Stat. 1151, as amended (33 U.S.C. 401); section 1, 34 Stat. 84, as amended (33 U.S.C. 491); section 502, et seq. (except sections 502(c) and 503), 60 Stat. 847, as amended (33 U.S.C. 525, et seq.); sections 6(g)(6)(A), (B), and (C), 80 Stat. 937 (49 U.S.C. 1655(6)(A), (B), and (C)); 49 CFR 1.46(c)(8), (9), and (10) (35 F.R. 4959).

Interested persons may participate in the formulation of these guide clearances by submitting written data, views, arguments, or comments as they desire on or before March 29, 1971. Submissions should be made in writing to the Commander, Seventh Coast Guard District (oan), Federal Building, 51 Southwest First Avenue, Miami, FL 33130. It is requested that each submission state the subject to which it is directed, the specific recommended change and the name, address, and firm or organization, if any, making the submission. Each submission will be fully considered and evaluated before final action is taken on the proposals in this document. These proposals may be changed in light of the comments received. Copies of all written submissions will be available for examination by interested persons at the Office of the Commander, Seventh Coast Guard District (oan).

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

Dated: February 12, 1971.

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

[FR Doc.71-2533 Filed 2-24-71; 8:47 am]

Federal Railroad Administration

[FRA-Petition-No. 26]

SEABOARD COAST LINE RAILROAD CO.

Petition for Relief From the Requirement of Initial Terminal Road Train Air Brake Tests

The notice issued in this proceeding dated February 9, 1971, should be corrected to show that relief is also sought

pertaining to a run-through train interchanged at Atlanta, Ga., between the Seaboard Coast Line Railroad Co. and the Louisville and Nashville Railroad Co. The prior notice failed to mention this particular train and the purpose of this notice is to correct the omission in the earlier notice.

Dated this 19th day of February 1971 in Washington, D.C.

ROBERT R. BOYD,
Director Office of Hearings
and Proceedings and Hearing
Examiner.

[FR Doc.71-2524 Filed 2-24-71;8:46 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-322]

LONG ISLAND LIGHTING CO.

Notice of Receipt of Application for Construction Permit and Operating License Time for Submission of Views on Antitrust Matter

The Long Island Lighting Co., 250 Old Country Road, Mineola, NY 11501, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application, dated May 15, 1968, for licenses to construct and operate a boiling water nuclear reactor having a gross electrical output of approximately 850 megawatts.

The proposed reactor, designated by the applicant as the Shoreham Nuclear Power Station Unit 1, is to be located at the applicant's 450-acre site on the north shore of Long Island in the town of Brookhaven in Suffolk County, N.Y.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within 60 days after February 4, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of January 1971.

For the Atomic Energy Commission.

FRANK SCHROEDER,
Acting Director,
Division of Reactor Licensing.

[FR Doc.71-1543 Filed 2-3-71;8:49 am]

[Docket No. 50-376]

PUERTO RICO WATER RESOURCES AUTHORITY

Notice of Receipt of Application for Construction Permit and Facility License; Time for Submission of Views on Antitrust Matter

The Puerto Rico Water Resources Authority, G.P.O. Box 4267, San Juan, PR 00936, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application dated November 28, 1970, for authorization to construct a pressurized

water nuclear reactor, designated as the Aguirre Nuclear Station Unit 1, on the applicant's site in Barrio Aguirre, Salinas, PR.

The site is located on the southern coast of Puerto Rico along the shore of Bahia De Jobos, and is within the municipality of Salinas.

The proposed nuclear station will consist of a pressurized water nuclear reactor, which is designed for initial operation at approximately 1,785 thermal megawatts with a net electrical output of approximately 583 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after January 28, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 21st day of January 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[FR Doc.71-1141 Filed 1-27-71;8:45 am]

[Docket No. 50-363]

JERSEY CENTRAL POWER AND LIGHT CO.

Notice of Receipt of Application for Construction Permit and Facility License; Time for Submission of Views on Antitrust Matter

The Jersey Central Power and Light Co., 260 Cherry Hill Road, Parsippany, NJ 07054, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application, dated June 1, 1970, for authorization to construct and operate a pressurized water nuclear reactor designated as the Forked River Nuclear Generating Station, Unit 1, on the company's site located in Ocean County, N.J.

The site is located on the Atlantic Coast, approximately 2 miles south of the community of Forked River, 1½ miles inland from the shore of Barnegat Bay, about 7 miles west-northwest of Barnegat Light, and is adjacent to the Oyster Creek Nuclear Generating Station site in Lacey Township, Ocean County, N.J.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after February 18, 1971.

The proposed nuclear power plant is designed for initial operation at approximately 3390 thermal megawatts with a net electrical output of approximately 1129 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC and in the office

of the Mayor of Lacey Township, Frog Hill Road, Forked River, N.J.

Dated at Bethesda, Md., this 16th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[FR Doc.71-2318 Filed 2-17-71;9:52 am]

[Dockets Nos. 50-352, 50-353]

PHILADELPHIA ELECTRIC CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matters

Philadelphia Electric Co., 1000 Chestnut Street, Philadelphia, PA 19105, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application dated February 26, 1970, for authorization to construct and operate two single cycle, forced circulation, boiling water nuclear reactors on the applicant's site of approximately 587 acres located on the Schuylkill River about 1.7 miles southeast of Pottstown, in Limerick Township, Montgomery County, Pa.

The proposed nuclear reactors, designated by the applicant as the Limerick Generating Station Units 1 and 2, are each designed for initial operation at approximately 3,293 megawatts (thermal) with a net electrical output of approximately 1,100 megawatts per unit.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after February 25, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and in the Public Library, 500 High Street, Pottstown, PA.

Dated at Bethesda, Md., this 17th day of February, 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[FR Doc.71-2404 Filed 2-24-71;8:45 am]

[Dockets Nos. 50-354, 50-355]

PUBLIC SERVICE AND GAS CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matters

Public Service Electric and Gas Co., 80 Park Place, Newark, NJ 07101, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application dated February 26, 1970, for authorization to construct and operate two single cycle, forced circulation, boiling water nuclear reactors on the applicant's site of approximately 530 acres

located in Bordentown Township, Burlington County, N.J. The proposed site is situated on Newbold Island, which is in the Delaware River approximately 5 miles south of the city limits of Trenton, N.J., and approximately 11 miles northeast of the Philadelphia city limits.

The proposed nuclear reactors, designated by the applicant as the Newbold Island Nuclear Generating Station, are each designed for initial operation at approximately 3,293 megawatts (thermal) with a net electrical output of approximately 1,088 megawatts per unit.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after February 25, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the offices of the Public Service Electric and Gas Co. located at 222 East State Street, Trenton, NJ, and at 437 High Street, Burlington, NJ.

Dated at Bethesda, Md., this 17th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[FR Doc.71-2405 Filed 2-24-71;8:45 am]

[Docket No. 50-87]

WESTINGHOUSE ELECTRIC CORP.
Order Authorizing Dismantling of Facility

By application dated December 18, 1970, the Westinghouse Electric Corp. at Pittsburgh, PA, requested authorization to dismantle and dispose of the Critical Experiment Station (CES) Facility and its fuel under Facility License No. CX-11. The CES Facility is located at Waltz Mill, PA, and has been operating since 1958 at very low power levels.

We have reviewed the application in accordance with the provisions of the Commission's regulations and have found that the dismantlement, decontamination, and disposal of the component parts and fuel in accordance with the regulations in 10 CFR Chapter I and the application will not be inimical to the common defense and security or to the health and safety of the public.

Accordingly, it is hereby ordered that the Westinghouse Electric Corp. may dismantle the CES Facility covered by Facility License No. CX-11, as amended, in accordance with its application dated December 18, 1970.

Upon completion of the dismantlement of the CES Facility, decontamination of the facility site, disposal of the component parts and the reactor fuel, and an

inspection by representatives of the Atomic Energy Commission, consideration will be given to the issuance of an order terminating Facility License No. CX-11.

Date of issuance: February 12, 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[FR Doc.71-2518 Filed 2-24-71;8:45 am]

CIVIL AERONAUTICS BOARD

ALLEGHENY AIRLINES, INC.

Application for Amendment of Certificate of Public Convenience and Necessity

FEBRUARY 19, 1971.

Notice is hereby given that the Civil Aeronautics Board on February 18, 1971, received an application, Docket 23119, from Allegheny Airlines, Inc., for amendment of its certificate of public convenience and necessity for Route 97 to authorize it to provide nonstop service between Chicago, Ill., and Indianapolis, Ind. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of part 302 (14 CFR Part 302).

[SEAL]

PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.71-2573 Filed 2-24-71;8:50 am]

[Docket No. 20273; Order 71-2-89]

EUREKA AERO INDUSTRIES
Order To Show Cause

Issued under delegated authority February 19, 1971.

A final service mail rate for the transportation of mail by aircraft, established by Order 68-10-164, dated October 29, 1968, is currently in effect for the above-captioned air taxi, operating under 14 CFR Part 298. This rate is based on six round trips per week between Eureka and San Francisco, Calif.

The Postmaster General filed a petition on February 2, 1971, stating that the volume of mail involved does not justify weekend trips on this route and he has been authorized by the carrier to petition for a new rate of 68.17 cents per great circle aircraft mile, based on five round trips per week. The carrier and the Post Office Department have agreed that the proposed rate is a fair and reasonable rate for these services.

The Board finds it in the public interest to fix and determine the fair and reasonable rate of compensation to be paid by the Postmaster General for the transportation of mail by aircraft between the aforesaid points. Upon consideration of the petition and other matters officially noticed, it is proposed to

issue an order¹ to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid on and after February 2, 1971, to Eureka Aero Industries, 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 68.17 cents per great circle aircraft mile between Eureka and San Francisco, Calif.

2. This final rate, to be paid entirely by the Postmaster General, is based on five round trips per week flown with Cessna 402A aircraft.

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. Eureka Aero Industries, the Postmaster General, Hughes Air Corp., 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 Eureka Aero Industries;

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 As this order to show cause is not a final action, it is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will apply to final action taken by the staff under authority delegated in § 385.16(g).

5. This order shall be served upon Eureka Aero Industries, the Postmaster General, and Hughes Air Corp.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-2577 Filed 2-24-71;8:50 am]

OZARK AIR LINES, INC.

Application for Amendment of Certificate of Public Convenience and Necessity

FEBRUARY 19, 1971.

Notice is hereby given that the Civil Aeronautics Board on February 18, 1971, received an application, Docket 23117, from Ozark Air Lines, Inc., for amendment of its certificate of public convenience and necessity for Route 107 to provide nonstop service between Denver, Colo., on the one hand, and Des Moines, Iowa, Cedar Rapids-Iowa City, Iowa, Davenport, Iowa-Moline, Ill., Peoria, and Champaign-Urbana, Ill., on the other hand; further, that United Air Lines be proscribed from providing nonstop service between Denver on the one hand, and Cedar Rapids and Moline, on the other hand, while Ozark is authorized to provide nonstop service. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.71-2574 Filed 2-24-71;8:50 am]

[Docket No. 23040]

TAMPA-MEXICO CITY NONSTOP SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on March 15, 1971, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Richard M. Hartsock.

Information and evidence requests, statements of proposed issues, and proposed procedural dates of the Bureau of Air Operations should be filed with the examiner and served upon the applicants on or before March 5, 1971. Similar requests of the applicants shall be filed on or before March 11, 1971.

Dated at Washington, D.C., February 22, 1971.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[FR Doc.71-2575 Filed 2-24-71;8:50 am]

[Docket No. 20569]

TRANSATLANTIC SUPPLEMENTAL CHARTER AUTHORITY RENEWAL CASE

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 March 17, 1971, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW, Washington, DC, before the Board.

Dated at Washington, D.C., February 19, 1971.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[FR Doc.71-2576 Filed 2-24-71;8:50 am]

FEDERAL MARITIME COMMISSION ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. M. L. Duffy, Secretary General,
Atlantic Passenger Steamship Conference,
139 Sandgate Road, Folkestone, Kent,
England

Agreement No. 7840-78, filed by authority of and on behalf of Members of the Atlantic Passenger Steamship Conference, modifies Agreement No. 7840, as amended, to comply with General Order 7 (Revised) published in the FEDERAL REGISTER on October 28, 1970, concerned with self-policing systems.

Dated: February 22, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-2555 Filed 2-24-71;8:48 am]

OUTWARD CONTINENTAL NORTH PACIFIC FREIGHT CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

F. Conger Fawcett, Esq., Graham & James,
310 Sansome Street, San Francisco, CA
94104.

Agreement No. 93-6 modifies the Conference's self-policing provisions to include the mandatory provisions required by the Commission's General Order 7 as revised on October 27, 1970, and restates Article 9 in its entirety.

Dated: February 22, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-2556 Filed 2-24-71;8:48 am]

PORT OF SEATTLE AND ALASKA STEAMSHIP CO.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as

amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. T. P. McCutchan, Manager, Property Management, Port of Seattle, Post Office Box 1209, Seattle, WA 98111.

Agreement No. T-2185-3, between the Port of Seattle (Port) and Alaska Steamship Co. (Company), modifies the basic agreement which provides for the lease of certain premises at Seattle, Wash. The purpose of the modification is to phase out certain portions of the leased premises.

Dated: February 22, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 71-2557 Filed 2-24-71; 8:48 am]

**UNITED KINGDOM/UNITED STATES
PACIFIC FREIGHT ASSOCIATION**

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after

publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

F. Conger Fawcett, Esq., Graham & James, 310 Sansome Street, San Francisco, CA 94104.

Agreement No. 3357-6 amends the basic agreement to (1) delete Honolulu from the geographic scope and (2) include the mandatory self-policing provisions required by the Commission's General Order 7 as revised on October 27, 1970.

Dated: February 22, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 71-2558 Filed 2-24-71; 8:48 am]

FEDERAL POWER COMMISSION

OUTSTANDING SUSPENSION PROCEEDINGS AND TEMPORARY CERTIFICATES INVOLVING INDEPENDENT PRODUCERS

Order Shortening Suspension Periods and Eliminating Conditions Precluding Increased Rate Filings in Temporary Certificates

FEBRUARY 18, 1971.

By separate order issued in Docket No. R-407 concurrently with the issuance of this order, the Commission has provided that if it decides to suspend a rate change filing made by an independent producer under section 4(d) of the Natural Gas Act and such rate change is filed at least 60 days prior to its proposed effective date, the suspension period will be for 1 day unless the Commission waives the 60-day notice period or imposes a longer suspension period.

In the notice of proposed rulemaking issued November 6, 1970, in Docket No. R-407, we indicated that if an order were issued adopting the 1-day suspension period proposed in such rulemaking we would also by separate order modify outstanding suspension orders so that the suspension periods provided therein will expire as of the effective date of a Commission order adopting such policy or as of 1 day from the date a proposed change would otherwise become effective in the absence of suspension, whichever

is later. We further indicated that we would waive conditions in temporary certificates prohibiting any contractually authorized increased rate filing above the initial rates authorized therein.¹

None of the parties who filed comments in opposition to the 1-day suspension period proposed in Docket No. R-407 specifically objected to the modification of outstanding suspension orders. The various comments with respect to the 1-day suspension policy are discussed in the order issued concurrently herewith in Docket No. R-407 and need not be repeated here. Suffice it to say that the same reasons justifying a 1-day suspension policy also warrant modification of existing suspension orders so as to afford the producers involved some measure of relief.² Pipeline purchasers, however, should receive in these circumstances at least 30 days' notice of our action. We therefore modify existing suspension orders so that the suspension periods shall expire after 30 days from the date of issuance of this order or as of 1 day from the date a proposed change would otherwise become effective in the absence of suspension whichever is later.³ We shall also provide that the proposed rate changes affected by such modification shall be collected, subject to refund, as of the expiration of the shortened suspension period provided herein.

The Public Service Commission of New York (New York) in its comments filed in Docket No. R-407 specifically objected to the proposed waiver of conditions in temporary certificate precluding producers from filing for contractually authorized rate increases. The rate conditions involved here are no longer justified in our view because they have the

¹The Commission has previously waived conditions in temporary certificates with respect to producer sales in the Hugoton-Anadarko area so as to permit them to file for rates not in excess of the ceilings prescribed in Opinion No. 586. The Commission has also established just and reasonable rates for sales in the Appalachian and Illinois Basin areas and imposed a moratorium on filings in excess of the rates established there. The Commission has also waived conditions in temporary certificates with respect to producer sales in Southern Louisiana, thus permitting producers there to file for any contractually authorized rate increase within certain limits. Consequently, as indicated in the November 6 notice, any action taken herein would not include the Hugoton-Anadarko area, the Appalachian and Illinois Basin areas, or the Southern Louisiana area.

²In view of the special procedures set up for rate filings made on or before Nov. 27, 1970, in connection with the lifting of the Southern Louisiana moratorium in the order issued Oct. 27, 1970, in Docket No. AR69-1 concurrently with the issuance of Order No. 413, and the shortened suspension period permitted for Southern Louisiana filings made after Nov. 27, 1970 (see, for instance, Texas Gas Exploration Corp., et al., Docket No. RI171-562, et al., order issued Jan. 8, 1971), the action taken herein will not apply to Southern Louisiana sales.

³This modification, of course, shall have no applicability to those situations where the primary suspension period ordered by the Commission will expire prior to the expiration of the shortened suspension period provided by this order.

effect of precluding a producer from collecting a just and reasonable rate for such sale if the just and reasonable rate is determined at the conclusion of an area rate proceeding to be higher than the initial rate authorized under the temporary certificate. We shall therefore waive these conditions in existing temporary certificates.

The Commission finds: Good cause exists for modifying outstanding suspension orders and for waiving any conditions in a temporary certificate prohibiting a producer from filing for a contractually authorized rate increase, as hereinafter provided.

The Commission orders:

(A) All outstanding suspension orders, except to the extent that they involve sales in the Southern Louisiana area and except in those situations where the primary suspension period ordered by the Commission will expire prior to the expiration of the shortened suspension period provided herein, are hereby modified so that the suspension periods provided therein shall expire after 30 days from the date of issuance of this order or as of 1 day from the date a proposed change would otherwise become effective in the absence of suspension, whichever is later. Any proposed rate change affected by this modification shall become effective, subject to refund, as of the expiration of the shortened suspension period provided herein, without any further action by the producer involved or by the Commission.

(B) Notwithstanding any condition to the contrary in any temporary authorization for a sale by a producer, except for sales by producers in the Hugoton-Anadarko area, the Appalachian and Illinois Basin areas and the Southern Louisiana area, the producer thereunder may file any contractually authorized rate.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-2527 Filed 2-24-71;8:46 am]

[Dockets Nos. RP70-7, RP70-17]

SOUTH GEORGIA NATURAL GAS CO.

Notice of Extension of Time

FEBRUARY 18, 1971.

On February 10, 1971, South Georgia Natural Gas Co. filed a request for an extension of time to and including February 26, 1971, within which to file briefs on exceptions to the Presiding Examiner's Initial Decision issued on November 10, 1970. The request states that the other parties have no objection to the requested extension.

Upon consideration, notice is hereby given that the time is extended to and including February 26, 1971, within which briefs on exceptions may be filed by all participants.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-2525 Filed 2-24-71;8:46 am]

FEDERAL RESERVE SYSTEM

FIRST UNION, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3 (a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by First Union, Inc., which is a bank holding company located in St. Louis, Mo., for prior approval by the Board of Governors of the acquisition by applicant of 80 percent or more of the voting shares of The National Bank in North Kansas City, North Kansas City, Mo.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of St. Louis.

By order of the Board of Governors,
February 18, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-2530 Filed 2-24-71;8:46 am]

OVERSEAS PRIVATE INVESTMENT CORPORATION

ORGANIZATION AND FUNCTIONS

Bylaws

ARTICLE I—BOARD OF DIRECTORS

SECTION 1. All powers of the Corporation shall vest in and be exercised by the

Board of Directors. These powers may be delegated herein or by Resolution duly adopted by the Board of Directors.

Sec. 2 The Administrator of the Agency for International Development shall be the Chairman of the Board, ex officio, as provided by the legislation creating the Corporation.

Sec. 3. Without prejudice to the general powers of the Board of Directors it is hereby expressly declared that the Board of Directors shall perform the following functions:

(a) The Board of Directors shall prescribe, amend and repeal rules and regulations governing the manner in which the business of the Corporation may be conducted and in which the powers granted it by law may be exercised and enjoyed.

(b) The Board of Directors shall from time to time provide for the allocation of such funds to the Insurance and Guaranty Reserves as it deems appropriate.

(c) The Board of Directors shall, after the end of each fiscal year, approve and authorize for transmission to the Congress a complete and detailed report of the Corporation's operations during such fiscal year as required by the legislation creating the Corporation and to the Office of Management and Budget a budget as required by section 102 of the Government Corporation Control Act.

ARTICLE II—THE PRESIDENT

SECTION 1. The President shall be the chief executive officer of the Corporation, responsible to and under the general direction of the Board of Directors. He shall have general supervision, direction and control of the business and officers of the Corporation in accordance with policies established by the Board of Directors and shall exercise all powers and authorities of the Corporation except as the Board of Directors may otherwise provide. He shall represent the Corporation generally in its relations with the Congress of the United States, with agencies and departments of the Government, and with all others having business with the Corporation. Wherever any statute or regulation provides for the exercise of any functions or authorities by a head of agency, such functions or authorities shall be exercised by the President. Except as limited by action of the Board of Directors, the President may make rules and regulations with respect to the Corporation and its business and may delegate all or any part of his authority, including authority to obligate the Corporation.

Sec. 2. Except as may be otherwise provided by law or action of the Board, the President may appoint such officers, employees, attorneys, and agents as, from time to time, may be deemed necessary and may prescribe their duties and may fix their salaries or other compensation. Any such officer, employee, attorney, or agent of the Corporation may be removed at any time by the President. The appointment or removal of any Vice President of the Corporation, the Treasurer of the Corporation, and such other

officers as the Board may from time to time determine shall be subject to approval by the Board. The powers herein confirmed relating to the appointment and removal of officers, employees, attorneys, and agents shall be in conformity with basic policy decisions developed by the Board of Directors and subject to the provisions of law and of rules and regulations of the Civil Service Commission to the extent made applicable by law.

ARTICLE III—BOARD PROCEDURE

SECTION 1. The Board of Directors shall meet monthly in regular meeting at such times and places as may be specified by the Board.

SEC. 2. Special meetings of the Board of Directors may be held at any time upon call of the Chairman or the President and shall be called upon request of any three members of the Board of Directors. The Secretary shall give notice of the time, place, and purpose of each special meeting by mailing the same at least 10 days before the meeting, or by telegraphing the same at least 7 days before the meeting to each Director. Any special meeting at which a quorum is present shall be a legal meeting without regard to the foregoing notice provisions if each Director not present gives written consent to the meeting within 10 days thereafter.

SEC. 3. Six members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting. Except as otherwise provided herein, the act of a majority of the Directors present at a meeting shall constitute action of the Board of Directors. The vote of a majority present and voting on a particular question shall be sufficient to constitute action of the Board of Directors under the circumstances specified in section 5 of this Article. No Director may vote at any meeting by proxy or by any other method than in person, except that written approval of a resolution by each Director shall constitute action of the Board of Directors.

SEC. 4. Except as otherwise provided herein, any and all business of the Board of Directors may be transacted at any regular or special meeting of the Board of Directors. The Chairman of the Board shall preside at all meetings thereof. The President of the Corporation, in the absence of the Chairman, may call and shall prescribe over meetings of the Board of Directors. The Chairman may designate a member of the Board of Directors who, in the absence of the Chairman and the President, shall act as Chairman of the Board for purposes of calling and presiding over meetings of the Board of Directors.

SEC. 5. Any Director who deems it necessary or prudent to disqualify himself from participation in Board action on any matter in which he may have or may appear to have a conflict of interest shall advise the Chairman of his disqualification. A Director who is so disqualified shall be counted as present at the Board meeting for quorum purposes. A majority of the Directors present and voting shall be sufficient to constitute

Board action on any question on which one or more Directors shall have disqualified himself by reason of conflict of interest.

SEC. 6. Amendments. The Bylaws may be amended at any regular or special meeting of the Board of Directors by the affirmative vote of at least six Directors provided that notice of the general nature of any proposed amendment has been given in the manner prescribed in section 2 of Article III, *And provided, further*, That such notice may be waived by the written consent of each Director.

ARTICLE IV—CORPORATE SEAL

SECTION 1. Seal. The seal of the Corporation shall be in such form as may be approved, from time to time, by the Board of Directors.

SEC. 2. Affixing and Attesting. The seal of the Corporation shall be in the custody of the Secretary, who shall have power to affix it to the proper corporate instruments and documents, and who shall attest it. In his absence, it may be affixed and attested by an Assistant Secretary, if any, or by the Treasurer or an Assistant Treasurer, if any, or by any other person or persons as may be designated by the Board of Directors.

CERTIFICATE: I, James R. Lowe, Jr., Secretary (Acting) of the Overseas Private Investment Corporation, do hereby certify that this is a true and correct copy of the Bylaws of the Corporation, which Bylaws were duly adopted by the Board of Directors of the Corporation at their first meeting held on January 19, 1971, which are in full force and effect on the date hereof.

In witness whereof I have hereunto set my hand this 8th day of February, 1971.

JAMES R. LOWE, JR.,
Acting Secretary.

[FR Doc.71-2536 Filed 2-24-71; 8:47 am]

SECURITIES AND EXCHANGE COMMISSION

[70-4979]

ALLEGHENY POWER SYSTEM, INC.

Notice of Proposed Surety Bond by Holding Company

FEBRUARY 16, 1971.

Notice is hereby given that Allegheny Power System, Inc. (Allegheny), 320 Park Avenue, New York, NY 10022, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 12 (b) and (f) thereof and Rule 45 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Allegheny proposes as surety to become bound to the State of West Virginia in an amount not to exceed \$8,600,000 as determined by the West

Virginia Public Service Commission to ensure the prompt refund by its wholly owned subsidiary company Monongahela Power Co. (Monongahela) of all amounts Monongahela, under certain tariffs filed with said Public Service Commission on November 4, 1970, may collect or receive in excess of such rates and charges as may be finally fixed by said Public Service Commission, plus interest at the rate of 6 percent per annum. The purpose of the proposed transaction is to enable Monongahela to begin using the new rates prior to completion of the Public Service Commission's investigation, hearing, and decision with respect thereto.

The declaration states that no fees or expenses are to be incurred in connection with the proposed transaction and that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 5, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[FR Doc.71-2515 Filed 2-24-71; 8:45 am]

[70-4972]

NARRAGANSETT ELECTRIC CO.

Notice of Proposed Issue and Sale of Preferred Stock at Competitive Bidding and Amendment of Preferred Stock Preference Provisions

FEBRUARY 16, 1971.

Notice is hereby given that the Narragansett Electric Co. (Narragansett), 280 Melrose Street, Providence, RI 02901,

an electric utility subsidiary company of New England Electric System (NEES), a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 6(b), 7, 9(a), 10, and 12 of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Narragansett proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 200,000 shares of its cumulative preferred stock, ----- percent series, \$50 par value. The dividend rate of the preferred stock (which will be a multiple of 0.04 of 1 percent) and the price, exclusive of accrued dividends, to be paid to Narragansett (which will be not less than \$50 nor more than \$51.375 per share) will be determined by the competitive bidding. The terms of the preferred stock include a prohibition until March 1, 1976, against refunding the stock, directly or indirectly, with funds obtained from the issuance of debt securities at a lower effective interest cost of preferred stock at a lower effective dividend cost.

Prior to the issuance of said preferred stock, Narragansett will submit to its directors and to NEES, its sole common stockholder, a proposal to amend existing preferences of the preferred stock in order to conform with the Commission's Statement of Policy regarding preferred stock (Holding Company Act Release Nos. 13106 and 16758) and to allow the issuance of new preferred stock with a provision prohibiting, for a period of not more than 5 years, the refunding thereof by the issuance of debt securities at lower interest costs or other preferred stock at lower dividend costs.

The proceeds from the sale of the preferred stock will be applied toward the payment of outstanding short-term notes (estimated at \$13,300,000) incurred to temporarily finance construction expenditures pending permanent financing.

The fees and expenses to be incurred by Narragansett in connection with the preferred stock are estimated at \$65,000, including charges of \$27,000 for services of the system service company, at cost, accountants' fees of \$3,500, and legal fees of \$1,000. The fees of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment. The only costs to be incurred by Narragansett in connection with proposed amendment to the votes consists of charges, at cost, for services of the system service company, estimated not to exceed \$1,000. Narragansett has applied to the Division of Public Utilities and Carriers, Department of Business Regulation of the State of Rhode Island for

approval of the proposed issue and sale of the preferred stock, the use of the proceeds therefrom and the proposed amendments to the votes. A copy of the order entered therein is to be supplied by amendment. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 3, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[FR Doc.71-2516 Filed 2-24-71; 8:45 am]

[311-1765]

SCIENCE CAPITAL FUND, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

FEBRUARY 18, 1971.

Notice is hereby given that Science Capital Fund, Inc., 26 Broadway, New York, NY 10004 (Applicant), a management closed-end, nondiversified investment company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the

Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations, which are summarized below.

Applicant represents that subsequent to registering under the Act on December 11, 1968, it has issued no securities; it has not engaged in any business activities and does not intend to engage in any business activities. A proposed public offering of Applicant's securities has now been abandoned. Pursuant to Applicant's request, a registration statement filed under the Securities Act of 1933 regarding a proposed public offering of Applicant's shares was withdrawn on January 21, 1971.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 11, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulations, pursuant to delegated authority.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[FR Doc.71-2517 Filed 2-24-71; 8:45 am]

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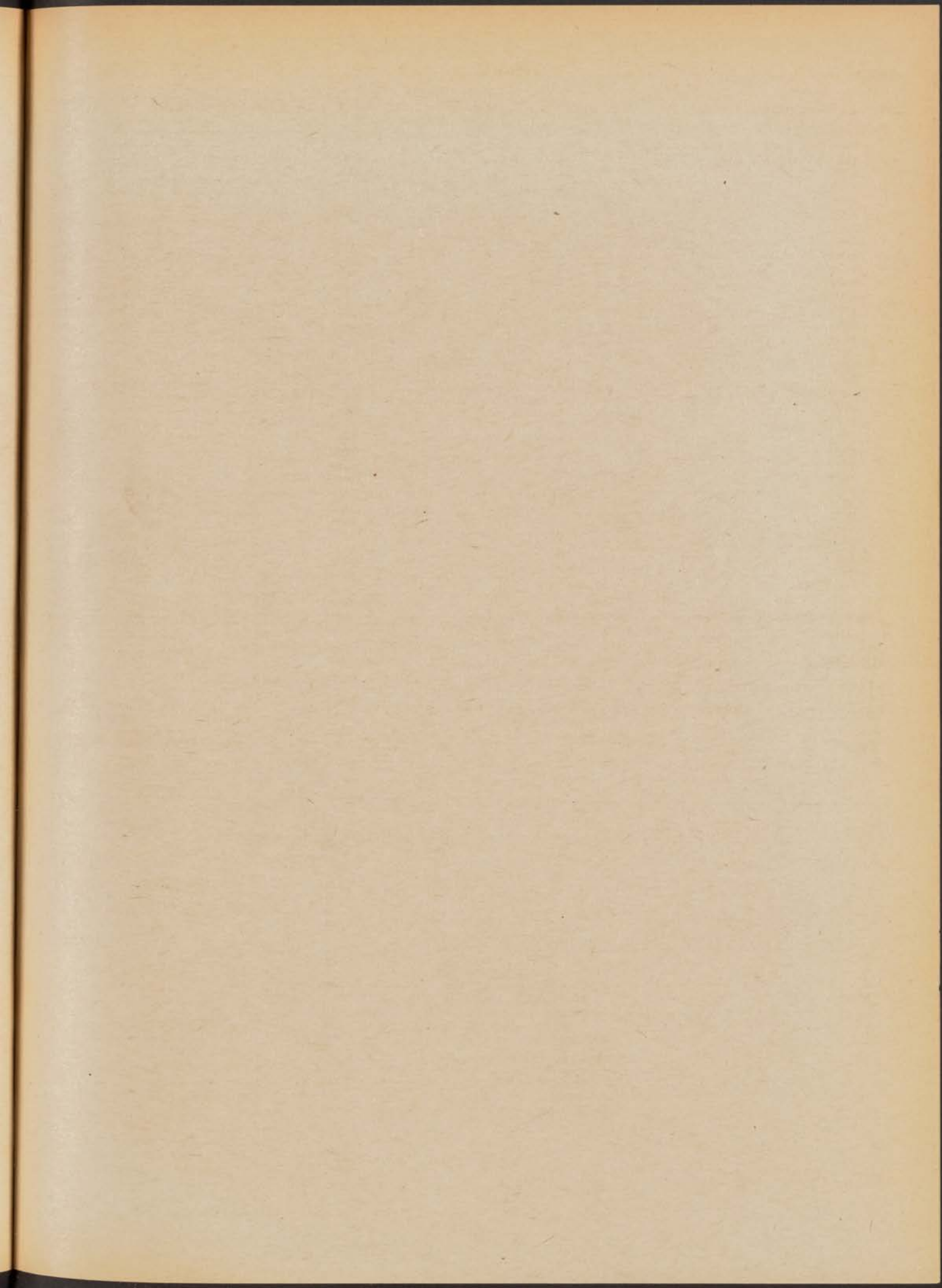
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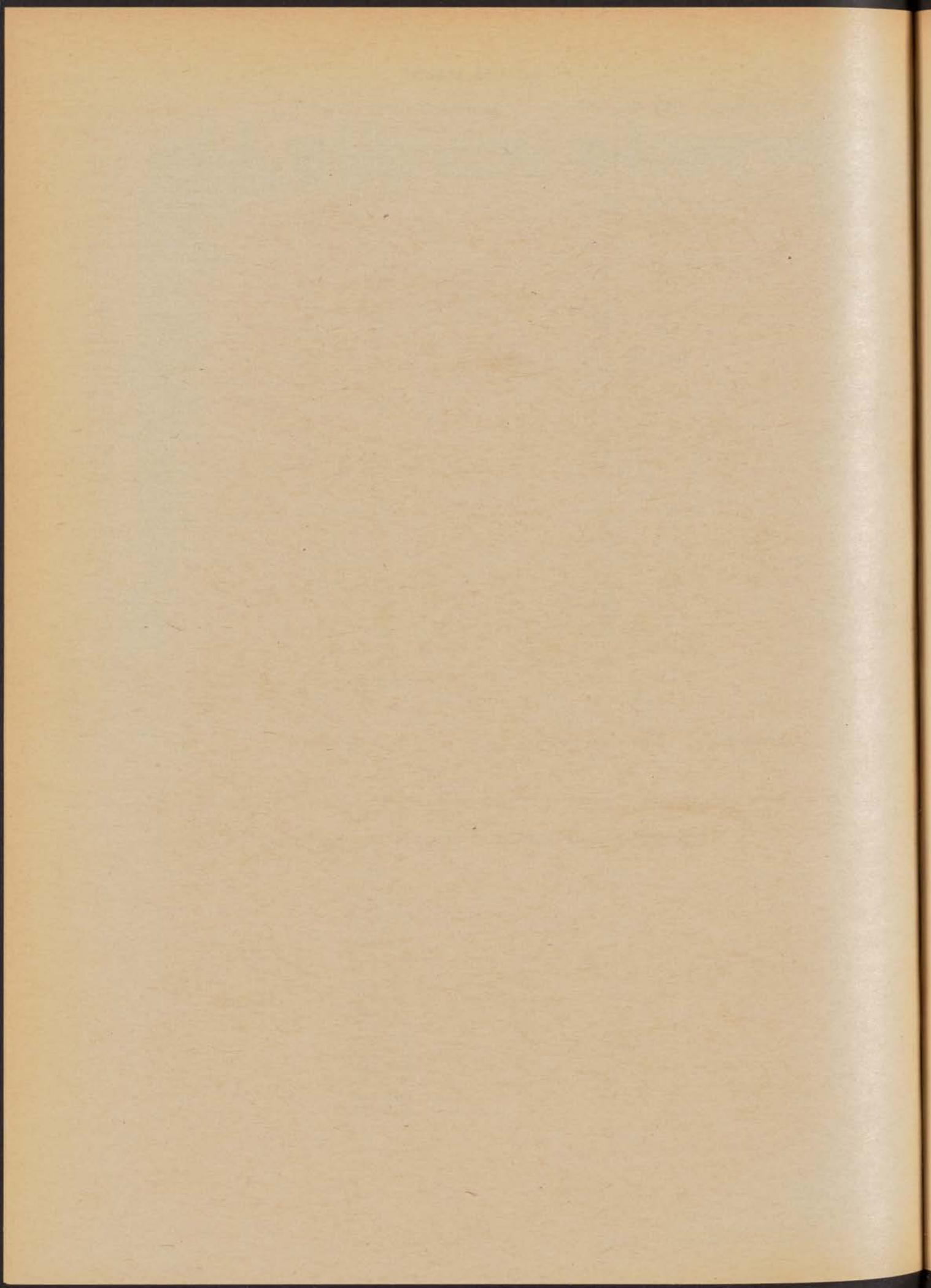
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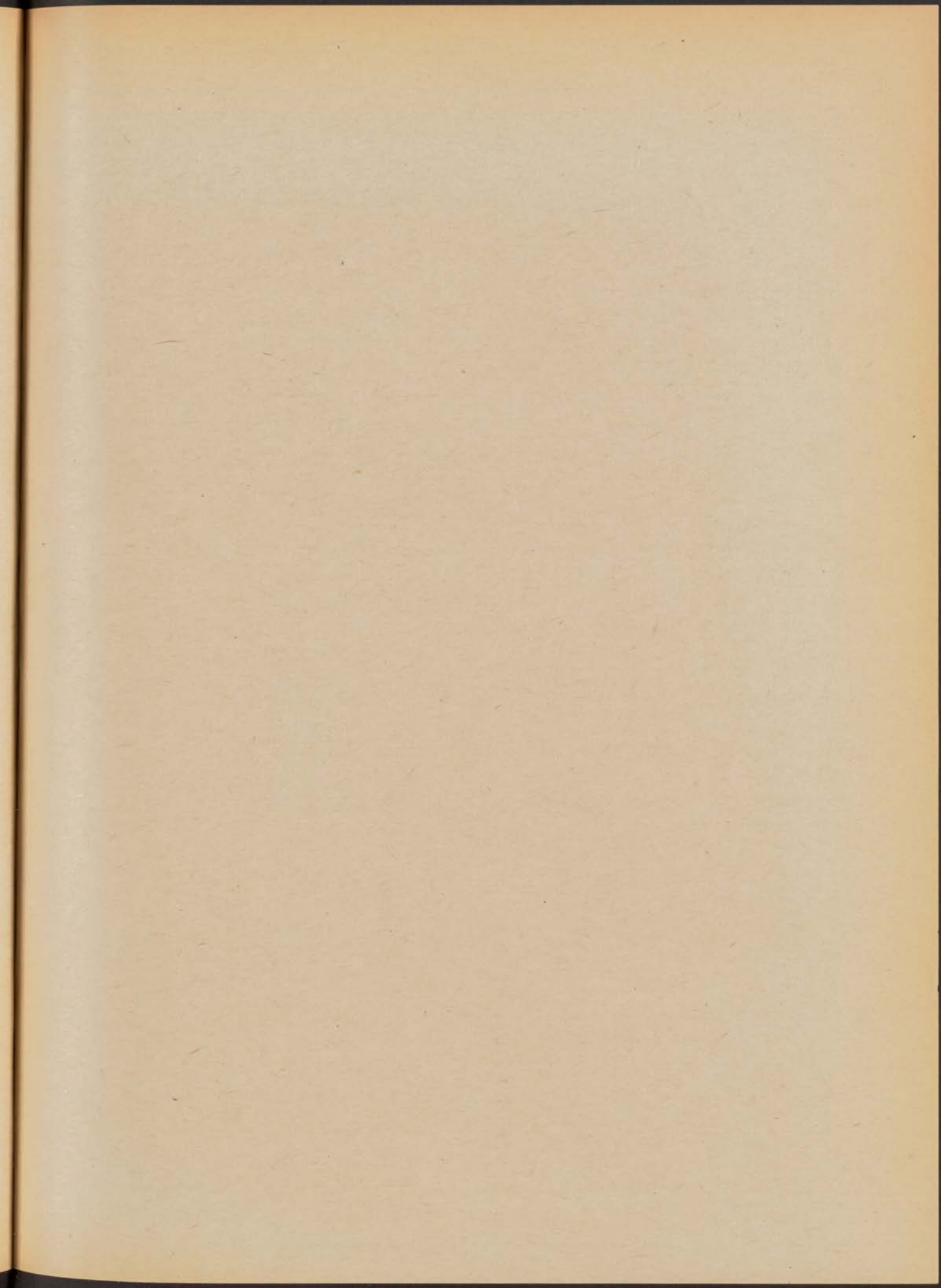
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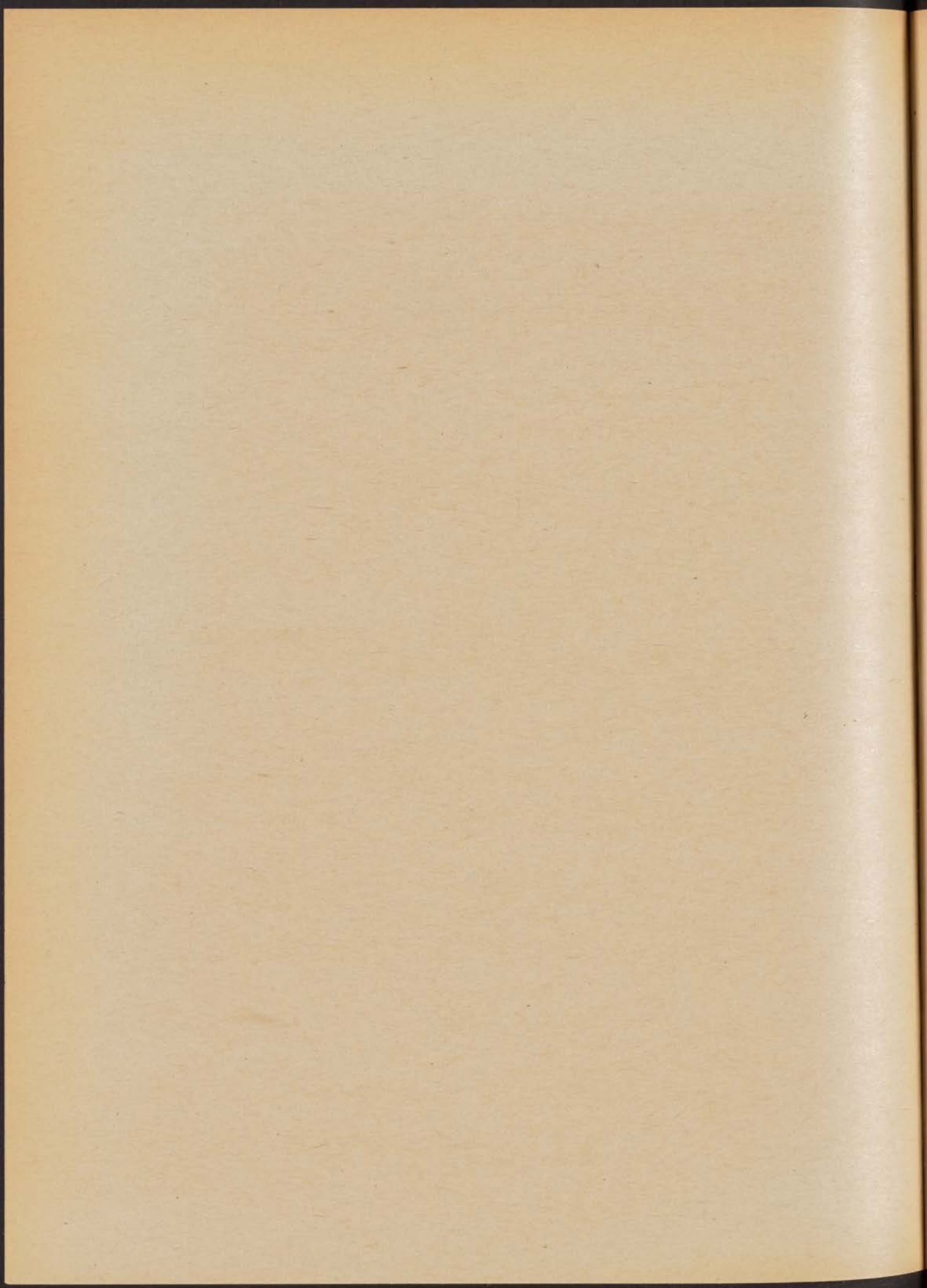
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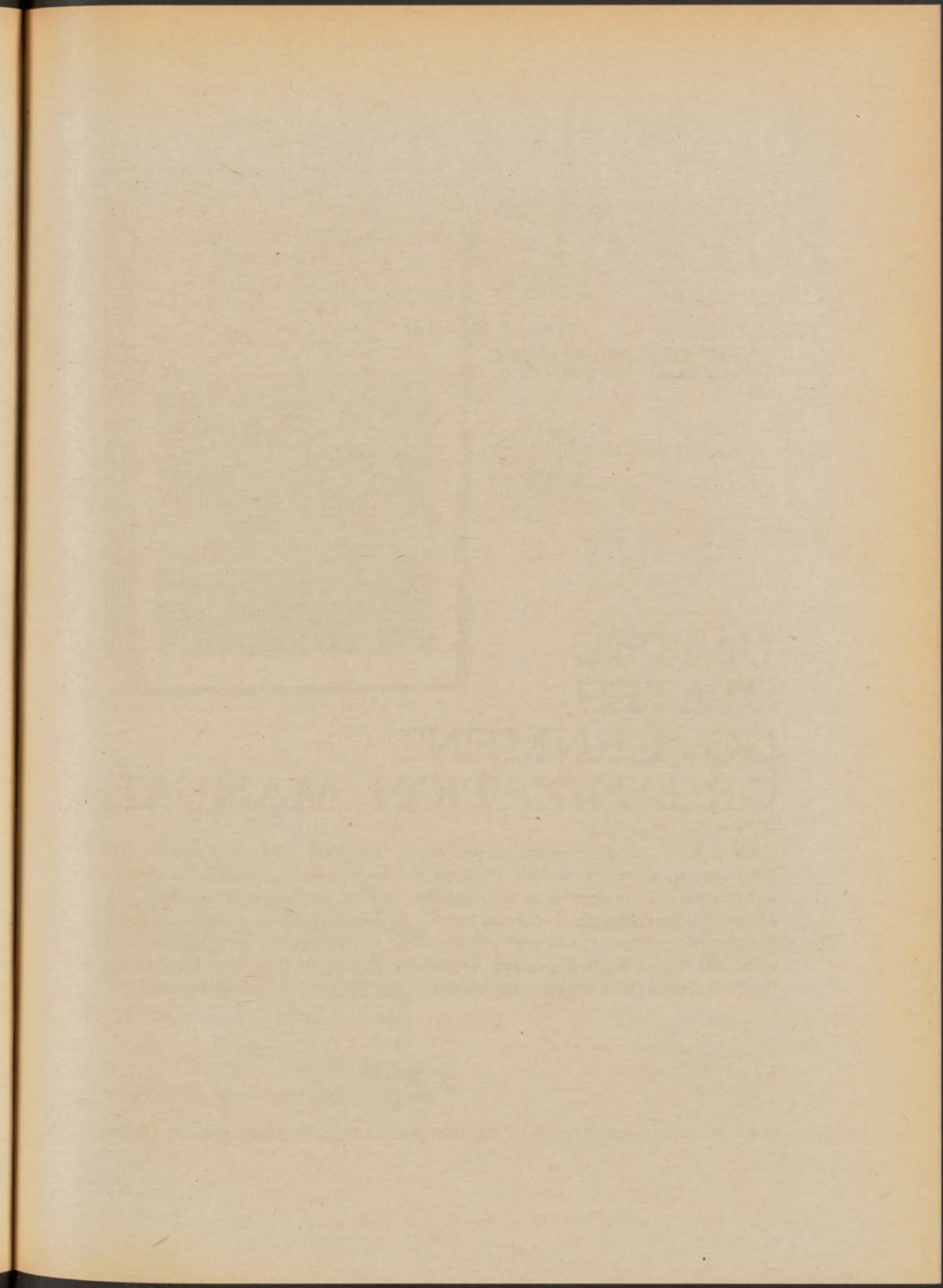
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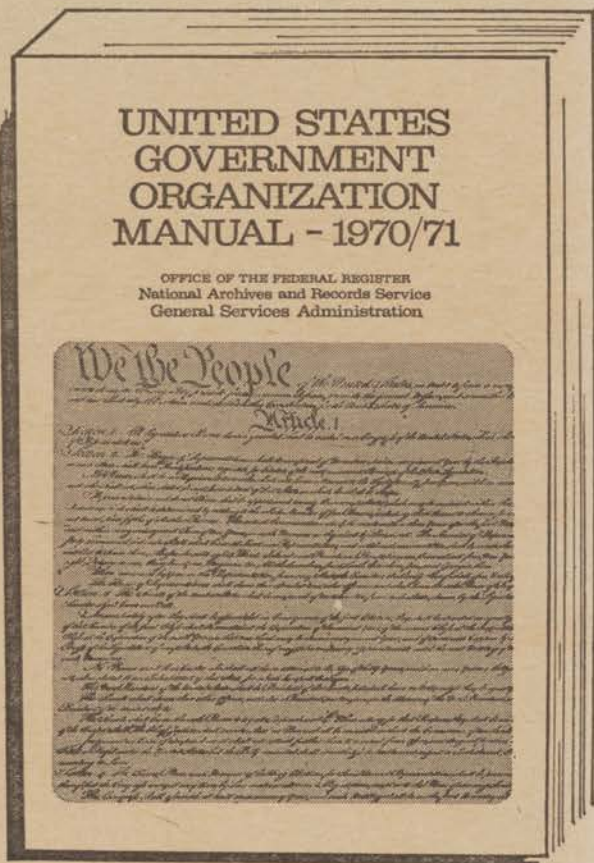


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