federal register

WEDNESDAY, JULY 14, 1971
WASHINGTON, D.C.

Volume 36 ■ Number 135
Pages 13081–13124

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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FEDERAL REGISTER
Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month.

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.

Presidential Documents

Title 3—The President

EXECUTIVE ORDER 11606

Amending the Selective Service Regulations

By virtue of the authority vested in me by the Military Selective Service Act of 1967 (62 Stat. 604, as amended), I hereby prescribe the following amendment of the Selective Service Regulations prescribed by Executive Orders No. 10001 of September 17, 1948; No. 10735 of October 17, 1957; No. 11360 of June 30, 1967; No. 11497 of November 26, 1969; and constituting portions of Chapter XVI of Title 32 of the Code of Federal Regulations:

Paragraph (d) of Section 1631.5, *Calls by the Director of Selective Service,* is amended to read as follows:

"(d) The Director of Selective Service shall establish a random selection sequence for induction. Such random selection sequence will be established by a drawing to be conducted in Washington, D.C., once each year on a date the Director shall fix, and shall be applied nationwide. The random selection method shall use 365 days or, when appropriate, 366 days to represent the birthdays (month and day only) of all registrants who, during the calendar year within which occurs the date fixed for the drawing, shall have attained their nineteenth but not their twentieth year of age. The drawing, commencing with the first day selected and continuing until all 365 days or, when appropriate, 366 days are drawn, shall be accomplished impartially. The random selection sequence thus obtained shall, in accordance with the Selective Service Regulations, determine the order of selection of such registrants. The random sequence number thus determined for any registrant shall apply to him so long as he remains subject to induction for military training and service by random selection. A random sequence number established for a registrant shall be equivalent, for purposes of selection, to the same random sequence number established for other registrants in other drawings, including the drawings of December 1, 1969 and of July 1, 1970, and the random selection sequences obtained in those drawings shall continue to determine the order of selection of the registrants covered thereby in accordance with the Selective Service Regulations. Selection among registrants who have the same random sequence number shall be based upon the supplemental drawing conducted December 1, 1969, which determined alphabetically a random selection sequence by name."

Richard Nixon

THE WHITE HOUSE,
July 10, 1971.

[FR Doc.71-10093 Filed 7-13-71;10:31 am]

Rules and Regulations

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter II—Tennessee Valley Authority

CROSS REFERENCE: For a document inviting comments and suggestions regarding regulations and procedures for application within the TVA of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, see F.R. Doc. 71-9924, in the Notices Section, *infra*.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

OLEANDOMYCIN AND ZOALENE

Based on a notice of withdrawal of approval of a new animal drug (Docket No. FDC-D-354) appearing elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs concludes that the food additive regulations should be amended to revoke provisions for the use of oleandomycin and zoalene in complete chicken feed.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 512, 72 Stat. 1785–88, as amended, 82 Stat. 343–51; 21 U.S.C. 348, 360b) and under authority delegated to the Commissioner (21 CFR 2.120), §121.207 *Zoalene* is amended in the table in paragraph (c) by revoking subitem d from item 2.7 and subitem d from item 3.4.

Within 30 days after publication hereof in the FEDERAL REGISTER, any persons who will be adversely affected by the removal of any such drug from the market may file objections to this order stating reasonable grounds for their objections and may request a hearing of such objections. Objections and requests for a hearing should be filed in quintuplicate with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–62, 5600 Fishers Lane, Rockville, Md. 20852. If a hearing is requested, the objections must identify the claimed errors in the NAS/NRC evaluation and any adequate and well-controlled investigations which would indicate conclusively that the combination drug would have the claimed effectiveness. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective 40 days after its date of publication in the FEDERAL REGISTER. If objections are filed, the effective date will be extended for ruling thereon.

(Secs. 409, 512, 72 Stat. 1785–88, as amended, 82 Stat. 343–51; 21 U.S.C. 348, 360b)

Dated: July 1, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9912 Filed 7-13-71;8:47 am]

PART 121—FOOD ADDITIVES

Oleandomycin and Oxytetracycline

Based on a notice of withdrawal of approval of certain new animal drug applications (Docket No. FDC-D-340) appearing elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs concludes that the food additive regulations should be amended to revoke provisions for the use of oleandomycin and oxytetracycline in swine feed.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 512, 72 Stat. 1785–88, as amended, 82 Stat. 343–51; 21 U.S.C. 348, 360(b) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.225 *Antibiotics for growth promotion and feed efficiency* is amended in paragraph (i) by revoking subparagraph (3)(ii).

Within 30 days after publication hereof in the FEDERAL REGISTER, any persons who will be adversely affected by the removal of any such drug from the market may file objections to this order stating reasonable grounds for their objections and may request a hearing on such objections. Objections and requests for a hearing should be filed in quintuplicate with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–62, 5600 Fishers Lane, Rockville, Md. 20852. If a hearing is requested, the objections must identify the claimed errors in the NAS/NRC evaluation and any adequate and well-controlled investigations which would indicate conclusively that the combination drug would have the claimed effectiveness. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective 40 days after its date of publication in the FEDERAL REGISTER. If objections are filed, the effective date will be extended for ruling thereon.

(Secs. 409, 512, 72 Stat. 1785–88, as amended, 82 Stat. 343–51; 21 U.S.C. 348, 360b)

Dated: July 1, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9914 Filed 7-13-71;8:47 am]

SUBCHAPTER C—DRUGS

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 141e—BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

PART 146e—CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS

PART 148i—NEOMYCIN SULFATE

Antibiotic Troches; Order Revoking Provisions for Certification

In the FEDERAL REGISTER of September 19, 1970 (35 F.R. 14661), the Commissioner of Food and Drugs announced (DESI 8328) the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, regarding the following antibiotic troches:

1. Ledercillin Troches, containing 5,000 units procaine penicillin G per troche (NDA 60-061);

2. Achromycin Pharyngets, containing 15 milligrams tetracycline hydrochloride per troche (NDA 50-265);

3. Achromycin Troches, containing 15 milligrams tetracycline hydrochloride per troche (NDA 50-265);

4. Aureomycin Troches, containing 15 milligrams chlortetracycline hydrochloride per troche (NDA 50-247); and

5. Aureomycin Pharyngets, containing 15 milligrams chlortetracycline hydrochloride per troche (NDA 50-247); all marketed by Lederle Laboratories Division, American Cyanamid Co., Pearl River, N.Y. 10965.

6. Wybiotic, containing neomycin sulfate equivalent to 5 milligrams of base, 300 units zinc bacitracin, and 2,000 units polymyxin B sulfate per troche; Wyeth Laboratories, Inc., Post Office Box 8299, Philadelphia, Pa. 19101.

The Food and Drug Administration concluded that substantial evidence of effectiveness is lacking for such drugs' claimed indications: For adjunctive treatment of acute Vincent's Infection of the mouth and pharynx; in the treatment of superficial gram-positive, gram-negative, and mixed bacterial infections of the mouth due to susceptible organisms; for the treatment of superficial oral infections caused by sensitive organisms; as an adjunct to other measures in the treatment of acute pharyngitis and tonsillitis; for the treament of Vincent's infection manifested as tonsillitis, stomatitis, or gingivitis; for the treatment of acute pharyngitis or tonsillitis caused by other organisms; or for prophylactic preoperative and postoperative use in dental surgery to reduce local bacterial flora and to reduce the danger of secondary infection.

Furthermore, the Food and Drug Administration evaluated reports received from the Academy on the following preparations:

1. Orabiotic chewing Gum Troches, containing neomycin sulfate equivalent to 3.5 milligrams of base, 0.25 milligram gramicidin, and 2 milligrams propylaminobenzoate per troche; White Laboratories, Inc., Galloping Hill Road, Kenilworth, N.J. 07033 (NDA 11-273).

2. Spectrocin-T Troches, containing neomycin sulfate equivalent to 2.5 milligrams base, 0.25 milligram gramicidin, and 10 milligrams benzocaine per troche; E. R. Squibb & Sons, Inc., Georges Road, New Brunswick, N.J. 08903 (NDA 8-328).

Labeling submitted for these products and reviewed by the Academy was that in use prior to the publication of amendments to the antibiotic regulations which no longer permitted that labeling. The Academy had evaluated those labeled indications under which the products are no longer certifiable and found the drugs to be ineffective for those indications. The Food and Drug Administration concurred in the Academy's findings and reiterated its opinion that there is "a lack of substantial evidence that these drugs are efficacious for the purpose claimed in their labeling" (32 F.R. 1172, Feb. 2, 1967).

In addition, because of the potential hazards of sensitization associated with the topical use of such components as penicillin and neomycin, troches containing these drugs are not shown to be safe. Further, substantial evidence is lacking that reduction of the oral flora by the intrabuccal route of administration is beneficial clinically.

The Commissioner announced his intention to initiate proceedings to amend the antibiotic drug regulations to delete provisions for certification of all antibiotic troches.

Interested persons who might be adversely affected by removal of these drugs from the market were invited to submit within 30 days after FEDERAL REGISTER publication of the announcement any pertinent data bearing on the proposal to so amend the antibiotic drug regulations.

A meeting was held with representatives of White Laboratories and the Food and Drug Administration on October 2, 1970, to discuss Orabiotic Chewing Gum Troches (neomycin sulfate, gramicidin, and propylaminobenzoate). Subsequently, the parent company, Schering Corp., filed a formal response concerning that drug. Lederle Laboratories filed a response concerning Achromycin Pharyngets and Troches (tetracycline hydrochloride) and Aureomycin Troches (chlortetracycline hydrochloride). Wyeth Laboratories also submitted a response concerning Wybiotic troches (neomycin sulfate, zinc bacitracin, and polymyxin B sulfate).

The responses have been reviewed, and the Food and Drug Administration finds that all of the preparations continue to lack substantial evidence of effectiveness.

Accordingly, the Commissioner concludes (1) that the antibiotic drug regulations should be amended to revoke provision for certification for all antibiotic troches and (2) that all outstanding certificates heretofore issued for such drugs should be revoked.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 141a, 141e, 146a, 146c, 146e, and 148i are amended by revoking §§ 141a.12, 141a.41, 141e.413, 141e.419, 141e.436, 146a.30, 146a.60, 146c.203, 146e.413, 146e.419 146e.436, 148i.36, 148i.37, and 148i.38, and all antibiotic certificates issued under these sections are also revoked.

Any person who will be adversely affected by the removal of any such drugs from the market may file objections to this order and request a hearing, showing reasonable grounds therefor. The statement of reasonable grounds and request for a hearing shall be submitted in writing within 30 days after FEDERAL REGISTER publication hereof, shall state the reasons why the antibiotic drug regulations should not be so amended, and shall include a well-organized and full-factual analysis of the clinical and other investigational data the objector is prepared to present in support of his objections.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing. When it clearly appears from the data incorporated into or referred to by the objections and from the factual analysis in the request for a hearing that no genuine issue of fact precludes the action taken by this order, the Commissioner will enter an order on these data, making findings and conclusions on such data.

If a hearing is requested and justified by the objections, the issues will be defined and a hearing examiner named to conduct the hearing, in which case the provisions of Subpart F of 21 CFR Part 2 shall apply to such hearing, except as modified by 21 CFR 146.1(f), and to judicial review in accordance with section 701 (f) and (g) (21 U.S.C. 371 (f) and (g)) of the Federal Food, Drug, and Cosmetic Act (35 F.R. 7250, May 8, 1970).

Objections and requests for a hearing should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852. Received objections and requests for a hearing may be seen in the above office during regular business hours, Monday through Friday.

Effective date. This order shall become effective 40 days after its date of FEDERAL REGISTER publication. If objections are filed, the effective date will be extended for ruling thereon. In so ruling, the Commissioner will specify another effective date and how the outstanding stocks of the affected drugs are to be handled.

(Secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357)

Dated: July 5, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.71-9909 Filed 7-13-71;8:46 am]

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES: DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Exemption of Certain Toy Caps From Classification as Banned Hazardous Substances

Correction

In F.R. Doc. 71-9864 appearing at page 13030 in the issue of Tuesday, July 13, 1971, the effective date in the third column reading "(7-12-71)" should read "(7-13-71)".

Chapter III—Environmental Protection Agency

PART 420—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Succinic Acid 2,2-Dimethylhydrazide; Correction

In F.R. Doc. 71-9578 appearing at page 12692 in the issue of Saturday, July 3, 1971, § 420.246 is corrected by

changing "20" to "30" in the paragraph "20 parts per million * * *."

Dated: July 7, 1971.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.71-9918 Filed 7-13-71;8:47 am]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

[Docket No. R-71-126]

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

OCCUPANCY REQUIREMENTS; TEMPORARY SUSPENSIONS

Section 221.537 is amended to add a new paragraph (e) permitting the Commissioner to suspend temporarily occupancy requirements for 1 year. Such power was implicit in the administration of the statute and has on infrequent occasions been exercised by the Commissioner. This amendment is intended to codify the power and give notice to the public that provision exists for relief from the occupancy requirements of the statute. In view of the fact that this amendment merely removes an ambiguity, codifying a previously existing right, the Secretary has determined that advance publication, notice and public policy are unnecessary.

In § 221.537 a new paragraph (e) is added as follows:

§ 221.537 Additional occupancy requirements; preferred purchasers or tenants.

* * * * *

(e) *Temporary suspensions.* The occupancy requirements for initial occupancy, as prescribed in paragraph (a) of this section, may be temporarily suspended by the Commissioner for a period not exceeding 1 year. The denial or the approval of a request for such temporary suspension shall be within the sole discretion of the Commissioner, and the approval of a temporary suspension of initial occupancy requirements shall be under such conditions and requirements as the Commissioner may prescribe.

(Sec. 211, 221, 52 Stat. 23, 68 Stat. 599; 12 U.S.C. 1715b, 1715l)

Issued at Washington, D.C., July 8, 1971.

EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[FR Doc.71-9915 Filed 7-13-71;8:47 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7132]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

General Rules Relating to Group-Term Life Insurance Purchased for Employees

In order to revise the Income Tax Regulations (26 CFR Part 1) under section 79 of the Internal Revenue Code of 1954, such regulations are amended as follows:

Paragraph (b)(1)(ii) of § 1.79-1 is amended to read as follows:

§ 1.79-1 General rules relating to group-term life insurance purchased for employees.

* * * * *

(b) *Meaning of terms.* * * *

(1) *Group-term life insurance.* * * *

(ii) *Paid up or similar value.* In the case of a policy which includes permanent insurance, a paid up value, or an equivalent benefit, section 79 shall apply to that portion of the insurance provided thereunder during the taxable year which constitutes group-term life insurance (within the meaning of this subparagraph) only if the policy specifies the portion of the premium which is properly allocable to the group-term life insurance and no part of the premium which is not so allocable is paid by the employer. For purposes of this subparagraph, a provision permitting an employee to convert (or continue) the term insurance protection after it ceases to be provided by the employer shall not be treated as permanent insurance, a paid up value, or an equivalent benefit. If a policy containing permanent insurance, a paid up value, or an equivalent benefit is used to provide group-term life insurance protection for any employee, each employee in the same class must be eligible for such insurance protection under a policy containing such a benefit.

* * * * *

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, and because it does not appear that the changes are adverse to persons concerned, it is found unnecessary and impracticable to issue this Treasury decision with notice and public procedure thereon under 5 U.S.C. 553(b), or subject to the effective date limitation of 5 U.S.C. 553(d).

(Sec. 7805, Internal Revenue Code of 1954, 68A Stat. 917; 26 U.S.C. 7805)

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

Approved: July 7, 1971.

JOHN S. NOLAN,
Acting Assistant Secretary of the Treasury.

[FR Doc.71-9892 Filed 7-13-71;8:45 am]

Title 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

PART 1631—QUOTAS AND CALLS

CROSS REFERENCE: For a document amending the Selective Service Regulations in Part 1631 regarding calls by the Director of Selective Service, see Title 3, Executive Order 11606, F.R. Doc. 71-10093, *supra*.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

[CGFR 71-30A]

PART 110—ANCHORAGE REGULATIONS

Tank Vessel Anchorage Ground, Barbers Point, Hawaii

This amendment establishes an anchorage ground off Barbers Point, Island of Oahu, Hawaii, which provides mooring and loading facilities for tank vessels.

Interested persons were afforded an opportunity to participate in the making of this rule. This amendment was circulated as a public notice dated April 17, 1969 by the Commander, Fourteenth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-30) on May 15, 1971 (36 F.R. 8962). In response to the public notice, three objections were received. The Department of Parks and Recreation of the city and county of Honolulu raised a series of questions about possible oil pollution. The Commandant, Fourteenth Naval District, raised the issue of possible adverse effect on air navigation. And the Standard Oil Company of California, Western Operations, Inc., was concerned that one of the two alternate proposed anchorages would cross their existing pipeline. On March 5, 1971, the Hawaiian Independent Refinery, Inc., advised that all objections had been resolved.

One objection to the notice of proposed rule making was received from the American Institute of Merchant Shipping. A.I.M.S. objected to paragraph (b)(5) of the proposed regulations, which would have prohibited tank vessels from cleaning their tanks while occupying the anchorage, on the basis that this would be detrimental to efficient and

economical ship operation. In view of this objection, paragraph (b)(5) of the proposed regulations has been deleted, and paragraph (b)(6) of the proposed regulations has been reworded. This change will allow tank vessels to clean their tanks but it will prevent them from discharging the residue of cleaning operations into the sea while occupying the anchorage.

In consideration of the foregoing, § 110.237 of Part 110 is revised to read as follows:

§ 110.237 Pacific Ocean off Barbers Point, Island of Oahu, Hawaii.

(a) *The anchorage grounds.*—(1) *Anchorage A.* The waters of the Pacific Ocean within an area described as follows: A circle of 1,000 feet radius centered at latitude 21°17'55" N., longitude 158°07'46" W.

(2) *Anchorage B.* The waters of the Pacific Ocean contained within a rectangle formed by the coordinates:

Latitude	*Longitude*
21°16'31.5" N.	158°05'09.0" W.
21°16'03.9" N.	158°05'16.9" W.
21°16'11.1" N.	158°05'45.8" W.
21°16'38.8" N.	158°05'37.9" W.

(b) *The regulations.* (1) No vessel may anchor, moor, or navigate in Anchorages A or B, except:

(i) Tank vessels laden with, loading, or unloading oil;

(ii) Public vessels of the United States; or

(iii) Commercial tugs, lighters, barges, and launches necessary to the loading or unloading of oil on tank vessels in this anchorage.

(2) Tank vessels conducting loading or unloading operation in these anchorage grounds shall display a red flag (International Code Flag "B") at the masthead. Any vessel over 100 tons displacement passing within one-half mile of an anchorage ground shall reduce its speed to six (6) knots over the ground when a red flag is displayed by a tank vessel in an anchorage ground.

(3) The owner of any tank vessel destined for an anchorage ground shall notify the Captain of the Port, Honolulu, Hawaii, and the Commanding Officer, U.S. Naval Air Station, Barbers Point, Hawaii, at least twenty-four (24) hours in advance of actual occupancy of the anchorage ground by the tank vessel. Such notification must include the maximum height above the waterline of the uppermost portion of the tank vessel's masts and a description of the masts' lighting including height of the highest anchor light and any aircraft warning lights that will be displayed by the vessel at night.

(4) When, in the opinion of the Captain of the Port, Honolulu, Hawaii, or his representative, the use of these anchorage grounds for the transfer of oil could jeopardize the safety of vessels or facilities in the area, including undue risk of pollution, the use of the anchorage grounds shall be terminated until such time as he determines that the danger has subsided.

(5) Vessels occupying the anchorage grounds may not discharge oily bilge water, oily ballast, or residue from tank cleaning operations to the sea.

(6) Permanent mooring buoys may be installed within these anchorage grounds if Corps of Engineers' permits are obtained for the installations.

(7) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from complying with the rules of the road and safe navigation practices.

(8) The regulations of this section shall be enforced by the Captain of the Port, Honolulu, or his duly authorized representative.

(Sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1)(A), 80 Stat. 937; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1)(A); 49 CFR 1.46(c)(1) (35 F.R. 4959), 33 CFR 1.05-1(c)(1) (35 F.R. 8279))

Effective date. This amendment shall become effective on August 12, 1971.

Dated: July 8, 1971.

D. H. LUZIUS,
Captain U.S. Coast Guard,
Acting Chief, Office of Operations.

[FR Doc.71-9926 Filed 7-13-71;8:48 am]

Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER B—LAND RESOURCE MANAGEMENT (2000)

[Circular No. 2290]

PART 2920—SPECIAL LAND USE PERMITS

Subpart 2921—Advertising Displays

LIMITATIONS ON CONSTRUCTION AND PROCEDURES FOR REMOVAL; CORRECTION

The purpose of this amendment is to correct a typographical error in paragraph (a) of § 2921.0-6, whereby a comma was inadvertently omitted in the second line between the words "rights-of-way" and "within" as published in 35 F.R. 18663, December 9, 1970.

It is the policy of the Department of the Interior to give notice of proposed rule making and to invite the public to participate in rule making except where such participation would be impracticable, unnecessary or contrary to the public interest and a specific finding to this effect is published with the rules or regulations (36 F.R. 8336, May 4, 1971). Public participation is unnecessary in this case since the amendment simply corrects a typographical error and is considered a minor technical matter.

As corrected, paragraph (a) of § 2921.0-6 of Subpart 2921 reads as follows:

§ 2921.0-6 Policy.

(a) No permits will be issued for lands within rights-of-way, within 660 feet of the edge of the rights-of-way of the National System of Interstate and Defense Highways (Interstate System) and the primary system (title 23, United States Code), or for displays which would be visible from such highways.

* * * * *

Effective date. This revision shall become effective on July 15, 1971.

W. T. PECORA,
Acting Secretary of the Interior.

JULY 7, 1971.

[FR Doc.71-9896 Filed 7-13-71;8:45 am]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER N—DANGEROUS CARGOES

[CGFR 71-68]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Difluoromonochloroethane in Tank Trucks

This amendment allows the carriage of difluoromonochloroethane on deck in the open on board trailerships and trainships in motor vehicle tank trucks complying with Department of Transportation regulations. This amendment modifies the descriptive name of the article to clarify what isomer is covered and to provide an additional shipping name.

At page 13093 of this issue of the FEDERAL REGISTER, the Hazardous Materials Regulations Board of the Department of Transportation is amending 49 CFR Parts 172 and 173 to allow shipments of difluoromonochloroethane in specification MC 330 and MC 331 cargo tanks and 105A100W tank car tanks. For reasons fully stated in that document, the Board changed its proposal to allow a lower design pressure for 105A100W tank car tanks and modified the shipping name of difluoromonochloroethane.

The Board's amendment to the hazardous materials regulations of the Department of Transportation in Title 49 applies to shippers by water, air, and land and to carriers by air and land. This amendment to Title 46 applies to carriers by water.

Interested persons were afforded an opportunity to participate in the making of this rule. This amendment was published as a notice of proposed rule making (CGFR 71-22) on March 27, 1971 (36 F.R. 45132) and a hearing was held on this amendment on May 4, 1971 at Washington, D.C.

Accordingly, § 146.24-100 of Title 46, Code of Federal Regulations, is amended as follows:

1. By revising the descriptive name of the article in the first column of Table G from "Difluoromonochloroethane" to "Difluoromonochloroethane (1,1 difluoro 1-chloroethane)."

2. By adding in the fourth column (CARGO VESSEL) of Table G (Compressed Gases (for the table entry "Difluoromonochloroethane (1,1 difluor 1-chloroethane)" under the caption "Authorized for stowage 'On deck in open' only" the words: "Motor Vehicle tank trucks complying with DOT regulations (trailerships and trainships only)."

(R.S. 4472, as amended; sec. 1, 19 Stat 252, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 170, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

Effective date. This amendment shall become effective on August 31, 1971.

Dated: July 7, 1971.

W. F. REA III,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.71-9843 Filed 7-13-71;8:45 am]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-22; Amdt. No. 171-9]

PART 171—GENERAL INFORMATION AND REGULATIONS

Matter Incorporated by Reference

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to update references to the Association of American Railroads Specifications for Tank Cars and addenda to sections VIII (Division I) and IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

On April 14, 1971, the Board published a notice of proposed rule making, Docket No. HM-22; Notice No. 71-11 (36 F.R. 7073), proposing to make the above revisions.

Interested persons were afforded an opportunity to participate in this rule making. No comments have been received.

Accordingly, 49 CFR Part 171 is amended as follows:

In § 171.7, subparagraphs (1) and (2) of paragraph (d) are amended to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * * *

(d) * * *

(1) ASME Code means sections VIII (Division I) and IX of the 1968 edition of the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through December 31, 1970.

(2) AAR Specifications for Tank Cars means the 1970 edition of the "Association of American Railroads Specification for Tank Cars".

* * * * * *

This amendment is effective August 31, 1971; however, immediate compliance with the regulations, as amended herein, is authorized.

(Secs. 831-835, 18 U.S.C., sec. 9, Department of Transportation Act, 49 U.S.C. 1657, and title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430 and 1472(h))

Issued in Washington, D.C., on July 8, 1971.

W. F. REA III,
Rear Admiral, Board Member, for the U.S. Coast Guard.

MAC E. ROGERS,
Board Member, for the Federal Railroad Administration.

ROBERT A. KAYE,
Board Member, for the Federal Highway Administration.

JAMES F. RUDOLPH,
Board Member, for the Federal Aviation Administration.

[FR Doc.71-9916 Filed 7-13-71;8:47 am]

[Doc. No. HM-E2; Amdts. 172-10, 173-50]

PART 172—COMMODITY LIST OF HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 170-189 OF THIS CHAPTER

PART 173—SHIPPERS

Difluoromonochloroethane in Tank Trucks and Tank Cars

The purpose of this amendment to the Department's Hazardous Materials Regulations is to provide for the transportation of difluoromonochloroethane, a flammable compressed gas, in specifications MC 330 and MC 331 cargo tanks, and 105A100W tank car tanks.

On March 27, 1971, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-82; Notice No. 71-9 (36 F.R. 5806) which proposed this amendment. No objections were received to the proposal.

One commenter observed that specification 105A100W tank car tanks should be authorized based on the vapor pressure of the commodity which is reported as being 49 p.s.i.g. at 105° F. This change has been included in the amendment. The Board agrees with the observation that allowing the lower design pressure tank is consistent with the requirements of the table in § 173.314 paragraph (c).

Another commenter pointed out that the shipping name might possibly be confused because of a difficulty in designating three different isomers. To preclude this difficulty, the shipping name designation has been modified to clarify what isomer is covered and to provide alternate shipping names. The Board considers this change necessary because of problems in filling density that might arise.

Accordingly, 49 CFR Parts 172, 173 are amended as follows:

I. Part 172:

(A) In § 172.5 paragraph (a), the commodity list is amended as follows:

§ 172.5 List of hazardous materials.

(a) * * *

Article	Classed as—	Exemptions and packing (see section)	Label required if not exempt	Maximum quantity in one outside container by rail express
(Add)				
1,1 difluoro 1-chloroethane. *See* Difluoromonochloroethane.				
(Change)				
Difluoromonochloroethane *(1,1 difluoro 1-chloroethane)*.	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas	300 pounds.
* * *	* * *	* * *	* * *	* * *

II. Part 173:

(A) In § 173.314 paragraph (c), the table is amended as follows:

§ 173.314 Requirements for compressed gases in tank cars.

* * * * * * *

(c) * * *

Kind of gas	Maximum permitted filling density, Note 1	Required tank car, see § 173.31(a) (2) and (3)
(Change)	*Percent*	
Difluoromonochloroethane; Note 13	100	DOT-106A500X, 110A500W, Note 7. DOT-105A100W, Note 4.

* * * * * * *

(B) In § 173.315, paragraph (a)(1) table, (h)(2) table, and (i)(2) table are amended as follows:

§ 173.315 Compressed gases in cargo tanks and portable tank containers.

(a) * * *

(1) * * *

Kind of gas	Maximum permitted filling density: Percent by weight (see Note 1)	Maximum permitted filling density: Percent by volume (see par. (f) of this section)	Specification container required: Type (see Note 2)	Specification container required: Minimum design pressure (psig)
(Add)				
Difluoromonochloroethane (see Note 9).	100	Note 7	MC 330, MC 331	100.
* * *	* * *	* * *	* * *	* * *

* * * * *

(h) * * *

(2) * * *

Kind of gas	Permitted gaging device
(Add)	
* * *	* * *
Difluoromonochloroethane	None.
* * *	* * *

* * * * *

(i) * * *

(2) * * *

Kind of gas	Minimum start-to-discharge pressure (p.s.i.g.)
(Add)	
* * *	* * *
Difluoromonochloroethane	100.
* * *	* * *

* * * * *

This amendment is effective August 31, 1971, however, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831–835, Title 18, United States Code, sec. 9, Department of Transportation Act, U.S.C. 1657)

Issued in Washington, D.C., on July 7, 1971.

W. F. REA III,
Rear Admiral, U.S. Coast Guard, by direction of Commandant U.S. Coast Guard

ROBERT L. KESSLER,
Acting Administrator, Federal Railroad Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Carrier Safety, Federal Highway Administration.

SAM SCHNEIDER,
Board Member, for the Federal Aviation Administration.

[FR Doc.71-9841 Filed 7-13-71;8:45 am]

[Docket No. HM-83; Amdt. 173-49]

PART 173—SHIPPERS

Hydrogen Chloride in Manifolded Cylinders

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to authorize the shipment of hydrogen chloride in manifolded cylinders.

On April 3, 1971, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-83; Notice No. 71-10 (36 F.R. 6437), which proposed this amendment.

Interested persons were invited to give their views on the proposal. Two commenters objected to the use of the word "cylinders" in place of "containers" in the proposed revision of § 173.301(d)(3). This objection was based on the belief that use of the world cylinders would adversely affect the manifolding of containers such as propane twin barrel containers presently in use. The Board agrees with this observation in view of the language in § 173.301(d). It was not the intent of the Board, in this rulemaking action, to restrict practices now authorized by the regulations.

Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.301, paragraph (d)(3) is amended to read as follows:

§ 173.301 General requirements for shipment of compressed gases in cylinders.[1]

* * * * *

(d) * * *

(3) Manifolding is authorized for containers of the following gases: Ethane, ethylene, liquefied hydrocarbon gas, hydrogen chloride (anhydrous), liquefied petroleum gas and propylene provided each container is equipped with approved safety relief devices as required by § 173.34(d) or § 173.315(i): *And provided further,* That each container is equipped with an individual shutoff valve, or valves, that must be tightly closed while in transit. Each container must be separately charged and means must be provided to insure that no interchange of container contents can occur during transportation. Manifolded branch lines to these individual shutoff valves must be sufficiently flexible to prevent injury to the valves which otherwise might result from the use of rigid branch lines.

* * * * *

This amendment is effective August 31, 1971, however, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831–835, Title 18, United States Code; sec. 9, Department of Transportation Act, U.S.C. 1657)

Issued in Washington, D.C., on July 7, 1971.

W. F. REA III,
Rear Admiral, U.S. Coast Guard, by direction of Commandant, U.S. Coast Guard.

CARL V. LYON,
Acting Administrator, Federal Railroad Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Carrier Safety, Federal Highway Administration.

[FR Doc.71-9842 Filed 7-13-71;8:45 am]

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[1] Requirements covering cylinders are also applicable to spherical pressure vessels.

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

San Andres National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (7-14-71).

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

NEW MEXICO

SAN ANDRES NATIONAL WILDLIFE REFUGE

Public hunting of deer (either sex) on the San Andres National Wildlife Refuge, N. Mex., is permitted from December 4 through December 5, 1971, inclusive, only on the area designated by signs as open to hunting. This area, comprising 57,215 acres, is delineated on maps available at refuge headquarters, Las Cruces, N. Mex. and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Hunting shall be in accordance with all applicable State, Federal, and military regulations, subject to the following special conditions.

(1) Hunters must check in and out in person at the check station located on the Jornada Road near U.S. 70. The check station will be open 24 hours a day. Hunters may check in during the afternoon of December 3, 1971. Time of entry to the hunting area will be at the discretion of the officers in charge. Any entry permits required by the military authorities will be available at the check station. All hunters must check out no later than 10 p.m., December 5, 1971.

(2) No entry into the hunting area from the west will be permitted north of the Rope Springs Road. Hunters will not be permitted to enter the hunting area from the east side of the San Andres Range except at the discretion of the officers in charge.

(3) The officers in charge may restrict the number of hunters entering any one area. If required by the firing schedule, hunters will be cleared from all areas where their safety is endangered.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 5, 1971.

JOHN H. KIGER,
Refuge Manager, San Andres National Wildlife Refuge, Las Cruces, N. Mex.

JUNE 21, 1971.

[FR Doc.71-9927 Filed 7-13-71;8:48 am]

PART 32—HUNTING

San Andres National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (7-14-71).

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

NEW MEXICO

SAN ANDRES NATIONAL WILDLIFE REFUGE

Public hunting of desert bighorn sheep on the San Andres National Wildlife Refuge, N. Mex., is permitted from October 16 through October 24, 1971, inclusive. This area, comprising 57,215 acres, is delineated on maps available at refuge headquarters, Las Cruces, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of desert bighorn sheep.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 24, 1971.

JOHN H. KIGER,
Refuge Manager, San Andres National Wildlife Refuge, Las Cruces, N. Mex.

JUNE 21, 1971.

[FR Doc.71-9928 Filed 7-13-71;8:48 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 13]

INCOME TAXES

Mineral Production Payments

Correction

In F.R. Doc. 71-9392 appearing at page 12624 in the issue of Friday, July 2, 1971, the following changes should be made:

1. In § 1.636-1(a)(2) a line should be inserted after the 10th line to read "mineral interest X to B for $100,000"; and the following line now reading "subject to a $500,000 retained produc-" should read "subject to a $500,000 retained produc-".

2. In § 1.636-4 the paragraph designated as "(a)" in the center column on page 12627 following the undesignated paragraph should appear as "(2)".

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 233]

SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZ.

Proposed Interim Regulations and Rates

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by 5 U.S.C. § 301 (1970 ed.), section 5 of the Act of June 7, 1924 (43 Stat. 475, 476), and the Act of March 7, 1928 (45 Stat. 200, 210-211), it is proposed to amend 25 CFR Part 233 as set forth below. The primary purpose of this amendment is to provide additional power revenue to meet the increased cost of operating and maintaining the power system of the San Carlos Indian Irrigation Project, Ariz. It is proposed to accomplish this by (1) increasing the power rates for customers under Rate Schedules No. 1—Combination Rate; No. 2—General Rate; No. 3—Irrigation and Commercial Pumping Rate; No. 4—Street and Area Lighting; and (2) by adding a new schedule, Rate Schedule No. 5—Commercial Rate.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Commissioner of Indian Affairs, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Sections 233.20, 233.51, 233.52, 233.53, and 233.54 are amended to read as follows:

§ 233.20 Connect, reconnect, and accounting charges.

A nonrefundable service establishment fee of $5 will be charged each time the Project is requested to establish or reestablish electric service to the customer's delivery point. The charge will be included in and rendered with the first month's bill for electricity after connection or reconnection service. An accounting charge of $5 will be made when a check is returned unpaid by a bank because of insufficient funds or other reasons. This charge will be in addition to any other applicable charges and will appear on the next month's bill for electricity.

§ 233.51 Rate Schedule No. 1—combination rate.

(a) *Application of schedule.* This schedule is applicable to single-phase or three-phase service for residences and small noncommercial users. Unless specifically permitted by the contract, use must be limited to the consumer's own premises and power supplied must not be resold. If more than one meter is required by the customer's installation or for the customer's convenience, bills will be independently calculated for each meter.

(b) *Monthly rate.* (1) 4 cents per kilowatt hour for the first 100 kilowatt hours.

(2) 3.5 cents per kilowatt hour for the next 100 kilowatt hours.

(3) 3 cents per kilowatt hour for the next 100 kilowatt hours.

(4) 1.75 cents per kilowatt hour for the next 200 kilowatt hours.

(5) 1.35 cents per kilowatt hour for all additional kilowatt hours.

(c) *Minimum bill.* The minimum bill shall be $4 per month except when a higher minimum bill is stipulated in the contract.

§ 233.52 Rate Schedule No. 2—general rate.

(a) This schedule is applicable to three-phase electric service for all purposes and is especially suitable for larger commercial and industrial concerns. Unless specifically permitted by the contract, use must be limited to the consumer's premises and the power supplied must not be resold. If more than one meter is required by the customer's installation, or for the customer's convenience, bills will be independently calculated for each meter.

(b) *Monthly rate.* (1) 2.6 cents per kilowatt hour for the first 25 kilowatt hours per kilowatt of billing demand.

(2) 1.7 cents per kilowatt hour for the next 50 kilowatt hours of billing demand.

(3) 1.25 cents per kilowatt hour for all additional kilowatt hours.

(c) *Discounts.* The following discounts will be applied in accordance with the contract demand as defined below. Discounts do not apply to the minimum charge.

	Percent
Less than 25 kw. of contract demand	0
25 kw. and more but less than 37 kw. of contract demand	10
37 kw. and more but less than 51 kw. of contract demand	11
51 kw. and more but less than 70 kw. of contract demand	12
70 kw. and more but less than 96 kw. of contract demand	13
96 kw. and more but less than 130 kw. of contract demand	14
130 kw. and more but less than 170 kw. of contract demand	15
170 kw. and more but less than 215 kw. of contract demand	16
215 kw. and more but less than 270 kw. of contract demand	17
270 kw. and more but less than 340 kw. of contract demand	18
340 kw. and more but less than 410 kw. of contract demand	19
410 kw. and more but less than 500 kw. of contract demand	20
500 kw. and more but less than 600 kw. of contract demand	21
600 kw. and more but less than 720 kw. of contract demand	22
720 kw. and more but less than 860 kw. of contract demand	23
860 kw. and more but less than 1,000 kw. of contract demand	24
1,000 kw. and more of contract demand	25

(d) *Minimum bill.* The minimum bill shall be 50 cents per month per kilowatt of billing demand and no discount shall apply to this minimum.

(e) *Contract demand.* Each contract shall state the number of kilowatts which the customer expects to require and desires to have reserved for his service. This quantity is called the contract demand. The stated quantity need not be the same for all months of the year, but the contract demand shall not be less than 20 kilowatts in any month for which a demand is stipulated.

(f) *Actual demand.* The actual demand for any month shall be the average amount of power used during the period of 15 consecutive minutes when such average is the greatest for the month as determined by suitable meters, or, if meters are unavailable, the actual demand shall be connected load or such portion of the connected load as the Project Engineer may determine to be appropriate based on available information as to the customer's use of connected lights, appliances, and equipment, or from check metering.

(g) *Billing demand.* The billing demand for a month shall be the contract demand or the actual demand for the month, whichever is greater.

§ 233.53 Rate Schedule No. 3—irrigation and commercial pumping rate.

(a) *Application of schedule.* This schedule is applicable to three-phase electric service for irrigation or commercial pumping loads of 25 kilowatts demand or more. The necessary metering equipment will be supplied and maintained by the Project for all installations. Each service will be at one point of delivery and measured through one meter. This schedule is not applicable to temporary, breakdown, standby, supplementary, nor resale service.

(b) *Monthly rate, either of the following.* (1) The sum of demand and energy charges as follows where Project furnishes and maintains substation facilities:

(i) Demand charges of 50 cents per kilowatt of billing demand, and

(ii) Energy charges of 6.5 mills per kilowatt hour for the first 200 kilowatt hours per kilowatt of billing demand, and

(iii) Energy charges of 9.5 mills per kilowatt hour for all additional kilowatt hours, or

(2) The sum of demand and energy charges as follows where the customer furnishes and maintains substation facilities:

(i) Demand charges of 50 cents per kilowatt of billing demand, and

(ii) Energy charges of 6.5 mills per kilowatt hour for the first 200 kilowatt hours per kilowatt of billing demand, and

(iii) Energy charges of 9 mills per kilowatt hour for all additional kilowatt hours.

(c) *Minimum bill.* The minimum bill shall be 50 cents per month per kilowatt of billing demand.

(d) *Billing demand.* The billing demand for a month shall be the contract demand or the actual demand for that month, whichever is the greater.

(e) *Contract demand.* Each customer shall state the number of kilowatts which the customer expects to require and desires to reserve for his service. This quantity is called the contract demand. The contract demand shall apply for not less than eight (8) months of the year. During the remainder of the year the customer may elect to reduce his contract demand to not less than 25 kilowatts on this schedule, arrange for power under another rate schedule, or disconnect his facilities.

(f) *Actual demand.* The actual demand for any month shall be the average amount of power used during the period of 15 consecutive minutes when such average is the greatest for the month as determined by suitable meters, or, if meters are unavailable or inoperable, the actual demand shall be the connected load or such portion of the connected load as the Project Engineer may determine to be appropriate based on available information as to the customer's use of connected load or from check metering.

(g) *Substation facilities.* Substation facilities shall be considered to include high voltage safety and isolating equipment, transformers, and substation structures. Normal utilization voltages shall be 240 volts, 480 volts, 2,400 volts, or such primary distribution voltages as may be available. Measurement of power and energy used will be at secondary voltages.

§ 233.54 Rate Schedule No. 4—street and area lighting.

(a) *Application.* This rate schedule applies to service for lighting public streets, alleys, thoroughfares, public parks, schoolyards, industrial areas, parking lots, and similar areas where dusk-to-dawn service is desired. The Project will own, operate, and maintain the lighting system including normal lamp and globe replacements.

(b) *Monthly rate.* (1) Lamps:

	Per lamp
200 watts or less, incandescent (2,800 lumens or less)	$2.80
175 watts mercury vapor (approximately 6,500 lumens)	4.50
250 watts mercury vapor (approximately 10,000 lumens)	5.40
400 watts mercury vapor (approximately 18,000 lumens)	7.00

The minimum term of a service contract will be 12 months, payable in advance. The advance payment may be waived in special cases by the Project Engineer. Installation charges, the cost of wood poles or special steel, aluminum, or other supports, special fixtures, and the cost of underground service, will be charged as determined by the Project Engineer. Special yellow lamps to repel insects will be subject to a surcharge of 50 cents per month, 12-month minimum, payable in advance.

A new section is added to Part 233 to read as follows:

§ 233.55 Rate Schedule No. 5—commercial rate.

(a) *Application of schedule.* This schedule is applicable to single-phase or three-phase service to commercial users, including but not limited to, stores, garages, service stations, taverns, motels, mobile home parks, light manufacturing and industrial plants, and installations with similar load characteristics having normal load factors and maximum demands of less than 50 kilowatts. Unless specifically permitted by the contract, use must be limited to the consumer's own premises and power supplied must not be resold. If more than one meter is required by the customer's installation or for the customer's convenience, bills will be independently calculated for each meter.

(b) *Monthly rate.* (1) 5.33 cents per kilowatt hour for the first 75 kilowatt hours.

(2) 3 cents per kilowatt hour for the next 175 kilowatt hours.

(3) 2.2 cents for the next 350 kilowatt hours.

(4) 1.8 cents for the next 600 kilowatt hours.

(5) 1.3 cents for all additional kilowatt hours.

(c) *Minimum bill.* The minimum bill shall be $4 per month except when a higher minimum bill is stipulated in the contract.

W. T. PECORA,
Acting Secretary of the Interior.

JULY 7, 1971.

[FR Doc.71-9894 Filed 7-13-71;8:45 am]

Bureau of Mines

[30 CFR Part 90]

COAL MINE HEALTH AND SAFETY

Notice of Public Hearing

In accordance with the provisions of section 203 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 508 of the Act, in the FEDERAL REGISTER for March 2, 1971 (36 F.R. 3900) a notice was given of a proposal to add a new Part 90, Subchapter O of Chapter I, Title 30, Code of Federal Regulations, entitled Procedures for Transfer of Miners With Evidence of Pneumoconiosis.

Interested persons were afforded a period of 30 days following publication within which to submit to the Director, Bureau of Mines, written comments, suggestions, or objections.

In view of the comments, objections, and requests for public hearings received in response to said notice, the Department has decided to hold a public hearing in order to receive further comments and testimony relating to Procedures for Transfer of Miners With Evidence of Pneumoconiosis.

The hearing will be held on Monday and Tuesday, July 26 and 27, 1971, beginning at 9 a.m., e.d.t., in the Auditorium, Department of the Interior, 19th and C Streets NW., Washington, DC. Henry P. Wheeler, Deputy Director—Health and Safety, Bureau of Mines, will preside at the hearing.

Written comments (20 copies) should be addressed to: Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240. Persons who desire to testify at the hearing should, by Friday, July 16, 1971, notify the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

W. T. PECORA,
Acting Secretary of the Interior.

JULY 7, 1971.

[FR Doc.71-9898 Filed 7-13-71;8:45 am]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 81]

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Extension of Time for Filing Comments

On May 27, 1971, there was published in the FEDERAL REGISTER (36 F.R. 9716)

a notice of a proposal to revise the Regulations Governing the Inspection of Poultry and Poultry Products (7 CFR Part 81) pursuant to the Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451 et seq.).

The notice provided that any interested persons may present any views, arguments or data concerning the proposal by filing them in writing with the Hearing Clerk of the Department within 60 days after May 27, 1971. Provision was also made for obtaining opportunity to present oral views. Because of requests from interested persons for additional time to consider and comment, in writing and orally, upon the proposed regulations, it has been decided to extend the time for presenting written or oral views, arguments, or data on the aforesaid proposal until October 1, 1971.

Accordingly, such written statements may be filed, in duplicate, in the Office of the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, until 5 p.m., October 1, 1971. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours as provided in 7 CFR 1.27(b), except when the person making the submission requests that the submission be held confidential and the Administrator determines that there is a basis for such confidential treatment under the provisions in 7 CFR 1.27(c).

Persons desiring opportunity for oral presentation of views should address such requests to Dr. M. R. Humphrey, Standards and Services Division, U.S. Department of Agriculture, Consumer and Marketing Service, Washington, D.C. 20250. A transcript of all views orally presented will be made and filed in the Office of the Hearing Clerk for public inspection during regular office hours in a manner convenient to the public business in accordance with 7 CFR 1.27(b), except when confidential treatment is requested and given to such views in accordance with 7 CFR 1.27(c).

Done at Washington, D.C., on July 8, 1971.

CLAYTON YEUTTER,
Administrator,
Consumer and Marketing Service.

[FR Doc.71-9922 Filed 7-13-71;8:48 am]

[7 CFR Part 999]

RAISIN IMPORTS

Notice of Proposed Rule Making

Notice is hereby given that the Department is giving consideration to proposed grade, size, and other requirements governing the importation of raisins, pursuant to the requirements of section 8e (7 U.S.C. 608e-1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674; and as further amended by Public Law 91-670 approved Jan. 11, 1971), hereinafter referred to as the "act".

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 60 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Section 8e of the act provides, in part, that whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of the act (7 U.S.C. 608c) contains any terms or conditions regulating the grade, size, quality, or maturity of raisins produced in the United States, the importation of raisins into the United States during the period of time such order is in effect shall be prohibited unless such commodity complies with the grade, size, quality, and maturity provisions of such order or comparable restrictions promulgated under said section 8e. Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced in California (hereinafter referred to as the "marketing order"), contains terms and conditions regulating the grade and size of such raisins.

As to imported raisins, such things as methods of drying and processing techniques in the country from which to be imported result in the production of some raisins (i.e., referred to in international trade as "Sultanas") that have color characteristics that differ widely from those of domestic raisins (i.e., natural (sun-dried) Thompson Seedless raisins) produced in California from the same variety of grapes. Because of such variation in color characteristics between "Sultanas" and the domestic raisins, the application of the various grade restrictions, including color requirements, under the marketing order to all imported raisins would not be practicable. While there are so-called Sultana raisins produced in California, they are not seedless but contain small edible seeds and the raisins are not identified with the "Sultanas" of international trade.

It is generally recognized in international trade that the raisins commonly referred to in such trade as "Sultanas" are produced from so-called Sultanina grapes, which grapes are identified in this country as "Thompson Seedless grapes." In view of this, it is proposed that all such raisins be identified for purposes of this regulation as raisins of a varietal type under the designation "Thompson Seedless Raisins." The grade requirements (other than the color requirement) for the importation of "Thompson Seedless Raisins" would be the same as those applicable to domestically produced natural (sun-dried) Thompson Seedless raisins. With respect to the other varietal types of raisins covered by this regulation, Muscat raisins (including layer Muscat Raisins) and Currant Raisins would be subject to the same grade (and size where applicable) requirements as in effect for domestic raisins of the respective varietal types.

Also included in the proposal are other requirements which pertain to the importation of raisins (e.g., inspection and certification; and books and records).

The proposal is as follows:

§ 999.300 Regulation governing importation of raisins.

(a) *Definitions.* For purposes of this section:

(1) "Raisins" means grapes from which a part of the natural moisture has been removed.

(2) "Varietal type" means the applicable one of the following: Thompson Seedless Raisins, Muscat Raisins, Layer Muscat Raisins, and Currant Raisins.

(3) "Thompson Seedless Raisins" means those raisins which are commonly referred to in international trade as "Sultanas" and are made from Sultanina grapes.

(4) "Person" means any individual, partnership, corporation, association, or other business unit.

(5) "Fruit and Vegetable Division" means the Fruit and Vegetable Division of the Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(6) "USDA inspector" means an inspector of the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division or any other duly authorized employee of the U.S. Department of Agriculture.

(7) "Importation of raisins" means the release of raisins at the port of arrival from custody of the U.S. Bureau of Customs.

(b) *Grade and size requirements.* The importation of raisins into the United States is prohibited unless the raisins are inspected at the port of arrival and certified as meeting the applicable requirements of this section. No person may import raisins into the United States unless such raisins have been inspected and certified by a USDA inspector as at least meeting the following applicable grade and size requirements, which requirements are the same as, or are determined to be comparable to, those imposed upon domestic raisins handled pursuant to Order No. 989 (Part 989 of this chapter), as amended:

(1) With respect to Thompson Seedless Raisins—the requirements other than with respect to color of "U.S. Grade C" as defined in the currently effective U.S. Standards for Grades of Processed Raisins (§§ 52.1841-52.1852 of this title).

(2) With respect to Muscat Raisins—the requirements of "U.S. Grade C" as defined in the said standards.

(3) With respect to Layer Muscat Raisins—the requirements of "U.S. Grade B" as defined in said standards.

(4) With respect to Currant Raisins—the requirements of "U.S. Grade B" as defined in the currently effective U.S. Standards for Grades of Dried Currants (§§ 52.981–52.985 of this title).

(c) *Inspection and certification requirements.* (1) All inspections and certifications required by paragraph (b) of this section shall be made by USDA inspectors in accordance with the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (Part 52 of this title). The cost of each such inspection and certification shall be borne by the applicant.

(2) Each lot of raisins inspected in accordance with subparagraph (1) of this paragraph shall be covered by an inspection certificate. Each such certificate shall set forth, among other things, the following:

(i) The date and port of arrival where inspection performed;

(ii) The name of the applicant;

(iii) The name of the importer;

(iv) The quantity and identifying marks of the lot inspected;

(v) The statement, as applicable, "Meets U.S. import requirements under section 8e of the AMA Act of 1937" or "Fails to meet U.S. import requirements under section 8e of the AMA Act of 1937"; and

(vi) If the lot fails to meet the import requirements, a statement of the reasons therefor.

(3) Whenever raisins are offered for inspection, the applicant shall furnish any labor and pay any costs incurred in moving and opening containers as may be necessary for proper sampling and inspection. The applicant shall also furnish the USDA inspector the entry number and such other identifying information for each lot as he may request. To avoid delay the applicant should make advance arrangements with the office of a USDA inspector nearest the port of arrival.

(d) *Reconditioning.* Nothing contained in this section shall preclude the reconditioning of failing lots of raisins at the port of arrival prior to importation of raisins in order that such raisins may be made eligible to meet the applicable grade and size requirements in paragraph (b) of this section.

(e) *Exemptions.* Notwithstanding any other provisions of this section, any lot of raisins which in the aggregate does not exceed 100 pounds, net weight, may be imported without regard to the restrictions of this section.

(f) *Books and records.* Each person subject to this section shall maintain true and complete records of his transactions with respect to imported raisins. Such records shall be retained for not less than 2 years subsequent to the calendar year of importation. The Secretary, through his duly authorized representatives, shall have access to any such person's premises during regular business hours and shall be permitted at any such time to inspect such records and any imported raisins held by such person.

(g) *Other restrictions.* The provisions of this section do not supersede any restrictions or prohibitions on the importation of raisins under the Federal Plant Quarantine Act of 1912, the Federal Food, Drug and Cosmetic Act, or any other applicable laws or regulations, or the need to comply with applicable food and sanitary regulations of city, county, State, or Federal agencies.

(h) *Compliance.* Any person violating any of the provisions of this regulation is subject to a forfeiture in the amount prescribed in section 8a(5) of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), or, upon conviction, a penalty in the amount prescribed in section 8c(14) of said act, or to both such forfeiture and penalty. False representation to an agency of the United States in any matter within its jurisdiction, knowing it to be false, is a violation of 18 U.S.C. 1001 which provides for a fine or imprisonment or both.

Dated: July 8, 1971.

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

[FR Doc.71-9923 Filed 7-13-71;8:48 am]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 694]

[Administrative Order 620]

INDUSTRY COMMITTEE FOR VIRGIN ISLANDS

Appointment and Convention; Notice of Hearing

1. Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205) and Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), I hereby appoint Special Industry Committee No. 13 for the Virgin Islands for the following classifications of industries.

2. These classifications are defined as follows:

(a) The hotel and motel classification in the Virgin Islands is defined as the operation of hotels, motels, apartment hotels which provide accommodations for transients, and tourist courts, engaged in providing lodging, with or without meals, for the general public, including all activities incidental to any of the foregoing.

(b) The laundry and cleaning classification in the Virgin Islands is defined as the laundering, dry cleaning, and incidental work such as repair of clothing and fabrics on which such work is done and the work done in family and commercial power laundries, linen supply and industrial launderers, diaper services, self-service laundries, hand laundries, cleaning and dyeing plants, and rug cleaning and repairing plants.

(c) The restaurant and food service classification in the Virgin Islands is defined as the operation of restaurants and other food service establishments engaged in the preparation or offering of food or beverages for human consumption either on the premises or by such other services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs: *Provided, however,* That the restaurant and food service classification in the Virgin Islands shall not include food service in retail establishments.

3. In accordance with section 8 of the Act (29 U.S.C. 208) and Reorganization Plan No. 6 of 1950, I hereby convene this Committee. I refer to it the question of the minimum rate or rates of wages to be fixed for these designated industries in the Virgin Islands to which section 6 of the Fair Labor Standards Act applies solely by reason of the Fair Labor Standards Amendments of 1966. The minimum wage rates to be recommended by Industry Committee No. 13 may not be in excess of $1.60 an hour.

4. Hearings will be held by this Industry Committee at the time and place indicated below. It shall investigate conditions in all industries in the Virgin Islands which are referred to in the preceding paragraphs and the Committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the Committee to perform its duties and functions under the Act.

5. The Industry Committee will meet in executive session at 9:30 a.m. and begin its public hearing at 11 a.m. on Monday, November 29, 1971, in Room 102 of the Caravell Hotel in Christiansted, St. Croix, Virgin Islands. Upon completion of its proceedings in St. Croix, the Committee will move its proceedings to the second floor of the Government Secretary's Office in Charlotte Amalie, St. Thomas, Virgin Islands where the hearing will resume at 9:30 a.m. on Wednesday, December 1, 1971.

6. The Industry Committee shall recommend to the Administrator of the Wage and Hour Division of this Department the highest minimum wage rates (not less than the currently effective rates) which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, and American Samoa.

7. Whenever the Committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees in that industry, the Committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of

fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not substantially curtail employment in such classification and will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, the Committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

8. The Administrator shall prepare an economic report containing such data as he is able to assemble pertinent to the matters referred to the Committee. Copies of this report may be obtained at the Washington, D.C., and Puerto Rican Offices of the U.S. Department of Labor as soon as they are completed and prior to the hearing. The Committee will take official notice of the facts stated in the economic report to the extent they are not refuted by evidence received at the hearing.

9. The procedure for Industry Committee No. 13 for the Virgin Islands shall be governed by the regulations published in Part 511 of Title 29, Code of Federal Regulations. As a prerequisite to participation, those regulations require, among other things, that interested persons shall file prehearing statements, containing certain specified data not later than November 19, 1971.

Signed at Washington, D.C., this 8th day of July 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-9901 Filed 7-13-71;8:46 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Ch. I]

LABEL DECLARATIONS ON STANDARDIZED AND NONSTANDARDIZED FOODS

Definitions and Standards of Identity for Foods; Extension of Time for Filing Comments

A notice published in the FEDERAL REGISTER of May 12, 1971 (36 F.R. 8738), invited comments on a proposal made by Label, Inc., to amend the regulations setting forth definitions and standards of identity for foods in 21 CFR Subchapter B. A 60-day period was allowed for the submission of such comments.

The Commissioner of Food and Drugs has received a request for a 30-day extension of such time and, good reason therefor appearing, the time for filing comments on the subject proposal is hereby extended to August 10, 1971. Received comments may be seen in the office of the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, during working hours, Monday through Friday.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 403, 701; 52 Stat. 1046, 1047, 1055, as amended; 21 U.S.C. 341, 343, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: July 6, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9907 Filed 7-13-71;8:46 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 110]

[CGFR 71-72]

LOS ANGELES AND LONG BEACH HARBORS, CALIF.

Proposed Anchorage Grounds

The Coast Guard is considering amending the anchorage regulations to establish a nonanchorage area at the mouth of the entrance to Alamitos Bay, Long Beach, Calif. This nonanchorage area is proposed due to the large amount of small vessel traffic at this location and the interference with safe navigation imposed by vessels anchored or moored in close proximity to the channel entrance.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander, Eleventh Coast Guard District, Heartwell Building, 19 Pine Avenue, Long Beach, CA 90802. Each person submitting comments should include his name and address, identify this notice (CGFR 71-72), and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Eleventh Coast Guard District.

The Commander, Eleventh Coast Guard District, will forward any comments received before August 15, 1971, and his recommendations to the Chief, Office of Operations, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that § 110.214(a) be amended by adding a subparagraph (13) to read as follows:

§ 110.214 Los Angeles and Long Beach Harbors, Calif.

(a) * * *

(13) *Nonanchorage Area I, Mouth of Entrance Channel to Alamitos Bay (Long Beach, Calif.)* Nonanchorage Area I is a semicircle with a 500-yard radius that is centered at mid-channel on a line that extends between Alamitos Bay Jetty Lights 1 and 2 and which extends seaward from that line.

(i) No vessel may anchor or moor in this nonanchorage area or outside this nonanchorage area in such a manner that any portion of the vessel extends into this nonanchorage area.

(ii) This section is enforced by the Captain of the Port, Long Beach, Calif.

* * * * *

(Sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1)(A), 80 Stat. 937; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1)(A); 49 CFR 1.46(c)(1) (35 F.R. 4959), 33 CFR 1.05-1(c)(1) (35 F.R. 8279))

Dated: July 8, 1971.

D. H. LUZIUS,
Captain, U.S. Coast Guard, Acting Chief, Office of Operations.

[FR Doc.71-9931 Filed 7-13-71;8:48 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 71-15; Notice 1]

LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Notice of Proposed Rule Making

The purpose of this notice is to request comments on a proposed exception to voltage-drop test requirements applicable to hazard warning and turn signal flashers, in order to allow the use of solid-state flashers in motor vehicles and their sale in the aftermarket.

Swiss Control & Research of Michigan City, Ind., has petitioned for an amendment of Federal Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, to incorporate the capabilities of solid-state flashers. Because solid-state flashers evidently have inherent advantages over thermal flashers with respect to performance and durability, the NHTSA has determined that the petition is meritorious and is initiating rule making in response to it. However, a higher voltage drop is inherent in solid-state flashers, and they exceed the lowest voltage drop of 0.40/0.45 v. specified in SAE Standard J590b, "Automotive Turn Signal Flashers," October 1965, and SAE Recommended Practice J945, "Vehicular

Hazard Warning Signal Flasher," February 1966, incorporated by reference in Standard No. 108. Voltage drop is that portion of the battery voltage that is "wasted" in the flasher and not delivered to the lamps. This agency is proposing that a voltage drop of 1.6 v. be specified for solid-state flashers. A higher minimum voltage drop reduces lamp intensity somewhat but it has been determined that this will not present a safety problem when the minimum required photometrics are met.

In consideration of the foregoing, it is proposed that 49 CFR 571.21, Motor Vehicle Safety Standard No. 108 (both as in effect, and as effective Jan. 1, 1972, 35 F.R. 16840 as amended 36 F.R. 1896) be amended as follows:

1. The references to "J590b, October 1965" appearing in the last column in Table I and Table III would be amended to read "J590b, October 1965, except the lowest voltage drop across a solid-state flasher shall not exceed 1.6 volts."

2. The references to "J945, February 1966" appearing in the last column in Table I and Table III would be amended to read "J945, February 1966, except the lowest voltage drop across a solid-state flasher shall not exceed 1.6 volts."

Interested persons are invited to submit comments on the proposed amendment. Comments should identify the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, DC 20591. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on August 13, 1971, will be considered, and will be available for examination in the docket at the above address both before and after the closing date. To the extent possible, comments filed after the above date will also be considered by the Administration. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The administration will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

Proposed effective date. Thirty days after publication of the final rule, for current Standard No. 108, in effect until January 1, 1972; January 1, 1972, for Standard No. 108, the overall effective date for the amended standard published on October 31, 1970, 35 F.R. 16840 as amended 36 F.R. 1896. The Administrator has determined that the safety benefits inherent in solid-state flashers should be made available to the public at the earliest possible time. This notice of proposed rule making is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on July 7, 1971.

ROBERT L. CARTER,
Acting Associate Administrator.

[FR Doc.71-9925 Filed 7-13-71;8:48 am]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

BICYCLE SPEEDOMETERS FROM JAPAN

Antidumping Proceeding Notice

JULY 6, 1971.

On June 9, 1971, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that bicycle speedometers from Japan are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

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

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

[SEAL] ROBERT V. MCINTYRE,
Acting Commissioner of Customs.

[FR Doc.71-9919 Filed 7-13-71;8:47 am]

[T.D. 71-174]

SWISS FRANC

Rates of Exchange

JUNE 28, 1971.

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Swiss franc between June 21 and June 25, 1971.

Treasury Decision 71-101 published as the rate of exchange for the Swiss franc for use during the calendar quarter beginning April 1 through June 30, 1971, $0.232800, as certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c) of the Tariff Act of 1930, as amended (31 U.S.C. 372(c)).

For the dates listed below, the Federal Reserve Bank of New York certified rates for the Swiss franc which vary by 5 per centum or more from the rate $0.232800. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert Swiss currency into currency of the United States, conversion shall be at the daily rate certified by the Federal Reserve Bank of New York, as herewith published:

Swiss franc:

For the period June 21 through June 25, 1971, rate of $0.232800.

Rate did not vary by 5 per centum or more from the rate of exchange published in T.D. 71-101 for use during calendar quarter beginning Apr. 1, 1971.

Rates of exchange certified for the Swiss franc which vary by 5 per centum or more from the rate $0.232800 during the balance of the calendar quarter ending June 30, 1971, will be published in a Treasury Decision for dates subsequent to June 25, 1971, and before July 1, 1971.

[SEAL] ROBERT V. MCINTYRE,
Acting Commissioner of Customs.

[FR Doc.71-9920 Filed 7-13-71;8:47 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

MUSKOGEE AREA

Change to Agency Jurisdictions

JULY 7, 1971.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 F.R. 13938). The jurisdictional boundaries for the agencies within the Muskogee Area are changed to correspond more closely with the original Indian Nations' boundaries. The jurisdiction will be as follows:

Ardmore Agency. Marshall, Johnston, Pontotoc, McClain, Garvin, Murray, Carter, Love, Jefferson, Stephens, and Grady Counties. (The western boundary dissects the counties of Grady, Stephens, and Jefferson along the original Chickasaw Nation Boundary.)

Miami Agency. Parts of Ottawa and Delaware Counties which are east of the Grand River and north of Honey Creek, bound on the east by the Missouri State line, and on the north by the Kansas State line.

Okmulgee Agency. Creek, Wagoner, Okmulgee, Okfuskee, Tulsa, Muskogee, and McIntosh Counties (except the portion east of the original Cherokee Nation boundary) and the part of Hughes County north of the South Canadian River.

Tahlequah Agency. Washington, Nowata, Craig, Mayes, Rogers, Cherokee, Adair, and Sequoyah Counties; the part of Ottawa County west of Grand River; Delaware County (except the part east of the Grand River and north of Honey Creek); and parts of Muskogee and McIntosh Counties east of the original Cherokee and Creek Nations' boundaries.

Talihina Agency. McCurtain, Le Flore, Haskell, Latimer, Pushmataha, Choctaw, Bryan, Atoka, Coal, and Pittsburg Counties and the part of Hughes County south of the South Canadian River.

Wewoka Agency. Seminole County.

This notice shall be effective upon signature.

ERNEST L. STEVENS,
Acting Commissioner.

[FR Doc.71-9895 Filed 7-13-71;8:45 am]

Bureau of Land Management

[Serial No. U-15229]

UTAH

Notice of Proposed Classification of Public Lands for Disposal by Exchange

Pursuant to section 7 of the Act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315f), and the regulations in 43 CFR 2400.0-3, it is proposed to classify the lands described below for disposal through exchange under section 8 of the Act of June 28, 1934, as amended (48 Stat. 1272; 43 U.S.C. 315g; 43 CFR Part 2200), for lands better suited for multiple use management. Mineral interests in these lands will be retained by the United States.

This proposal has been discussed with the District Advisory Board, local government officials, and other interested parties. Information from discussions and other sources indicates that these lands meet the criterion of 43 CFR 2430.4 (d), which authorizes classification of lands "for exchange under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which are needed for the support of a Federal program"; and 43 CFR 2430.5 (g) which states "Lands determined to be valuable for purposes other than public purposes may be determined to be suitable for exchange if the acquisition of the offered lands, the disposition of the public lands, and the anticipated costs of consummating the exchange will not disrupt governmental operations".

Publication of this notice will segregate the lands from all appropriation including location under the mining laws, except applications for exchange. Publication will 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 and vegetative resources, other than under the mining laws.

No application for an exchange will be accepted until it has first been determined that it is in the public interest of the United States to acquire the proposed

offered lands and that the value of the offered lands equals or exceeds that of the selected lands.

All applications for exchange must be accompanied by a statement from the Bureau of Land Management, Fillmore District Manager, that the proposal is feasible, in accordance with 43 CFR 2201.2.

Information concerning these lands is available at the Fillmore District Office, Fillmore, Utah 84631.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, interested parties may submit comments, suggestions, or objections to the District Manager of the Fillmore District, Bureau of Land Management, Post Office Box 778, Fillmore, UT 84631; or to the State Director, Bureau of Land Management, Post Office Box 11505, Salt Lake City, UT 84111.

The lands affected by this proposal are located in Beaver and Iron Counties, Utah, and are described as follows:

SALT LAKE MERIDIAN, UTAH

T. 29 S., R. 11 W.,
Sec. 9, E½SE¼;
Sec. 10, SW¼NE¼, S½NW¼, NW¼SW¼.
T. 30 S., R. 12 W.,
Sec. 18, lots 1, 2, 3, 4, E½W½;
Sec. 19, lots 1, 2, E½NW¼;
Sec. 30, E½SW¼.
T. 30 S., R. 13 W.,
Sec. 13, all;
Sec. 14, all;
Sec. 15, all;
Sec. 22, NE¼, N½SE¼, SW¼SE¼;
Sec. 24, NE¼;
Sec. 26, S½;
Sec. 34, E½;
Sec. 35, all.
T. 31 S., R. 13 W.,
Sec. 1, lots 4, 5, 12;
Sec. 3, all;
Sec. 4, lots 1, 2, 3, 4, 7, 8, 9, 10;
Sec. 5, lots 1, 2, 3, 4, 5, 6, 11, 12;
Sec. 6, lots 1, 2;
Sec. 8, E½;
Sec. 9, all;
Sec. 10, W½;
Sec. 20, NE¼, N½SE¼;
Sec. 31, lot 1.

The areas described above aggregate 7,884.30 acres.

WILLIAM G. LEAVELL,
Acting State Director.

[FR Doc.71-9897 Filed 7-13-71;8:45 am]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSISSIPPI

Extension of Time for Initial Emergency Loans

The document dated March 8, 1971 (36 F.R. 4711, Mar. 11, 1971) stated that initial emergency loans would not be made after June 30, 1971, in the following counties in the State of Mississippi to victims of the major disaster cited in the document. The period for making such initial emergency loans in such counties is hereby extended to the end of December 31, 1971.

MISSISSIPPI

Benton.	Tippah.
Holmes.	Warren.
Lafayette.	Washington.
Marshall.	Yalobusha.
Pontotoc.	Yazoo.

Done at Washington, D.C., this 8th day of July 1971.

T. K. COWDEN,
Assistant Secretary.

[FR Doc.71-9921 Filed 7-13-71;8:47 am]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 316]

ABELARDO TOUS

Order Setting Aside Default and Conditionally Restoring Export Privileges

In the matter of Abelardo Tous, Transversal 28 No. 122-52, Bogota, Colombia (formerly of Havana, Cuba); respondent.

On August 4, 1964, effective August 24, 1964 (29 F.R. 12432, Aug. 29, 1964) an order was issued against the above respondent and other parties affecting U.S. export privileges. The order against the above respondent was issued after default because of his failure to respond to a charging letter that was issued on October 3, 1962. The said order denied him all U.S. export privileges for the duration of export controls.

At the time the said order was issued the Office of Export Control, Bureau of International Commerce, Department of Commerce had good reason to believe that the charging letter dated October 3, 1962, which resulted in the denial order was duly served on respondent.

The respondent, pursuant to § 388.4 of the Export Control Regulations, has applied to set aside the default that was issued against him and has submitted satisfactory evidence to show that he did not receive the said charging letter. Accordingly, the default previously entered against respondent is hereby set aside.

The respondent has submitted an affidavit in which he denied the violations as alleged in said charging letter. However, he did not choose to contest the charges at a hearing.

The matter was referred to the Compliance Commissioner for consideration and recommendation for disposition. The Compliance Commissioner reviewed the record in the case on which the order of August 4, 1964, was based and has recommended that no changes be made in the findings that respondent violated the Export Control Regulations as set forth in said order. Considering the circumstances of this case the Compliance Commissioner has recommended that respondent's export privileges be restored conditionally and that he be placed on probation for 6 months, under the usual conditions of probation. The respondent has consented to the issuance of such an order.

On consideration of this matter I am of the view that the recommended disposition is fair and just and I accept the recommendation.

Accordingly, it is hereby ordered, That the export privileges of the above-named respondent be and hereby are restored conditionally, and the said respondent is placed on probation for 6 months from the date of this order. The condition of probation is that the said respondent shall fully comply with all of the requirements of the Export Administration Act of 1969, and all regulations, licenses, and orders issued thereunder. During the probationary period respondent shall be entitled to all U.S. export privileges and his probationary status will automatically terminate at the expiration of said period unless action is taken as hereinafter set forth.

Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that said respondent has failed to comply with the condition of probation, said official, with or without prior notice to said respondent by supplemental order, may revoke the probation of said respondent and deny to him all U.S. export privileges for such period as said official may deem appropriate. Such order shall not preclude the Bureau of International Commerce from taking further action for any violation as may be warranted.

Dated: July 9, 1971.

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

[FR Doc.71-9930 Filed 7-13-71;8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AGRIPAC, INC.

Canned Blackberries, Raspberries, Strawberries, and Purple Plums Deviating From Identity Standards; Temporary Permit for Market Testing

Pursuant to § 10.5 (21 CFR 10.5) concerning temporary permits to facilitate market testing of foods deviating from the requirements of standards of identity promulgated pursuant to section 401 (21 U.S.C. 341) of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to Agripac, Inc., Post Office Box 5346, Salem, OR 97304. This permit covers limited interstate marketing tests of canned blackberries, canned raspberries, canned strawberries, and canned purple plums that deviate from their respective standards of identity (21 CFR 27.35 and 27.45) in that they will be packed in a medium of pear juice.

The liquid medium in the can will be single strength pear juice. The principal display panel of the label on each container will bear the statement "Packed in pear juice."

This permit shall expire 18 months after the date of signature of this notice.

Dated: July 6, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9908 Filed 7-13-71;8:46 am]

[Docket No. FDC-D-340; NADA 7-881V, etc.]

CHAS. PFIZER & CO., INC.

Certain Drug Products Containing Oxytetracycline; Notice of Withdrawal of Approval of New Animal Drug Applications

In the FEDERAL REGISTER of July 21, 1970 (35 F.R. 11646, DESI 7881V), May 2, 1970 (35 F.R. 7031), August 18, 1970 (35 F.R. 13161, DESI 11968V), and August 22, 1970 (35 F.R. 13491, DESI 10661V), the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration and the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, following evaluation by the Administration of reports received from the Academy on the following preparations manufactured by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017:

1. Terramycin Intravenous Veterinary, NADA (new animal drug application) No. 7-881V, which was evaluated as probably effective in the treatment of cattle, sheep, swine, horses, cats, dogs, chickens, and turkeys for infections caused by pathogens sensitive to oxytetracycline hydrochloride;

2. Terramycin Poultry Formula with Anti-Germ 77, NADA No. 10-477V, which was evaluated as effective for hexamitiasis claims and probably not effective as an oral medication in water for prevention, control, or treatment of enteric or systemic infections in poultry;

3. Terramycin Turkey Formula, NADA No. 10-893V, which was evaluated as probably not effective for nontherapeutic claims, probably not effective against bacterial infections, and effective for the control of hexamitiasis in turkeys; and

4. Taomyxin, NADA No. 11-968V, which was evaluated as probably not effective as an antibiotic premix for use in swine feeds to increase daily gains and improve feed efficiency.

Chas. Pfizer & Co., Inc., responded by advising the Commissioner that the requested efficacy data will not be provided for the aforementioned drugs. They waive a hearing and request withdrawal of approval of the new animal drug applications for said drugs.

Based on the grounds set forth in said announcements and on the company's response, the Commissioner concludes that approval of said new animal drug applications should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 7-881V, NADA No. 10-477V, NADA No. 10-893V, and NADA No. 11-968V including all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: July 1, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9913 Filed 7-13-71;8:47 am]

[Docket No. FDC-D-354; NADA 12-714V]

DOW CHEMICAL CO.

Certain Products Containing Zoalene and Oleandomycin; Notice of Withdrawal of New Animal Drug Application

An announcement concerning "X Brand" Broiler Ration "Z-125-O-One" and "X Brand" Broiler Ration "Z-125-O-Two," NADA (new animal drug application) No. 12-714V was published in the FEDERAL REGISTER of August 12, 1970 (35 F.R. 12791, DESI 12714V). The announcement set forth the findings of the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, and the Food and Drug Administration that these preparations are probably effective as an aid for the prevention and control of coccidiosis in chickens, but more information is needed to demonstrate lack of interference of the antimicrobial agent and the coccidiostat.

The Dow Chemical Co., Post Office Box 1706, Midland, Mich. 48640, holder of NADA No. 12-714V, responded to said announcement by requesting that the approval of this NADA be withdrawn.

Based on the grounds set forth in said announcement and on the company's response, the Commissioner concludes that approval of said new animal drug application should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 12-714V including all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: July 1, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-9911 Filed 7-13-71;8:46 am]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

SPECIAL PERMITS ISSUED

JULY 9, 1971.

Pursuant to Docket No. HM-1, Rule-making Procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 F.R. 8277), 49 CFR Part 170, following is a list of new DOT Special Permits upon which Board action was completed during June 1971:

Special permit No.	Issued to—Subject	Mode or modes of transportation
6388	Monsanto Company, St. Louis, Mo., to make limited shipments of parathion & methyl parathion in DOT 17C metal drums (single trip) manufactured prior to December 31, 1970, in deviation from 49 CFR 173.28 (h) and (m).	Rail, Highway.
6457	Shippers registered with this Board to ship air, compressed, in steel cylinders built in compliance with DOT specification 3HT except as otherwise provided.	Rail, Highway, Water, Cargo-only Aircraft.
6458	Shippers registered with this Board to ship fissile radioactive materials, n.o.s., in a "birdcage" package identified as Model BU-4.	Highway, Cargo-only Aircraft.
6461	Impecco Limited, Teaneck, New Jersey, to make limited shipments of butane in non-DOT specification inside non-refillable metal containers without safety relief devices.	Highway, Water.
6463	E. I. du Pont de Nemours & Co., Wilmington, Delaware, to ship material classed as a flammable solid and further identified as an 85%-86% aqueous solution containing monomethylamine dinitrate, in DOT-37M, 55-gallon capacity drums.	Rail, Highway, Water.
6467	Aerosol Services Co., Inc., South El Monte, Calif., to ship isobutane in DOT-2P containers having gauge pressures not exceeding 31 & 96 psig at 70° F. and 130° F. respectively without safety relief devices.	Rail, Highway.
6472	Thiokol Chemical Corporation, Brigham City, Utah, to ship certain flares as "Special Fireworks" in flame retardant, high plied, polystyrene foam containers, palletized.	Rail, Highway.
6473	Shippers registered with this Board to ship certain commodities classified as "Flammable liquids" and subject to the packaging requirements prescribed in §173.119(b) in DOT-37D steel drums (non-reusable containers).	Rail, Highway.
6474	Shippers registered with this Board to ship parathion mixtures, dry in which the liquid is absorbed in concentrations not exceeding 27% in an inert dry material so as to form a dry mixture in DOT Specification 12C65 fiberboard boxes each having inside two-ply pouch bags.	Rail, Highway.
6475	FMC Corporation, New York, N.Y., to ship hydrogen peroxide solution in water containing not over 52% hydrogen peroxide by weight in specification 37P/2U composite package not over 15-gallon capacity.	Rail, Highway, Water.
6476	Ace Welding Supply Co., Oklahoma City, Oklahoma, to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest.	Rail, Highway.
6477	E. I. du Pont de Nemours & Co., Wilmington, Delaware, to ship blasting caps—more than 1,000—in polystyrene blocks (having cut-through cavities), in which 110 blasting caps are placed vertically in prescribed outside wooden or fiberboard boxes.	Rail, Highway.
6478	Shippers registered with this Board to ship large quantities of fissile radioactive materials "special form" packaged in an upright, double-walled, steel cask identified as Lawrence Radiation Laboratory Model 4T.	Rail, Highway, Water.
6479	Shippers registered with this Board to ship liquefied methane, liquefied ethylene and liquefied carbon monoxide in non-DOT specification stainless steel cargo tanks, vacuum insulated, with steel outer vacuum jacket, having a volumetric capacity not exceeding 7,300 gallons.	Highway.

Special permit No.	Issued to—Subject	Mode or modes of transportation
6480	Atlas Welding Supply Co., Inc., Lake Wood, N.J., to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest.	Rail, Highway.
6481	National Welding Supply Co., Inc., Laurel, Mississippi, to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest.	Rail, Highway.
6482	American Can Co., Greenwich, Conn., to ship sodium chlorate, wet, with 50% or more of water in Specification MC-303, MC-304, MC-310, MC-311 & MC-312 tank motor vehicles.	Highway.
6483	Acetylene Welding Supply, Inc., San Antonio, Texas, to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest.	Rail, Highway.

ALAN I. ROBERTS,
Secretary.

[FR Doc.71-9917 Filed 7-13-71;8:47 am]

ATOMIC ENERGY COMMISSION

CRITERIA FOR EMERGENCY CORE COOLING SYSTEMS FOR LIGHT-WATER POWER REACTORS

Interim Policy Statement

Correction

In F.R. Doc. 71-9185 appearing at page 12247 in the issue of Tuesday, June 29, 1971, the heading for item 9 in Part 1 of Appendix A appearing in the center column on page 12249 reading "Metal-worker reaction rate" should read Metal-water reaction rate".

[Dockets Nos. 50-342, 50-343]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

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

The Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, NY 10003, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application, dated June 3, 1969, for authorization to construct and operate a two-unit nuclear power station at its 130-acre site on the east side of the Hudson River in the town of Cortlandt, Westchester County, N.Y. The site is contiguous to the company's Indian Point site at Buchanan.

The proposed nuclear power station will consist of two identical boiling water nuclear reactors, designated by the applicant as Verplanck Nuclear Facility Units No. 1 and No. 2, each of which will have a net electrical output of approximately 1,115 megawatts derived from a thermal capacity of approximately 3,293 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 June 30, 1971.

A copy of the application and the amendments thereto are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Hendrik Hudson High School Library, Albany Post Road, Montrose, NY.

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

For the Atomic Energy Commission.

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

[FR Doc.71-8697 Filed 6-29-71;8:45 am]

NUCLEAR ROCKET DEVELOPMENT STATION, NEVADA

Notice of Availability of Draft Environmental Statement

Notice is hereby given that a document entitled "Draft Environmental Statement—Reactor Testing During Fiscal Year 1972 at the Nuclear Rocket Development Station (NRDS), Nevada," issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and in the Commission's Nevada Operations Office, Post Office Box 14100, Las Vegas, NV 89114; the San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704; the Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439; and the New York Operations Office, 376 Hudson Street, NY 10014. This statement is issued jointly by the U.S. Atomic Energy Commission and the National Aeronautics and Space Administration in support of proposed administrative action to continue nuclear rocket ground development testing during Fiscal Year 1972.

The draft environmental statement will be furnished upon request addressed to the Assistant General Manager for Operations, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Germantown, Md., this 8th day of July 1971.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary of the Commission.

[FR Doc.71-9903 Filed 7-13-71;8:46 am]

CIVIL AERONAUTICS BOARD

[Dockets Nos. 23377, 23080; Order 71-7-33]

CASCADE AIRWAYS, INC.

Order To Show Cause Regarding Service Mail Rates

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent May 7, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for Cascade Airways, Inc. (Cascade), an air taxi operator, final service mail rates for the transportation of priority and nonpriority mail by aircraft from Seattle, Wash. (Boeing Field), to Spokane, Wash. This one-way service is needed to connect two existing air taxis, departing Spokane, Wash., which provide overnight mail service to the States of Montana and Idaho.

No service mail rates are currently in effect for this transportation by Cascade. The Postmaster General requests that the multielement service mail rates established for priority mail by Order E-25610, August 28, 1967, in the Domestic Service Mail Rate Investigation, and for nonpriority mail by Order 70-4-9, April 2, 1970, Nonpriority Mail Rates, be made applicable to this carriage of mail.[1] He states that the Postal Service and Cascade are in agreement that the applicable multielement rates are the fair and reasonable rates of compensation for the proposed services.

The rates established by Orders E-25610 and 70-4-9 have been open since December 12, 1970, pursuant to Order 70-12-48, December 8, 1970, instituting an investigation of the domestic service mail rates for priority and nonpriority mail. Therefore, the present domestic service rates for the transportation of priority and nonpriority mail by air are subject to such retroactive adjustment to December 12, 1970, as the final decision in the current domestic service mail rate investigation may provide, and Cascade will be made a party to that proceeding.

By Order 71-7-3, July 1, 1971, in this docket; the Board determined to approve the notice of intent thereby permitting it to become effective pursuant to 14 CFR 298.24(d). Therefore, Cascade may provide the proposed transportation of mail for the period ending June 30, 1974. Since no service mail rates are currently in effect for this carrier in this market, it is in the public interest to fix, determine, and establish the fair and reasonable rates of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and

[1] The service mail rates established by those orders provide for terminal charges per pound of mail originated of 2.34 cents at Seattle, Wash., plus line-haul charges per mail ton-mile of 24 cents for priority mail and 11.33 cents for nonpriority mail.

the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order [2] to include the following findings and conclusions:

The fair and reasonable service mail rates to be paid to Cascade Airways, Inc., entirely by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith one way, from Seattle, Wash. (Boeing Field), to Spokane, Wash., shall be:

(a) For priority mail, the multielement rates established by the Board in Order E-25610, August 28, 1967, as amended;

(b) For nonpriority mail, the multielement rates established by the Board in Order 70-4-9, April 2, 1970; and

(c) The rates and provisions of Orders E-25610 and 70-4-9 shall be applicable to Cascade Airways, Inc., on a temporary basis, subject to such retroactive adjustment as the decision in Docket 23080 may provide.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, the Board's Regulations, 14 CFR Part 302, 14 CFR Part 298, and the authority duly delegated by the Board in its Organization Regulations, 14 CFR 385.16(f):

It is ordered, That:

1. Cascade Airways, Inc., the Postmaster General, Hughes Air Corp., Northwest Airlines, Inc., and all other interested persons, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions, and fix, determine, and publish the rates specified above, as the fair and reasonable temporary rates of compensation to be paid to Cascade Airways, Inc., for the transportation of priority and nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified below;

3. Cascade Airways, Inc., is hereby made a party to Docket 23080;

4. This order shall be served on Cascade Airways, Inc., the Postmaster General, Hughes Air Corp., and Northwest Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[FR Doc.71-9941 Filed 7-13-71;8:49 am]

[Docket No. 22505]

FRONTIER AIRLINES, INC.

Notice of Prehearing Conference

Frontier Airlines, Inc., amendment of certificate with respect to Duncan, Okla.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on August 12, 1971, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner William H. Dapper.

In order to facilitate the conduct of the conference parties are instructed to submit to the examiner and other parties (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before July 29, 1971, and the other parties on or before August 5, 1971. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights.

Dated at Washington, D.C., July 8, 1971.

[SEAL] RALPH L. WISER,
Acting Chief Examiner.

[FR Doc.71-9940 Filed 7-13-71;8:49 am]

[Docket No. 23530; Order 71-7-37]

JIM HANKINS AIR SERVICE, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 54.5 cents per great circle aircraft mile for the transportation of mail by aircraft between Columbus and Tupelo, Miss., and Memphis, Tenn., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18 or equivalent aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order [1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Jim Hankins Air Service, Inc., in its entirety by the Post master General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 54.5 cents per great circle aircraft mile between Columbus and Tupelo, Miss., and Memphis, Tenn., based on five trips per week flown with Beech 18 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 285.16(f):

It is ordered, That:

1. Jim Hankins Air Service, Inc., the Postmaster General, Southern Airways, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Jim Hankins Air Service, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board

[2] 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).

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

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 date shall be limited to those specifically rate shall be limited to those specifically other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Jim Hankins Air Service, Inc., the Postmaster General, and Southern Airways, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9942 Filed 7-13-71;8:49 am]

[Docket No. 23506; Order 71-7-14]

MANUFACTURERS AIR TRANSPORT, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 1, 1971.

The Postmaster General filed a notice of intent June 15, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 60 cents per great circle aircraft mile for the transportation of mail by aircraft between Springfield, Peoria, and Chicago (MDW), Ill., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18 or equivalent twin-engine aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Manufacturers Air Transport, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 60 cents per great circle aircraft mile between Springfield, Peoria, and Chicago (MDW), Ill., based on five round trips per week flown with Beech 18 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. Manufacturers Air Transport, Inc., the Postmaster General, Ozark Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Manufacturers Air Transport, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after scrvice of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Manufacturers Air Transport, Inc., the Postmaster General, and Ozark Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9943 Filed 7-13-71;8:49 am]

[Docket No. 23347; Order 71-7-42]

QANTAS AIRWAYS, LTD.

Notification and Order Concerning Proposed Schedules

Adopted by the Civil Aeronautics Board, at its office in Washington, D.C., on the 8th day of July 1971.

Qantas Airways, Ltd., hereinafter Qantas, a designated flag carrier of Australia, was required by Board order[1] to file all its existing and proposed schedules of service between American Samoa, Honolulu, San Francisco, and New York and any point outside the United States.

The Board found in that order that the Government of Australia had taken unwarranted unilateral restrictive action against American Airlines by denying its request for two additional weekly frequencies between the United States and Australia. The new frequencies were to go into effect on April 25, 1971. On May 24, 1971, the Government of Australia informed the Government of the United States by diplomatic note that the request of American Airlines was still under active consideration.

It may be that American's proposed schedules which were filed in February 1971 and were to have become effective April 25, 1971, will be allowed to become effective at some future time. However, the fact remains that Australia has exercised prior restraint and unilateral restriction of operations on a U.S.-flag carrier in a manner which is in derogation of the provisions of the United States-Australia Air Transport Agreement. This action was taken over the objections of the U.S. Government, and has impaired, limited, and denied operating rights provided for in the agreement.[2]

Pursuant to Order 71-4-192, Qantas filed its existing schedules of operations with the Board. These schedules thus far have been allowed to remain in effect. On June 11, 1971, Qantas filed certain proposed schedules with an effective date of September 3, 1971. The Board finds that inauguration of services pursuant to these proposed schedules at a time when the Australian Government continues to withhold approval of proposed schedules filed by U.S. carriers with the Australian Government would adversely affect the public interest. As we noted in Order 71-4-192, the Board considers that the public interest requires Board action to prevent the continuation of the present state of circumstances. Accordingly, we are hereby notifying Qantas, pursuant to § 213.3(d) of the Board's economic regulations, that inauguration of services under such proposed schedules may adversely affect the public interest.

The Board believes it appropriate to point out that, in the event changes in circumstances warrant, the Board has authority under § 213.3(e) to withdraw this notification in whole or in part at any time, including prior to September 3, 1971. Should there be a change in circumstances as a result of actions taken by the Australian Government on the schedules filed by the U.S. carriers, the nature of those actions would control our review of the public interest.

Accordingly, it is ordered:

1. That Qantas Airways, Ltd., be and it hereby is notified, in accordance with

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[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

[1] Order 71-4-192, Apr. 29, 1971, 14 CFR 213.

[2] Cf. discussion in Order 71-4-192.

§ 213.3(d) of the Board's economic regulations, that inauguration of service pursuant to the proposed schedules filed for effectiveness on September 3, 1971, may, under the circumstances set forth in this order, adversely affect the public interest and that such proposed schedules shall not be inaugurated unless and until this notice is withdrawn in whole or in part by the Board.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.71-9944 Filed 7-13-71;8:50 am]

[Docket No. 21238; Order 71-7-28]

REEVE ALEUTIAN AIRWAYS, INC.

Order To Show Cause Regarding Service Mail Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of July 1971.

By this order the Board proposes to establish new final service rates for the transportation of mail over the intra-Alaska routes of Reeve Aleutian Airways, Inc., for the past periods July 25, 1969–January 9, 1970, January 10–September 18, 1970, and September 19, 1970–April 30, 1971, and for the future period beginning May 1, 1971. It is estimated that the proposed service rates will provide additional mail pay of about $152,000 for the entire past period.[1]

This proceeding was initiated by petition of the Postmaster General (PMG) filed July 25, 1969, requesting the Board to reopen the service mail rates for intra-Alaska service and establish new final rates based on more recent operating data. The issues raised by the PMG were set for investigation and hearing.[2]

A prehearing conference was held on October 28, 1969, and thereafter, the parties submitted the usual evidentiary information. Shortly before May 26, 1970, the date on which the hearing was due to commence, informal discussions began between the PMG and the carriers. Subsequently, the Board granted the PMG's request for an indefinite postponement of the hearing. As a result of informal conferences between the PMG and Reeve, agreement was reached with respect to the service mail rates to be established for Reeve.

On April 6, 1971, a joint petition was filed by the PMG and Reeve, which, in effect, requested that this proceeding be brought to a conclusion by the issuance of a show cause order proposing to establish the following service mail rates for transportation of mail by Reeve on its intra-Alaska routes:

a. 65 cents per ton-mile for the period July 25, 1969–January 9, 1970.

b. 68 cents per ton-mile for the period January 10–September 18, 1970.

c. 72 cents per ton-mile for priority service and 57.8 cents per ton-mile for nonpriority service for the period September 19, 1970–April 30, 1971.

d. 68 cents per ton-mile for services performed on and after May 1, 1971.[3]

The proposed rates for both the past and future periods are based primarily on cost information for the year ended June 30, 1969, which was submitted by the carrier as direct exhibits and as responses to information requests, and which has been adjusted by both parties to reflect actual and more current operating conditions. These materials were reviewed by the PMG, and on the basis of this data, and after further conferences and negotiations, the PMG and Reeve mutually agreed to the rates as proposed herein. In effect, the specific rates are the result of arm's length negotiations between the PMG and Reeve. However, the fact that agreement has been reached by the parties after detailed exchange of data and extended litigation does not relieve the Board of its statutory responsibility to find that the results are reasonable and consistent with the criteria and standards utilized in the determination of service mail rates under section 406 of the Act. Accordingly, we have reviewed all of the materials involved, the contentions of the parties, and the rationale utilized and are satisfied that the proposed rates fall within the zone of reasonableness[4] and constitute the fair and reasonable rates for the past and future intra-Alaska mail services of Reeve. However, in reaching this conclusion we have confined our determination to the particular facts of this case. Moreover, we do not pass upon the appropriateness of any particular methodology which may underlie the cost calculations used in arriving at the rates.

Proposed findings and conclusions. On the basis of the foregoing, the Board tentatively finds that the fair and reasonable rates of compensation to be paid Reeve Aleutian Airways, Inc., by the Postmaster General, pursuant to the provisions of section 406 of the Federal Aviation Act of 1958, for the transportation of mail by aircraft over its routes, the facilities used and useful therefor, and the services connected therewith are:

1. 65 cents per ton-mile for the past period July 25, 1969, through January 9, 1970, inclusive;

2. 68 cents per ton-mile for the past period January 10, through September 18, 1970, inclusive;

3. 72 cents per ton-mile and 57.8 cents per ton-mile for priority and nonpriority service, respectively, performed during the past period September 19, 1970, through April 30, 1971, inclusive; and

4. 68 cents per ton-mile for all services performed on and after May 1, 1971.

5. The final service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

6. The mail ton-miles used in computing the service mail payments at the foregoing rates shall be based upon the great circle airport-to-airport mileage between points served for the carriage of mail.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to the regulations promulgated in 14 CFR Part 302:

It is ordered, That:

1. All interested persons and particularly Alaska Airlines, Inc., Reeve Aleutian Airways, Inc., Western Air Lines, Inc., Wien Consolidated Airlines, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rates specified above.

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and, if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days after the date of service of this order, and if notice is filed, written answer and supporting documents shall be filed within 30 days after date of service of this order.

3. If notice of objection is not filed within 10 days 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 rates specified herein.

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable rates herein shall be limited to those specifically raised by such answers except as otherwise provided in 14 CFR 302.307.

5. This order shall be served upon Alaska Airlines, Inc., Reeve Aleutian Airways, Inc., Western Air Lines, Inc., Wien Consolidated Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.71-9945 Filed 7-13-71;8:50 am]

[1] Pending resolution of this proceeding, the carrier has continued to receive service mail payments pursuant to Order E-21406, Oct. 16, 1964, and Order E-21460, Oct. 29, 1964.

[2] Service Mail Rates for Intra-Alaska Routes, Order 69-8-163, Aug. 29, 1969. This case involved six carriers providing intra-Alaska service. In addition to the service rates for Reeve Aleutian covered herein, final service mail rates for Alaska Airlines, Inc., and Wien Consolidated Airlines, Inc., were made final by Order 71-2-102, Feb. 23, 1971. The PMG has informally advised the Board that in the near future he will file a petition to establish the rates for Western Air Lines, Inc. As a result of a motion filed by the PMG, the Board, in Order 70-5-92, May 19, 1970, severed Kodiak and Western Alaska from the case for separate handling.

[3] For the future period beginning May 1, 1971, all mail carried by Reeve will be transported in priority service, since the nonpriority segments were not deemed worth maintaining in view of the small savings in cost which would result therefrom.

[4] The computations underlying the agreed rates, as submitted by the parties, are set forth in Appendixes 1 and 2, filed as part of the original document.

[Docket No. 23527; Order 71-7-36]

ROSS AVIATION, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 49.19 cents per great circle aircraft mile for the transportation of mail by aircraft between El Paso and Midland, Tex., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18-S aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Ross Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 49.19 cents per great circle aircraft mile between El Paso and Midland, Tex., based on five round trips per week flown with Beech 18-S 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. Ross Aviation, Inc., the Postmaster General, Continental Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Ross Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Ross Aviation, Inc., the Postmaster General, and Continental Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9946 Filed 7-13-71;8:50 am]

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

[Docket No. 23528; Order 71-7-38]

ROSS AVIATION, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 46.07 cents per great circle aircraft mile for the transportation of mail by aircraft between Lubbock, Abilene, and Dallas, Tex., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Ross Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 46.07 cents per great circle aircraft mile between Lubbock, Abilene, and Dallas, Tex., based on five round trips per week flown with Beech 18 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. Ross Aviation, Inc., the Postmaster General, Braniff Airways, Inc., Continental Air Lines, Inc., Texas International Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Ross Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Ross Aviation, Inc., the Postmaster General, Braniff Airways, Inc., Continental Air

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

Lines, Inc., and Texas International Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9947 Filed 7-13-71;8:50 am]

[Docket No. 23526; Order 71-7-35]

SEMO AVIATION, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 55.39 cents per great circle aircraft mile for the transportation of mail by aircraft between Memphis, Nashville, Knoxville, and Johnson City, Tenn., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order [1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Semo Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 55.39 cents per great circle aircraft mile between Memphis, Nashville, Knoxville, and Johnson City, Tenn., based on five round trips per week flown with Beech 18 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. Semo Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., United Air Lines, Inc., Allegheny Airlines, Inc., Piedmont Aviation, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Semo Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days afer service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Semo Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., United Air Lines, Inc., Allegheny Airlines, Inc., and Piedmont Aviation, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9948 Filed 7-13-71;8:50 am]

[Docket No. 23529; Order 71-7-39]

SEMO AVIATION, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 58.64 cents per great circle aircraft mile for the transportation of mail by aircraft between Chattanooga and Nashville, Tenn., and St. Louis, Mo., based on five round trips per week.

No protests or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 18 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order [1] to include the following findings and conclusion:

The fair and reasonable final service mail rate to be paid to Semo Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 58.64 cents per great circle aircraft mile between Chattanooga and Nashville, Tenn., and St. Louis, Mo., based on five round trips per week flown with Beech 18 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. Semo Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Southern Airways, Inc., Trans World Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Semo Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein:

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Semo Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Southern Airways, Inc., and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9949 Filed 7-13-71;8:50 am]

[Docket No. 18610]

SOUTHERN AIRWAYS, INC.

Notice of Hearing

Southern Airways, Inc., route realignment investigation (new route authority phase).

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on August 10, 1971, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned Examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report, served June 14, 1971, the supplemental prehearing conference report served June 24, 1971, and other documents in this docket on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 9, 1971.

[SEAL] THOMAS P. SHEEHAN,
Hearing Examiner.

[FR Doc.71-9939 Filed 7-13-71;8:49 am]

[Docket No. 23524; Order 71-7-40]

UPPER VALLEY AVIATION, INC.

Order To Show Cause Regarding Service Mail Rate

Issued under delegated authority July 7, 1971.

The Postmaster General filed a notice of intent June 21, 1971, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 98.71 cents per great circle aircraft mile for the transportation of mail by aircraft between McAllen, Corpus Christi, San Antonio, Austin, and Dallas, Tex., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech 99 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Upper Valley Aviation, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 98.71 cents per great circle aircraft mile between McAllen, Corpus Christi, San Antonio, Austin, and Dallas, Tex., based on five round trips per week flown with Beech 99 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. Upper Valley Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., Texas International Airways, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Upper Valley Aviation, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served on Upper Valley Aviation, Inc., the Postmaster General, American Airlines, Inc., Braniff Airways, Inc., and Texas International Airways, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-9950 Filed 7-13-71;8:50 am]

[1] This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.16(g).

FEDERAL MARITIME COMMISSION

A/S BILLABONG ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 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:

Gilbert C. Wheat, Esquire, Lillick, McHose, Wheat, Adams & Charles, Attorneys at Law, 311 California Street, San Francisco, CA 94104.

Agreement No. 9955 is an arrangement among A/S Billabong, Westfal-Larsen & Co. A/S, and Fred. Olsen & Co., all Norwegian shipping corporations which own, manage or control certain vessels and Star Bulk Shipping Company A/S, another Norwegian shipping corporation which intends to charter the vessels of the above-named corporations for use in a worldwide shipping operation on such trade routes as may from time to time appear to Star Bulk to be economical and compatible with the available vessels. Star Bulk will provide for the operation of the specified vessels so that the profits or losses sustained therefrom will be divided among Billabong, Westfal-Larsen and Fred Olsen in proportion to their respective commitments of vessels to Star Bulk.

The capitalization of Star Bulk shall consist of one class of stock and shall be divided and owned as follows: Billabong, 40 percent and designated as A-shares, Westfal-Larsen, 30 percent and designated as B-shares, and Fred. Olsen, 30 percent and designated as C-shares. Star Bulk shall have a Board of Directors consisting of seven members, three of which shall be appointed by Billabong and two appointed by each of the other named corporations.

The service shall be operated in the name of Star Bulk and nothing in the agreement shall prevent it from acquiring ships for its own use either by purchase or charter from persons other than Billabong, Westfal-Larsen and Fred. Olsen.

Dated: July 9, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-9952 Filed 7-13-71;8:50 am]

[No. 71-16]

JOHNSON LINES ET AL.

Rescheduling of Filing Dates

JULY 8, 1971.

Johnson Lines, French Line, Hapag-Lloyd Line; violations of section 18(b)(3), Shipping Act, 1916.

Respondents' motion to dismiss this proceeding having been denied, the following filing schedule is established:

1. Requests for evidentiary hearing and affidavits of fact and memoranda of law shall be filed on or before July 30, 1971.

2. Replies thereto shall be filed by Hearing Counsel and interveners, if any, on or before August 14, 1971.

3. Respondents may file answer to replies on or before August 23, 1971.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-9953 Filed 7-13-71;8:50 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessel*
01232	Rolf Wigands Rederi A/S: M/T Team Augwi.
01330	Shell Tankers (UK) LD: Geomitra. Limnea.
01437	The Carlton Steamship Co., Ltd.: Lynton.
01495	Rubystar Shipping Corp.: Georgian Glory.
01726	Rederi AB Clipper: Scandia Clipper.
01863	Trident Tankers Ltd.: Irfon.
02341	Koninklijke Nederlandsche Stoomboot-Maatschappij N.V.: Trident Rotterdam.
02429	G & C Towing, Inc.: Jefferson. Thomas W. Hines. Harry Z. Frances Anne. Charles R. Stevenson.
02614	Heinr. von Bargen & Sohn oHG: M/S Gitta von Bargen.
02685	"Ionian Shipping Transportation" Co. Ltd., Greece: Olga.
02719	Berwick Bay Transportation Co., Inc.: CRS 16. BG 476. Big Mac. BBTC 101.
02722	The Trustees of Columbia University in the City of New York: Robert D. Conrad. Vema.
02723	Bayou City Barge Lines, Inc.: Boots. Sully. Bud. Ken Adams III. Amy Adams. Nancy. Susan.
02959	Kokuyo Kaiun K.K.: Tohoku Maru.
02976	Arthur-Smith Corp.: Star I.C.H.
02977	J. Ray McDermott & Co.; Inc.: Gulf Giant 380.
03053	Ole Man River Towing, Inc.: Martha May.
03167	St. Nicholas Maritime Co., Ltd., of Monrovia, Liberia: St. Grigorousa.
03166	St. Grigorousa Maritime Co., Ltd., of Monrovia, Liberia: St. Nicholas II.
03168	Ionian Maritime Co., Ltd., of Monrovia, Liberia: St. Spyridon.
03169	St. Anastasios Maritime Co. of Monrovia, Liberia: Tassos V.
03409	Pacomar Compania Naviera S.A.: Athenian.
03458	Marsukoa Kisen Kabushiki Kaisha: La Plata Maru.
03510	Takeda Kigyo Kabushika Kaisha: Seisho Maru No. 10.
03516	Toko Kaiun Kabushiki Kaisha: Total Maru.
03630	The Sun Shipping Co., Ltd.: Nan Shin. Pao Shin.
03724	Circle Line-Statue of Liberty Ferry, Inc.: Miss Circle Line.
03853	Shaver Transportation Co.: Barge ST-21. Barge ST-20.
03873	Saguenay Shipping Ltd.: Sunek. Sunrhea. Sunbrayton. Sunwalker.
03975	Ulysses Shipping Enterprises S.A.: Ulysses Castle.
03976	Antikleia Comp. de Vapores S.A.: Ulysses Reefer.
03977	Ca. Naviera Odiseo S.A.: Ulysses Ogygia.
03978	Arkeisios Comp. de Vapores S.A.: Ulysses Island.
04005	Washington Tug & Barge Co.: Griffnip. Griffco. Lassen. No. 69.
04051	Amazon Shipping Corp.: M/S Montana. M/S Moldova.
04080	Port Arthur Towing Co. Et Al.: PATCO 100. PATCO 50. PATCO 51. GDM 10. GDM 20. GDM 30. GDM 40. GDM 50. GDM 60. Crochet 410. Crochet 420. GW 100. GAF 1. PATCO 58. M-1. M-2. PATCO 40. PATCO 21. Offshore Fueler. PATCO 20. Henry P. Fredeman II. MS-15. MS-12. PATCO 10.
04142	Ultima Second Corp.: Ultima II.
04155	Merritt Dredging Co. Clinton. Cherokee.
04273	Caribbean Real Estate: Timberjack.
04283	Gulf of Georgia Towing Co., Ltd.: Gulf Stavray. Gulf Aladdin. Gulf Joan.

Certificate No.	Owner/operator and vessel
	Gulf Freda.
	Gulf Ivy.
04286---	Republic Steel Corp. for Lake Fleet Division:
	Thomas F. Patton.
	Charles M. White.
	Tom M. Girdler.
	Willis B. Boyer.
	Silver Bay.
	Harry L. Allen.
	Peter Robertson.
04297---	Price Brothers Co.:
	Three Brothers.
04400---	Peterson Builders, Inc.:
	The Straits of Mackinac.
04403---	Triangle Towing Co., Inc.:
	NBC-902.
	CT-830.
	Fransis.
	Chotin 966.
	Chotin 967.
	Soky 9.
	No. 14.
04503---	Okutsu Suisan Kabushiki Kaisha:
	Zenko Maru 62.
	Zenko Maru 53.
	Zenko Maru 51.
04613---	McQueen Marine Ltd.:
	T. F. Newman.
	Commander J. E.
04623---	Vancouver Tug Boat Co., Ltd.:
	V.T. 202.
	V.T. 200.
	P.B. 101.
	V.T. 201.
	P.B. 100.
	V.T. 65.
	Harold A. Jones.
	P.B. 12.
	P.B. 6.
	P.B. 9.
04884---	Hall Corp. (Shipping) 1969, Ltd.:
	Rockcliffe Hall.
05126---	Plate Shipping Co. S.A.:
	Marcia.
	Maronia.
	Plate Master.
05149---	Greene Line Steamers, Inc.:
	Delta Queen.
05152---	Priamos Compania Naviera S.A.:
	Priamos.
05278---	Twin City Barge and Towing Co.:
	CTC 1001.
	TBC 67.
	TBC 50.
	TBC 51.
	TBC 66.
05309---	Alpina Compania Naviera S.A.:
	Apollonis.
05310---	Libramar Compania Naviera S.A.:
	Ariadne.
05311---	Maya Compania Armadora S.A.:
	Chloe.
05313---	Compania Navegacion Gapraja S.A.:
	Ianthe.
05314---	Arosa Compania Naviera S.A.:
	Kate N.L.
05318---	Compania Maritima Torquato S.A.:
	Penelope.
05319---	Keramies Compania Naviera S.A.:
	Savina.
05384---	Compania Maritima Zorroza, S.A.:
	Conde de Fontanar.
05498---	Energy Transportation Co.:
	Mary Ormston.
	Deloris Rodgers.
06559---	Maryland Shipbuilding & Drydock Co.:
	Steel Barge No. 646.
	Jacob Pilsch.
05591---	Caribbean Charterers & Operators, Ltd.:
	M/V Copperland.
05598---	Pateras Brothers Ltd.:
	S/S Artigas.
	M/V Arosa.
	M/V Arendal.
	M/V Suerte.
	M/V Ardena.
	M/V Arion.
	M/V Arsenal.
05632---	Christianson Construction Co., Inc.:
	Octopus.
05650---	Sealion Navigation Co. S.A.:
	Sealion.
05651---	Seahorse Navigation Co. S.A.:
	Seahorse.
05663---	Steelyrunne Shipping Co. S.A. Panama:
	Steely Runner.
05729---	Dominion Lines Ltd.:
	M/V Dominion Pine.
	M/V Dominion Trader.
05731---	Oil Tank Cleaning Corp.:
	Virginia C.
05732---	Tank Masters Inc.:
	Tank Master No. 1.
05733---	Varco Compania Naviera S.A.:
	Maryva.
05743---	Reederei Barthold Richters:
	Ilri.
	Hamburger Damm.
	Hamburger Wall.
	Clari.
	Atlanta.
	Claudia Maria.
05749---	Delta Fishing Co.:
	A. K. Strom.
05809---	Portland Shipping Corp. S.A.:
	Corinthic.
05878---	Societe de Baillon Inc.:
	C de Baillon.
05888---	Evros I Compania Naviera S.A.:
	M/V Evros I.
05901---	St. John Shipping Co., Ltd.:
	Skipper.
05919---	Harvard Shipping, Inc.:
	Banana Planter.
05923---	Pacific Tradewinds, Inc.:
	M/V Pacific Tradewinds.
05928---	Euro Schiffahrts-und Verwaltungs S.m.b.H:
	M/V Delfin.
05949---	Akrion Shipping Co. S.A. of Panama:
	Akra Rion.
05950---	Akranian Shipping Co. S.A. of Panama:
	Akra Sounion.
05966---	Penn Shipping Ltd.:
	Golden Sable.
05968---	Koyo Suisan Kabushiki Kaisha:
	Koyo Maru No. 1.
05970---	Toro Transportation Co.:
	Pete.
	Billy.
05973---	Stilia Compania Naviera S.A. Panama:
	M/V Antonios H.
05974---	Slobodna Plovidba:
	Solaris.
	Konavli.
	Promina.
	Sibenik.
	Subicevac.
05983---	Naviera Astro S.A.:
	Manuel Yllera.
06015---	Interessentekapet Siregas:
	Tordenskiold.
06019---	Field Tank Steamship Co., Ltd.:
	Avonfield.
06032---	Kanlokar Compania Naviera S.A. Panama R.P.:
	Green Park.
06035---	Atlantica Compania Naviera S.A.:
	Oseanis.
06039---	Pad Shipping Australia Pty., Ltd.:
	Allunga.
06044---	Mayflower Transport & Trading Comp. N.V.:
	Sylvia-4.
06058---	Athelprincess Tankers Co., Ltd.:
	Anco Princess.
06065---	K/S Norfold A/S & Co.:
	Ross Head.
	Ross Sound.
	Ross Point.
06066---	Singapore Cosmos Shipping Co., Pte. Ltd.:
	Prosperity.
06076---	Tetsuo Masuda:
	Mansei Maru No. 3.
06077---	Shinwa Shosen K.K.:
	Shinwa Maru.
06079---	Kimon Compania Naviera S.A.:
	Aegis Dignity.
06080---	Deltape Shipping Enterprises S.A.:
	Aegis Power.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-9951 Filed 7-13-71;8:50 am]

FEDERAL POWER COMMISSION

[Dockets Nos. RP71-87, RP71-111]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Filing of Stipulation and Agreement

JULY 12, 1971.

Take notice that on July 2, 1971, Mississippi River Transmission Corp. (Mississippi) filed a motion for approval of a proposed stipulation and agreement in Dockets Nos. RP71-87 and RP71-111. The stipulation and agreement is a result of discussions among Mississippi, the Commission Staff, and interested parties in the above-entitled proceedings.

The stipulation and agreement, among other things, provides for a reduction in rates below those which are presently in effect, subject to refund, in the above-captioned proceedings and sets forth proposed rates to become effective beginning July 1, 1971; requires refunds by Mississippi for the excess which has been collected above the rates set forth in the stipulation and agreement; provides for a rate increase to become effective when the facilities in Mississippi's pending certificate application in Docket No. CP71-241 are placed in service; includes a purchased gas cost adjustment clause to Mississippi's FPC Gas Tariff; and provides for a moratorium on rate increases being placed into effect, except for those increases pursuant to the purchased gas cost adjustment provisions, until January 1, 1973. The stipulation and agreement represents a settlement of all issues contained in Dockets Nos. RP71-87 and RP 71-111.

Copies of the stipulation and agreement were served on all parties to the proceedings in the above-captioned dockets, and Mississippi asserts that all parties to the proceeding have either stated their approval of the proposed settlement agreement or stated that no objection to

the proposed agreement would be made. Comments with respect to the proposed stipulation and agreement may be filed with the Commission on or before July 16, 1971.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-10057 Filed 7-13-71;8:51 am]

FEDERAL RESERVE SYSTEM

SANWA BANK, LTD.

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)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by The Sanwa Bank, Ltd., Osaka, Japan, for prior approval by the Board of Governors of action whereby applicant would become a bank holding company through the acquisition of all of the voting shares (except directors' qualifying shares) of The Sanwa Bank of California, San Francisco, Calif., a proposed new bank.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of San Francisco.

By order of the Board of Governors, July 7, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-9900 Filed 7-13-71;8:46 am]

SECURITIES AND EXCHANGE COMMISSION

[Files Nos. 2-21682(22-3581), 2-36992 (22-6017)]

DOW CHEMICAL CO.

Notice of Application and Opportunity for Hearing

JULY 7, 1971.

Notice is hereby given that The Dow Chemical Co. (the Company) has filed an application under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the Act) for a finding that the trusteeship of First National City Bank (FNCB) under two indentures heretofore qualified under the Act, and a new indenture not qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify FNCB from acting as trustee under any of the indentures.

Section 310(b) of the Act provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest, it shall within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of such section provides, in effect, with certain exceptions, that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same issuer are outstanding. However, under clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under the qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under either of said indentures.

The Company alleges that:

(1) As of December 31, 1970, it had outstanding $79,010,000 principal amount of its 25-year 4.35 percent Debentures due 1988 under an Indenture, dated as of September 15, 1963 (the 1963 Indenture), between the Company and FNCB and qualified under the Act.

(2) The Company also has outstanding $150 million principal amount of its 8.875 percent Debentures due May 1, 2000, under an Indenture, dated as of May 1, 1970 (the 1970 Indenture), between the Company and FNCB and qualified under the Act.

(3) FNCB plans to enter into an Indenture, dated as of June 15, 1971 (the 1971 Indenture), with Dow Corning Overseas Capital Co. N.V. (Overseas), the Company and Corning Glass Works, pursuant to which there are to be issued $20 million principal amount of Overseas' _____ percent Guaranteed Debentures due June 15, 1986 (the New Debentures). The Company will be a party to the 1971 Indenture solely as a Co-guarantor of the New Debentures. The New Debentures will not be registered under the Securities Act of 1933 nor will the 1971 Indenture be qualified under the Act. The New Debentures are being offered and sold outside the United States, its territories and possessions to persons who are not nationals or residents of the United States.

(4) The 1963 Indenture, the 1970 Indenture, and the 1971 Indenture are wholly unsecured and the Company is not in default under any such Indentures. All debentures issued under the 1963 Indenture and the 1970 Indenture rank equally with each other and with the Coguarantee by the Company of the New Debentures. Except for variations as to amounts, dates and interest rates and certain other figures, with certain exceptions set forth in the application, the provisions of the 1963, 1970, and 1971 Indentures are substantially identical.

(5) Such differences as exist between the 1963 and 1970 Indentures and the 1971 Indenture are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify FNCB from acting as Trustee under any of such Indentures.

The Company has waived notice of hearing, in connection with the matter referred to in this application.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the offices of the Commission at 500 North Capitol Street NW., Washington, DC 20549.

Notice is further given that any interested person may, not later than August 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 such application 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. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-9905 Filed 7-13-71;8:46 am]

[File No. 500-1]

RECLAMATION SYSTEMS, INC.

Order Suspending Trading

JULY 8, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Reclamation Systems, Inc. (a Massachusetts corporation), and all other securities of Reclamation Systems, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 8, 1971, 12 m., e.d.t., through July 17, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-9906 Filed 7-13-71;8:46 am]

SMALL BUSINESS ADMINISTRATION

IOWA-NEBRASKA SMALL BUSINESS INVESTMENT CORP.

Notice of License Surrender

Notice is hereby given that Iowa-Nebraska Small Business Investment Corp. (Iowa), 116 Coolbaugh, Red Oak, IA 51566, has pursuant to § 107.105 of the regulations governing Small Business Investment Companies (13 CFR 107.105 (1971)) surrending its license to operate as a small business investment company.

Iowa was incorporated March 11, 1965, under the laws of the State of Iowa, and was licensed by the Small Business Administration to operate solely under the Small Business Investment Act of 1958, as amended. (15 U.S.C. sec. 661 et seq.) (Act).

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender of the license of Iowa is hereby accepted and accordingly, all rights, privileges, and franchises derived therefrom have been canceled and terminated.

Dated: July 6, 1971.

A. H. SINGER,
Associate Administrator for Operations and Investment.

[FR Doc.71-9893 Filed 7-13-71;8:45 am]

TENNESSEE VALLEY AUTHORITY

UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION

Interim Regulations and Procedures

The interim regulations and procedures set forth in this notice describe the conditions under which the provisions of Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), will be carried out by the Tennessee Valley Authority.

These interim regulations will be codified in final form not later than December 31, 1971. Any comments and suggestions for refinement of these interim regulations are invited and will be considered in preparation of TVA's final regulations and procedures. Any such comments or suggestions should be forwarded to the Chief of Land Branch, Tennessee Valley Authority, Chattanooga, Tenn. 37401, by November 1, 1971, to allow time for appropriate consideration and possible inclusion in the final regulations.

This is not published in the rules and regulations section of the FEDERAL REGISTER because these are interim provisions prior to final regulations. This is published to provide public notice that these interim provisions will be observed in implementing the Act, and that comments and suggestions for amendments or revisions are solicited before final regulations are promulgated.

INTERIM REGULATIONS AND PROCEDURES FOR APPLICATION WITHIN TENNESSEE VALLEY AUTHORITY OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

1. *Persons eligible for benefits.* Those eligible for benefits under these regulations are those persons, including individuals, partnerships, corporations, or associations, who on or after January 2, 1971, move from real property, or move their personal property from real property, as a result of TVA's acquisition of such real property, or move as the result of a written notice from TVA to vacate real property. Also eligible, but only for payment of moving and related expenses and for relocation assistance advisory service as hereinafter provided, are those persons who move as a result of TVA's acquisition of or as the result of a written notice from TVA to vacate other real property, on which any such person conducts a business or farm operation.

1.1 In order to qualify for benefits under these regulations either of two conditions must be met: (1) The person must have received a written notice to vacate which may be given before or after initiation of negotiations for acquisition of the property, or (2) the property must, in fact, have been acquired and the person must have moved as a result of its acquisition.

1.2 A displaced person may not be paid for more than one move in relation to a single project unless the Chief of TVA's Land Branch of the Division of Property and Supply finds it to be equitable to pay for a subsequent move and gives approval for such payment prior to the subsequent move.

1.3 Multiple occupancy of a dwelling shall be treated as a single occupancy in applying replacement housing benefits, except that each family in a dwelling shall be considered separately for such benefits, and individuals may be entitled to receive moving and related expenses. The term "family" refers to all persons living together who are related either by blood, law, guardianship or adoption.

2. *Assurance of adequate replacement housing prior to displacement.* Prior to the institution of any new project, and as soon as practicable with respect to any current project, involving the displacement of any person the Chief of TVA's Land Branch shall determine that, within a reasonable period of time prior to displacement, there will be available on a basis consistent with title VIII of the Civil Rights Act of 1968 (Public Law 90-284), decent, safe, and sanitary dwellings, as described below, equal in number to the number of, and available to, such displaced persons who require such dwellings and reasonably accessible to their places of employment. Such dwellings shall be in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents and prices within the financial means (including supplements provided by law) of the families and individuals displaced. Such determination shall be based on a current survey and analysis of available replacement housing, which shall take into account the competing demands on available housing.

3. *Definition of decent, safe, and sanitary dwellings.* A decent, safe, and sanitary dwelling is one which is found to be in sound, clean, and weathertight condition, and which meets local housing codes for the type of dwelling. If there are no applicable local housing codes, a housekeeping unit must include a kitchen with fully usable sink; a stove or connections for same; a separate complete bathroom; hot and cold running water in both the bathroom and kitchen; and adequate and safe wiring system for lighting and other electrical services; and heating as required by climatic conditions and regional housing codes. A nonhousekeeping unit shall meet local standards customary for boarding houses, hotels, or other congregate living in the area. Any dwelling unit considered suitable as replacement housing must be reasonably convenient to such community facilities as schools, stores, and public transportation.

4. *Moving and related expenses allowable under section 202(a) of the Act.* Upon receipt by TVA of a proper application from any displaced person who is eligible and elects to receive the benefits of section 202(a) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, TVA will reimburse the displaced person for expenses incurred by him in moving as follows:

a. Transportation of himself, his family, and their personal property from the acquired site to the replacement site, not to exceed a distance of 50 miles, unless the Chief of TVA's Land Branch determines that relocation beyond the 50-mile area is justified.

b. Packing and crating of personal property.

c. Storage of personal property for a period not to exceed 6 months when ap-

proved in advance by the Chief of TVA's Land Branch as necessary pending availability of a replacement dwelling.

d. Insurance premium paid to cover loss and damage of personal property while in storage or transit.

e. Removal and reinstallation of machinery, equipment, appliances, and other items, not acquired by TVA in the purchase of real property. Prior to payment under this subparagraph, the displaced person shall agree in writing that the property is personalty and that TVA is released from any payment for the property.

f. If the displaced person accomplishes the move himself, he shall be paid an amount not to exceed the estimated cost of moving commerically.

g. When an item of personal property which is used in connection with any business or farm operation is not moved but is sold and promptly replaced with a comparable item, reimbursement shall not exceed the replacement cost minus the proceeds received from the sale, or the cost of moving, whichever is less.

h. When personal property which is used in connection with any business or farm operation to be moved is of low value and high bulk, and the cost of moving would be disproportionate in relation to the value, in the sole judgment of the Chief of TVA's Land Branch, the allowable reimbursement for the expense of moving the personal property shall not exceed the difference between the amount which would have been received for such item on liquidation and the cost of replacing the same with a comparable item available on the market. This provision is applicable in such cases as the moving of junk yards, stockpiled sand, gravel, minerals, metals, and similar type items of personal property.

i. In the case of a business or farm operation, if the displaced person does not move the personal property he shall be required to make a bona fide effort to sell it. If the personal property is sold and the business or farm operation reestablished, he is entitled to payment provided in g above. If the business or farm operation is discontinued, the displaced person is entitled to the difference between the in-place value of the personal property and the sale proceeds, or the cost of moving, whichever is less. If the personal property is abandoned, he is entitled to payment for the difference between the in-place value and the amount which would have been received from the sale of the item, or the cost of moving, whichever is less.

j. Expenses, not to exceed $500, unless the Chief of TVA's Land Branch determines that a greater amount is justified, in searching for a replacement business or farm as follows:

(1) Travel costs at 10 cents a mile, not to exceed 300 miles, or the equivalent in public transportation fares.

(2) Costs for meals and lodging for no more than the equivalent of 3 full days of searching, at a rate of $2.50 for each meal and $12 for each night spent in a motel or other accommodation.

(3) Time spent in searching at the rate of the displaced person's salary or earnings, but not to exceed $50 per day, and not to exceed the equivalent of 3 full days of searching.

(4) Broker or realtor fees in locating a replacement business or farm operation, provided the Chief of TVA's Land Branch has approved such employment in advance.

5. *Exclusions on moving expenses and losses.* Reimbursement for moving expenses shall not include:

a. Additional expenses incurred because of living in a new location.

b. Cost of moving structures, improvements, or other real property in which the displaced person reserved ownership.

c. Improvements to the replacement site, except when required by law.

d. Interest on loans to cover moving expenses.

e. Loss of goodwill.

f. Loss of trained employees.

g. Personal injury.

h. Cost of preparing the application for moving and related expenses.

i. Modification of personal property to adapt it to the replacement site, except when required by law.

6. *Payments under section 202(b) and (c) in lieu of moving and related expenses*—A. *Dwellings.* Any displaced person eligible for payments under 4 above who is displaced from a dwelling may elect to accept the following payments in lieu of the payments authorized under 4 above.

a. A moving expense allowance, not to exceed $300, based on $25 for each room in the dwelling from which he is displaced, or in the case of a mobile home a flat fee of $150; and

b. A dislocation allowance of $200.

B. *Businesses.* Any displaced person eligible for payments under 4 above who is displaced from his place of business or from his farm operation may elect to accept the following payments, in lieu of the payments authorized by 4 above: A fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than $2,500 nor more than $10,000. The term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the 2 taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such period. To be eligible for such payment, the business must contribute materially to the income of the displaced owner. Part-time family occupations which do not contribute materially to a displaced person's income are not eligible. Also, no payment shall be made hereunder unless the Chief of TVA's Land Branch is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage and (2) is not a part of a commercial enterprise having at least one other establishment not being acquired by the United States which is engaged in the same or similar business. In determining whether the business cannot be relocated without a substantial loss of its existing patronage, the following factors will be considered:

a. The type of business conducted by the displaced person.

b. The nature of the clientele of the displaced concern.

c. The relative importance of the present and proposed location of the displaced business.

Where an entire farm is not acquired, payment hereunder will be made only if the Chief of TVA's Land Branch determines that prior to its acquisition the farm met the definition of a farm operation set out in section 101(8) of the Act and that the property remaining after acquisition is no longer an economic farm unit.

7. *Submittal of claims.* All claims for reimbursement of moving expenses or for payments in connection with such expenses must be submitted to the Chief of TVA's Land Branch on prescribed forms no later than 12 months after the move is completed.

8. *Replacement housing payments to homeowners under section 203(a) of the Act*—A. *Payments.* In addition to payments for moving and related expenses, a displaced person may receive payment not in excess of $15,000 if such person (1) was displaced from a dwelling actually owned ("owned" refers to an interest in the title which allows absolute physical control) and occupied by him for not less than 180 days immediately prior to the initiation of negotiations for the acquisition of the property on which the dwelling is located, and (2) purchases and occupies a replacement dwelling which is decent, safe, and sanitary not later than the end of 1 year from the date he receives payment for the acquired dwelling or the date he moves from said dwelling, whichever is the later date. Such payment shall consist of the following:

a. The amount, if any, which, when added to the acquisition cost of the dwelling acquired by TVA, equals the reasonable cost of a comparable replacement dwelling as established by TVA. A comparable replacement dwelling for such purpose shall be deemed to be one which is decent, safe, and sanitary and as functionally equivalent to and substantially the same as the acquired dwelling with respect to the number of rooms, area of living space, age, state of repair, neighborhood, and places of employment.

b. The amount, if any, which will compensate the displaced person for any increased interest cost that he may be required to pay for financing the acquisition of such comparable replacement dwelling. Such payment shall be made only if the dwelling acquired by TVA was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of such dwelling. The amount of

such payment shall be based on the present value of the reasonable cost of the additional amount of interest, including points, if any, on that portion of the amount financed which does not exceed the amount of the unpaid debt for its remaining term at the time of acquisition of the dwelling.

c. Reasonable expenses incurred by the displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

B. *Limitations.* The amount established by 8A(a) as the differential payment for the replacement housing sets the upper limit of such payment. To qualify for the full amount the displaced person must purchase and occupy a decent, safe, and sanitary dwelling equal to or higher in price than the reasonable cost of a comparable replacement dwelling as established by TVA.

a. If the displaced person on his own voluntarily purchases and occupies a decent, safe, and sanitary dwelling at a price less than the reasonable cost of a comparable replacement dwelling as established by TVA, the differential payment will be reduced to that amount required to pay the difference between the acquisition price of the acquired dwelling and the actual purchase price of the replacement dwelling.

b. If the displaced person on his own voluntarily purchases and occupies a decent, safe, and sanitary dwelling at a price less than the acquisition price of the acquired dwelling, no differential payment under 8A(a) shall be made.

9. *Replacement housing payments to tenants and certain others under section 204 of the Act.* TVA will make a payment to or for any person displaced from any dwelling not eligible to receive a payment under paragraph 8 of these regulations, which dwelling was actually and lawfully occupied by such displaced person for not less than 90 days prior to the initiation of negotiations for acquisition of such dwelling. Such payment shall be either:

a. The amount computed under 9.2 below to enable such displaced person to lease or rent for a period not to exceed 4 years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, and reasonably accessible to his place of employment, but not to exceed $4,000; or,

b. The amount necessary to enable such person to make a downpayment, including incidental expenses described in 8A(c) above, on the purchase of a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and commercial and public facilities, but not to exceed $4,000, except that if such amount exceeds $2,000, such person must equally match any such amount in excess of $2,000 in making the downpayment.

9.1 An owner-occupant otherwise eligible for a payment under paragraph 8A of these regulations but who rents instead of purchases a relacement dwelling is eligible for replacement housing as a tenant (see 9.2 and 9.5 below).

9.2 *Computation of replacement housing payment for displaced tenants—rental replacement housing payment.* The Chief of TVA's Land Branch may establish the amount necessary to rent a suitable replacement dwelling by either establishing a schedule or by using a comparative method.

A. *Schedule method.* The payment should be computed by determining the amount necessary to rent a suitable replacement dwelling for 4 years (the average monthly cost from the schedule) and subtracting from such amount 48 times the average month's rent paid by the displaced tenant in the last 3 months prior to initiation of negotiations if such rent is reasonable, or if not reasonable, 48 times the monthly economic rent for the dwelling unit. For purposes of these regulations, economic rent is defined as the amount of rent the displaced tenant would have had to pay for a similar dwelling unit in areas not generally less desirable than the dwelling unit to be acquired. The schedule should be based on a current analysis of the market to determine an amount for each type of dwelling required.

B. *Comparative method.* The average month's rent may be determined by selecting one or more dwellings representative of the dwelling unit acquired, available on the private market which meets the definition of a suitable replacement dwelling. The payment should be computed by determining the amount necessary to rent for 4 years a suitable replacement dwelling and subtracting from the amount so determined 48 times the average month's rent paid by the displaced tenant in the last 3 months prior to initiation of negotiations or if not reasonable, 48 times the monthly economic rent for the dwelling unit established by TVA.

9.3 *Disbursement of rental replacement housing payment.* All rental replacement housing payments in excess of $500 will be made in four equal installments on an annual basis. Before making each installment payment, the Chief of TVA's Land Branch must verify that the tenant is still in decent, safe, and sanitary housing.

9.4 *Purchases-replacement housing payment.* If the tenant elects to purchase a replacement dwelling instead of renting, the payment shall be computed by determining the amount necessary to enable him to make a downpayment and to cover incidental expenses on the purchase of replacement housing.

a. The downpayment shall be the amount necessary to make a downpayment on a suitable replacement dwelling. Determination of the amount "necessary" for such downpayment shall be based on the amount of downpayment that would be required for a conventional loan.

b. The full amount of the downpayment must be applied to the purchase price and such downpayment and incidental costs must be shown on the closing statement.

9.5 *Computation of replacement housing payments for certain others.* a. A displaced owner-occupant eligible under paragraph 8 of these regulations who elects to rent rather than purchase a replacement dwelling may receive a rental replacement housing payment not to exceed $4,000. The payment shall be computed in the same manner as shown in 9.2 above, with the following additional criteria:

(1) The present rental rate for the acquired dwelling shall be economic rent as determined by market data, and

(2) The payment may not exceed the amount which the displaced owner-occupant would have received had he elected to receive a replacement housing payment under paragraph 8 of these regulations.

(3) The payment shall be deducted from any amount due under paragraph 8 in the event the displaced owner-occupant subsequently purchases replacement housing as defined in paragraph 8 within the prescribed time limit of 1 year.

b. A displaced owner-occupant who does not qualify for a replacement housing payment under paragraph 8 of these regulations because of the 180-day occupancy requirement but qualifies under paragraph 9 and elects to rent is eligible for a rental replacement housing payment not to exceed $4,000. The payment shall be computed in the same manner as shown in 9.2 above, except that the present rental rate for the acquired dwelling shall be economic rent as determined by market data.

c. A displaced owner-occupant who does not qualify for a replacement housing payment under paragraph 8 of these regulations because of the 180-day occupancy requirement but qualifies under paragraph 9 and elects to purchase a replacement dwelling is eligible for a replacement housing downpayment pursuant to 9b, which payment shall be computed in the same manner as shown in 9.4 above.

10. *Initiation of negotiations.* The term "initiation of negotiations" for real property means the date TVA makes the first contact with the owner or his representative when TVA's offer for the real property to be acquired is discussed or is presented in writing. When an offer to purchase is presented by mail, the initiation of negotiations will be considered to be the third day after the date of mailing. TVA will advise tenants and other occupants of the date negotiations begin with the owner.

11. *Relocation assistance advisory services under section 205 of the Act.* TVA's Division of Reservoir Properties will establish and maintain a program to provide advice and assistance, where needed, to persons displaced as a result of its acquisition of real property. Such program shall provide pertinent and

current information regarding the availability, prices, and rentals of proper relacement properties; offer assistance in obtaining and relocating to such properties; and take such steps required to secure the cooperation of other agencies which may be of assistance in order to minimize hardships and assure that displaced persons receive the maximum assistance available to them. To the extent that the services of a central relocation agency are available to render assistance, such services will be used. In conducting this program, the Division of Reservoir Properties will coordinate its activities with the Division of Agricultural Development and the Land Branch.

12. *Federally assisted programs.* TVA has no programs affording Federal financial assistance within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. If any such programs should be instituted, appropriate relocation assistance procedures relating thereto will be adopted.

13. *Uniform real property acquisition policy.* Before negotiations are initiated for acquisition of real property, the Chief of TVA's Land Branch will cause the property to be appraised and establish an amount believed to be just compensation therefor. The appraiser shall afford the owner or his representative an opportunity to accompany him during his inspection of the property.

When negotiations are initiated to acquire real property, the owner will be given a written statement of, and summary of the basis for, the amount estimated as just compensation. The statement will identify the property and the interest therein to be acquired, including buildings and other improvements to be acquired as a part of the real property, the amount of the estimated just compensation, and the basis therefore. If only a portion of the property is to be acquired, the statement will include a statement of damages and benefits, if any, to the remainder.

14. *Surrender of possession.* Possession of real property will not be taken until the owner has been paid the agreed purchase price or TVA's estimate of just compensation has been deposited in court in a condemnation proceeding.

To the greatest extent practicable, no person will be required to move from property acquired by TVA without at least 90 days' written notice thereof.

15. *Rent after acquisition.* If TVA rents real property acquired by it to the former owner or former tenant, the amount of rent shall not exceed the fair rental value on a short-term basis.

16. *Tenants' rights in improvements.* Tenants of real property being acquired by TVA will be paid just compensation for any improvements owned by them, whether or not they might have a right to remove such improvements under the terms of their tenancy. Such payment will be made only upon the condition that all right, title, and interest of the tenant in such improvements shall be transferred to TVA and upon the further condition that the owner of the real property being acquired shall execute a disclaimer of any interest in said improvements.

17. *Expense of transfer of title.* In connection with the acquisition of real property by TVA, TVA will, to the extent it deems fair and reasonable, bear all expenses incidental to the transfer of title to the United States, including penalty costs for the prepayment of any valid preexisting recorded mortgage.

18. *Proration of taxes.* Real property taxes shall be prorated to relieve the seller from paying taxes which are allocable to a period subsequent to vesting of title in the United States or the date of possession, whichever is earlier.

19. *Administrative review.* Determinations by the Chief of TVA's Land Branch as to payments under these regulations shall be final. However, in the event of dissatisfaction by any displaced person the following rights of review will be followed:

Any dispute concerning a question of fact arising under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which is not disposed of by agreement, shall be decided by the Chief of TVA's Land Branch who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the displaced person. This decision shall be final and conclusive unless within 30 days from the date of receipt of such copy the displaced person mails or otherwise furnishes a written appeal addressed to the General Manager, Tennessee Valley Authority, Knoxville, Tenn. 37902. The decision of the General Manager or his duly authorized representative for the determination of such appeals shall be in writing and furnished to the displaced person and shall be final and conclusive. In connection with any appeal proceeding hereunder, the displaced person shall be afforded an opportunity to be heard and to offer evidence in support of his appeal.

Dated: July 7, 1971.

TENNESSEE VALLEY AUTHORITY,
LYNN SEEBER,
General Manager.

[FR Doc.71-9924 Filed 7-13-71;8:48 am]

DEPARTMENT OF LABOR

Office of the Secretary

MINNESOTA

Notice of Availability of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, establishes a program of extended unemployment compensation payable when unemployment is high (according to indicators set forth in the law) to unemployed workers who have received all of the regular compensation to which they are entitled. Pursuant to section 203(b)(2) of the Act, notice is hereby given that Emmet J. Cushing, Commissioner of the Department of Manpower Services, has determined that there was a State "on" indicator in Minnesota for the week beginning February 28, 1971, and that an extended benefit period began in the State with the week beginning March 21, 1971.

Signed at Washington, D.C., this 8th day of July 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-9902 Filed 7-13-71;8:46 am]

INTERSTATE COMMERCE COMMISSION

[No. MC-C-7398]

DUFF TRUCK LINE, INC., AND BAY TRANSPORTATION CO.

Petition

JULY 9, 1971.

Petitioners: Duff Truck Line, Inc., and Bay Transportation Co. Petitioner's attorney: James R. Stiverson, 50 West Broad Street, Columbus, OH 43215.

By Joint petition filed June 25, 1971, petitioners seek interpretation and clarification of the Superhighway Deviation Rules as set forth in the Code of Federal Regulations, § 1042.3 (a) and (b) of Ex Parte No. MC-65 (Sub-No. 2), which reads as follows:

(a) Regular-route, general-commodity certificates—construction. All certificates of public convenience and necessity authorizing the transportation of general commodities, with or without exceptions, over a regular service point or routes, issued by the Commission pursuant to the provisions of part II of the Interstate Commerce Act, shall be construed as authorizing operations over superhighways as defined below (including highways connecting such superhighways with the carrier's authorized regular service route or routes) between the point of departure from and the point of return to the carrier's authorized regular service route or routes: *Provided* That either (1) the superhighway route (including highways connecting such superhighway route with the carrier's authorized regular service route or routes) between the point of departure from and the point of return to the carrier's authorized regular service route or routes (i) extends in the same general direction as the authorized service route or routes, and (ii) is wholly within 25 airline miles of the carrier's authorized regular service route or routes, or (2) the distance over the superhighway route (including highways connecting such superhighway route with the carrier's authorized regular service route or routes) between the point of departure from and the point of return to the carrier's authorized regular service route or routes is not less than 85 percent of the distance between such points over the carrier's authorized regular service route or routes.

(b) Intermediate point service. Motor carriers conducting operations over superhighways under subparagraph (1) of paragraph (a) of this section, which are authorized to serve all intermediate points (without regard to nominal exceptions) on their underlying regular service route or routes, may serve

intermediate points on and within 1 airline mile of the superhighway route (including highways connecting such superhighway route with the carrier's authorized regular service route or routes) in the same manner and subject to corresponding service limitations as described in the pertinent certificate or certificates of public convenience and necessity. Motor carriers conducting operations over superhighways under subparagraph (2) of paragraph (a) of this section shall not receive or deliver freight from or to any person at any point not otherwise specifically authorized to be served by them.

Petitioners contend that certain motor carriers are interpreting the quoted superhighway rules to permit the pickup and delivery of traffic in a corridor 50 miles wide stretching 25 miles on each side of the superhighway route. Specifically they seek a definition as to the intent and meaning of the 25-mile provision and whether or not this provides a service area 25 miles on each side of any superhighway, and further defining the intention of receiving or delivering freight from or to any person at any point not otherwise specifically authorized to be served.

Any interested person (including petitioners) desiring to participate in this proceeding, shall file an original and fifteen (15) copies of written representations, views, and arguments in the matter within 30 days of the date of publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9933 Filed 7-13-71;8:49 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 9, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 4223—*Chlorine to Robertson, Ala.* Filed by Southwestern Freight Bureau, agent (No. B-242), for interested rail carriers. Rates of chlorine, in tank carloads, as described in the application, from specified points in Louisiana and Texas, to Robertson, Ala.

Grounds for relief—Market competition.

Tariffs—Supplements 272 and 164 to Southwestern Freight Bureau, agent, tariffs ICC 4668 and 4773, respectively. Rates are published to become effective on August 13, 1971.

FSA No. 42244—*Liquefied carbon dioxide* from Hopewell, Va. Filed by M. B. Hart, Jr., agent (No. A6267), for interested rail carriers. Rates on carbon dioxide, liquefied, in tank carloads, as described in the application, from Hopewell, Va., to Jacksonville and South Jacksonville, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 211 to Southern Freight Association, agent tariff ICC S-517. Rates are published to become effective on August 19, 1971.

By the Comimssion.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9932 Filed 7-13-71;8:48 am]

[Notice 18]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 9, 1971.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commissior under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC-13300 (Deviation No. 21), CAROLINA COACH COMPANY, 1201 South Blount Street, Raleigh, NC 27602, filed June 25, 1971. Carrier's representative: Lawrence E. Lindeman, Suite 1032, Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, DC 20004. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Galena, Md., over Maryland Highway 290 to junction U.S. Highway 301, thence over U.S. Highway 301 to Middletown, Del., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertient service routes as follows: (1) From Wye Mills, Md., over U.S. Highway 213 via Chestertown and Cecilton, Md., to Chesapeake City, Md., thence over Maryland Highway 285 to the Maryland-Delaware State line, thence over unnumbered Delaware highway to junction Delaware Highways 896 and 71; (2) from Cecilton, Md., over Maryland Highway 282 to the Maryland-Delaware State line, thence over Delaware Highway 71 to Middletown, Del., thence over Delaware Highway 299 to Odessa, Del.; and (3) from Queenstown, Md., over the Eastern Shore Expressway (U.S. Highway 301) to Farnhurst, Del., and return over the same routes.

No. MC-13300 (Deviation No. 22), CAROLINA COACH COMPANY, 1201 South Blount Street, Raleigh, NC 27602, filed June 25, 1971. Carrier's representative: Lawrence E. Lindeman, Suite 1032, Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, DC 20004. Carrier proposes to operate as a common carrier, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: Between Denton, Md., and Greensboro, Md., over Maryland Highway 313, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Wye Mills, Md., over Maryland Highway 404 to Denton, Md.; and (2) from junction Maryland Highways 312 and 404 over Maryland Highway 312 to Ridgely, Md., thence over Maryland Highway 480 to Greensboro, Md., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9934 Filed 7-13-71;8:49 am]

[Notice 23]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 9, 1971.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-30204 (Deviation No. 24), HEMINGWAY TRANSPORT, INC., 438 Dartmouth Street, New Bedford, MA 02740, filed June 28, 1971. Carrier's representative: Carroll B. Jackson, 5600 Midlothian Turnpike, Post Office Box

8945, Richmond, VA 23225. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Roanoke, Va., over U.S. Highway 460 to junction U.S. Highway 29 (also from junction U.S. Highway 460 and Virginia Highway 297 over Virginia Highway 297 to junction U.S. Highway 29) thence over U.S. Highway 29 to junction U.S. Highway 58, thence over U.S. Highway 58 to Martinsville, Va.; (2) from Greensboro, N.C., over U.S. Highway 29 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va.; (3) from Burlington, N.C., over North Carolina Highway 87 to junction U.S. Highway 29, thence over U.S. Highway 29 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va.; (4) from Durham, N.C., over U.S. Highway 501 to junction U.S. Highway 158, thence over U.S. Highway 158 to junction U.S. Highway 29, thence over U.S. Highway 29 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va.; (5) from Richmond, Va., over U.S. Highway 360 to junction Virginia Highway 304, thence over Virginia Highway 304 to junction U.S. Highway 58, thence over U.S. Highway 58 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va.; and (6) from Lynchburg, Va., over U.S. Highway 29 to Danville, Va., thence over U.S. Highway 58 to Martinsville, Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows:

(1) From Roanoke, Va., over U.S. Highway 220 to Madison, N.C., thence over U.S. Highway 311 to Winston-Salem, N.C.; (2) from Richmond, Va., over U.S. Highway 360 to Halifax, Va., thence over U.S. Highway 501 to South Boston, Va., thence over U.S. Highway 58 to Danville, Va. (also from Halifax over U.S. Highway 360 to Danville), thence over U.S. Highway 29 to Reidsville, N.C., thence over U.S. Highway 158 to Winston-Salem, N.C.; (3) from Richmond, Va., over U.S. Highway 60 to junction Virginia Highway 45, thence over Virginia Highway 45 to Farmville, Va., thence over U.S. Highway 460 to Roanoke, Va.; (4) from Burlington, N.C., over North Carolina Highway 87 to Reidsville, N.C., thence over U.S. Highway 29 to junction Virginia Highway 151 (formerly portion U.S. Highway 29), thence over Virginia Highway 151 to junction Virginia Highway 158 (formerly portion U.S. Highway 29), thence over Virginia Highway 158 to junction U.S. Highway 29 near Colleen, Va., thence over U.S. Highway 29 to Charlottesville, Va.; (5) from Asheville, N.C., over U.S. Highway 70 or Alternate U.S. Highway 70 to Beaufort, N.C.; (6) from Charlotte, N.C., over North Carolina Highway 49 to Ramseur, N.C., thence over U.S. Highway 64 to junction U.S. Highway 13, thence over U.S. Highway 13 to junction North Carolina Highway 33, thence over North Carolina Highway 33 to Washington, N.C.; (7) from Greensboro, N.C., over U.S. Highway 220 to Stoneville, N.C.; and (8) from Reidsville, N.C., over North Carolina Highway 14 to Leaksville-Spray, N.C., thence over North Carolina Highway 770 to Stoneville, N.C., and return over the same routes.

No. MC-106943 (Deviation No. 35), EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, IN 47808, filed June 28, 1971. Carrier's representative: Peter M. Witham, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route as follows: From Akron, Ohio, over Interstate Highway 80S to junction Interstate Highway 80, west of Youngstown, Ohio, thence over Interstate Highway 80 to junction U.S. Highway 220 near Milesburg Pa., thence over U.S. Highway 220 to junction U.S. Highway 322 at or near Martha Furnace, Pa., thence over U.S. Highway 322 to junction U.S. Highway 22 at or near Lewistown, Pa., thence over U.S. Highway 22 to Harrisburg, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Akron, Ohio, over Ohio Highway 8 to Canton, Ohio, thence over U.S. Highway 30 to Pittsburgh, Pa., thence over U.S. Highway 22 to Harrisburg, Pa., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9935 Filed 7-13-71;8:49 am]

[Notice 55]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 9, 1971.

The following publications are governed by the new special rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here 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.

MOTOR CARRIERS OF PROPERTY

No. MC 66905 and No. MC 110410 (Notice of Filing of Petition To Reopen), filed May 17, 1971. Petitioner: BENTON BROTHERS FILM EXPRESS, INC., Atlanta, Ga., SUCCESSOR-IN-INTEREST TO L. D. V. BENTON AND B. D. BENTON, doing business as BENTON BROTHERS FILM EXPRESS, INC., Petitioner's representative: Wm. Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, GA 30309. Petitioner, Benton Brothers Film Express, Inc., No. MC 110410, successor-in-interest to No. 66905, holds authority to conduct operations as a motor common carrier, over irregular routes, transporting: *Motion picture films, theater supplies and accessories, newspapers, and magazines*, between Atlanta, Ga., on the one hand, and, on the other, points and places in Florida, except points and places on and east of U.S. Highway 319 from the Florida-Georgia State line to Tallahassee, Fla., and on and north of a line beginning at Tallahassee and extending along and over U.S. Highway 90 to Watertown, Fla., thence along and over Florida Highway 100 to Starke, Fla., and thence along and over Florida Highway 16 to St. Augustine, Fla. *Motion picture films and accessories*, between Atlanta, Warrenton, Thomson, Harlem, and Augusta, Ga., and points and places in Georgia east of Georgia Highway 3 and south of Georgia Highway 12 (but not including those on said highway other than those named above), on the one hand, and, on the other, points and places in Florida on and east of U.S. Highway 319, and on and north of a line beginning at Tallahassee and extending along U.S. Highway 90 to Watertown, thence along Florida Highway 100 to Starke, and thence along Florida Highway 16 to St. Augustine.

By the instant petition, petitioner prays the Commission reopen Docket No. 66905 and find that its predecessor was in bona fide operations on June 1, 1935, in interstate or foreign commerce, transporting motion picture films and accessories and newspapers between Atlanta, Ga., and other points in Georgia, and has continuously operated since. Petitioner further requests that the certificate in No. MC 110410, the second paragraph thereof, should be rewritten as follows: "Motion picture films and accessories (1) between points and places in Georgia, east of Georgia Highway 3, and south of Georgia Highway 12 including Atlanta, Warrenton, Thomson, Harlem, and Augusta, Ga., but no other towns on Georgia Highway 12, and between the points named in (1) above on the one hand, and, on the other, points and places in Florida on and east of U.S. Highway 319 and on and north of a line beginning at Tallahassee and extending along U.S. Highway 90 to Watertown, thence along Florida Highway 100 tc Starke, and thence along Florida Highway 16 to St. Augustine." Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210A(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice

of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

MC-F-11185. (Second Correction) (TERMINAL TRANSPORT COMPANY, INC.—Purchase (Portion)—MICHIGAN EXPRESS, INC., AND CUSHMAN MOTOR DELIVERY COMPANY), published in the June 3, 1971, issue of the FEDERAL REGISTER on pages 10829 and 10830, and republished in the June 23, 1971, issue of the FEDERAL REGISTER on page 11966. The original notice should be modified to show that on the route between Chicago, Ill., and Milwaukee, Wis., that all intermediate points are authorized to be served including Kenosha and Racine, Wis.

No. MC-F-11221. Authority sought for control by ALLENGHANY CORPORATION, doing business as JONES MOTOR, Bridge Street and Schuylkill Road, Spring City, PA 19475, of the operating rights and property of R. F. POST, INC., 105 Middle Street, Scranton, PA 18501, and for acquisition by F. M. KIRBY AND ALLAN P. KIRBY, JR., both of 17 De Hart Street, Morristown, NJ, of control of R. F. POST, INC., through the acquisition by ALLENGHANY CORPORATION, doing business as JONES MOTOR. Applicants' attorney and representative: Roland Rice, Suite 618 Perpetual Building, 1111 E Street NW., Washington, DC 20004, and Harry A. Hershey, Bridge Street and Schuylkill Road, Spring City, PA 19475. Operating rights sought to be controlled: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points within 25 miles of Scranton, Pa., including Scranton, on the one hand, and, on the other, points in Pennsylvania within 100 miles of Scranton; *general commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, in truckloads only, between points within 25 miles of Scranton, Pa., including Scranton, on the one hand, and, on the other, points in New York within 150 miles of Scranton, and those in New Jersey on and north of U.S. Highway 1; *such commodities* as require special rigging or handling because of size or weight, between points in Luzerne, Lackawanna, Monroe, Wayne, Pike, Susquehanna, and Wyoming Counties, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, and New York within 200 miles of Scranton, Pa. ALLENGHANY CORPORATION, doing business as JONES MOTOR, is authorized to operate as a *common carrier* in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Maine, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, Vermont, West Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11222. Authority sought for purchase by BUCKNER TRUCKING, INC., Post Office Box 3287, Houston, TX 77001, of the operating rights and property of MITCHELL TRANSPORTATION, INC., 304 East Elm Street, Warren, AR 71671, and for acquisition by W. L. LINKENHOGER, also of Houston, Tex. 77001, of control of such rights and property through the purchase. Applicants' attorney: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Operating rights sought to be transferred: *Lumber*, as a *common carrier*, over irregular routes, from points in Bradley, Ashley, and Drew Counties, Ark., to points in Mississippi, Missouri, Texas, Oklahoma, Kansas, and those in that part of Tennessee, on and west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 31W to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Tennessee Highway 7, near Elkton, Tenn., thence along Tennessee Highway 7 to the Tennessee-Alabama State line, between points in Bradley County, Ark., on the one hand, and, on the other, points in Louisiana, from Crossett, Fordyce, Hamburg, Hermitage, and Warren, Ark., to points in North Carolina and South Carolina, from points in Ashley and Drew Counties, Ark., to points in Louisiana, from Greenville, Miss., to points in Bradley County, Ark., from points in Pulaski, Cleveland, Dallas, Ouachita, Calhoun and Union Counties, Ark., to points in Mississippi; *parts* of sawmill, dry-kiln, and planing-mill machinery, between points in Bradley County, Ark., on the one hand, and, on the other, points in Louisiana, Mississippi, Missouri, Oklahoma, Texas, and Tennessee. Vendee is authorized to operate as a *common carrier* in Texas, Louisiana, Oklahoma, Kansas, and Arkansas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11223. Authority sought for purchase by CASON TRANSFER, INC., 1605 Northwest Pettygrove Street, Portland, OR 97209, of the operating rights and property of A. MINGER AND LAWRENCE J. WEAVER, doing business as MINGER TRUCK LINE, 526 Southeast Division Place, Portland, OR 97202, and for acquisition by JOHN R. WINKLER, also of Portland, Oreg. 97209, of control of such rights and property through the purchase. Applicants' attorney: Jerry R. Woods, 726 Blue Cross Building, Portland, Oreg. 97201. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carrier of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier*, over regular routes, between Portland, Oreg., and Oregon City, Oreg.; *general commodities*, except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment, between Portland, Oreg., and Oregon City, Oreg., serving all intermediate points and the off-route points of Willamette and Lake Grove, Oreg.; and *general commodities*, between Oregon City, Oreg., and Willamette, Oreg. Vendee is authorized to operate as a *common carrier* in Oregon. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11224. Authority sought for purchase by SALT CREEK FREIGHTWAYS, 3333 West Yellowstone, Casper, WY 82644, of the operating rights of HOLLAND CLIFTON McHENRY, doing business as MAC'S DELIVERY, 219 Broadway, Sheridan, WY, and for acquisition by WILLIAM UTZINGER, WILLIAM D. UTZINGER AND C. E. OGDEN, all also of Casper, Wyo., of control of such rights through the purchase. Applicant's representative: Joseph F. Sloan, 6540 North Washington Street, Denver, CO 80229. Operating rights sought to be transferred: *General commodities*, except livestock, as a *common carrier*, over regular routes, between Miles City, Mon., and Sheridan, Wyo., serving the intermediate and off-route points within 15 miles of the below specified route south of and not including points on U.S. Highway 10. Service at Miles City, Mont., restricted to traffic moving to or from points south of Ashland, Mont.; and *stock feed, stock salt, farm machinery and parts thereof, farm implements and parts thereof, building materials, and fencing materials*, subject to the restrictions specified below, over irregular routes, between points in Crook, Weston, Campbell, Johnson, Sheridan, Washakie, Big Horn, Hot Springs, Teton, and Park Counties, Wyo., and Gallatin, Park, Sweetgrass, Carbon, Stillwater, Rosebud, Big Horn, Powder River, Custer, Carter, Fallon, and Garfield Counties, Mont., which are located more than 100 miles from Melstone, Mont., with restriction. Vendee is authorized to operate as a *common carrier* in Montana, Wyoming, and Colorado. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11225. Authority sought for purchase by CURTIS, INC., 4810 Pontiac Street, Denver, CO 80022, of a portion of the operating rights of ALTERMAN TRANSPORT LINES, INC., 12805 Northwest 42d Avenue, Opa-Locka, FL 33054, and for acquisition by STANLEY AVERCH, also of Denver, Colo. 80022, of control of such rights through the purchase. Applicants' attorneys: Frederick J. Coffman, 521 South 14th Street (Post Office Box 80806), Lincoln, NE 68501, and Paul M. Daniel, Suite 1600 First Federal Building, Atlanta, Ga. 30303. Operating rights sought to be transferred: *Frozen meats* and *frozen seafoods*, as a *common carrier*, over irregular routes,

from Coral Gables, Fla., to Denver, Colo.; *frozen juice concentrates, frozen fruits, and frozen vegetables*, from points in Florida, to Colorado Springs, Denver, and Pueblo, Colo. Vendee is authorized to operate as a *common carrier* in all of the States in the United States except Alaska and Hawaii. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9936 Filed 7-13-71;8:49 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JULY 9, 1971.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. Amend 2627, filed May 21, 1971. Applicant: CENTRAL FREIGHT LINES, INC., 303 South 12th, Waco, TX. Applicant's representative: Phillip Robinson, The 904 Lavaca Building, Austin, Tex. 78701. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, (1) between San Augustine, Tex., and Orange, Tex., as follows: From San Augustine, Tex., over Texas Highway 21 to its intersection with Texas Highway 87, thence over Texas Highway 87 to Orange, Tex., and return over the same route, serving the termini and all intermediate points; (2) between intersection of Texas Highway 87 and Texas Highway 12 and Beaumont, Tex., as follows: From intersection of Texas Highway 87 and Texas Highway 12 over Texas Highway 12 to Beaumont, Tex., and return over the same route, serving the termini and all intermediate points; (3) between junction of U.S. Highway 190 and Texas Highway 63 and Burkeville, Tex., as follows: From junction of U.S. Highway 190 and Texas Highway 63 near Jasper, over Texas Highway 63 to Burkeville and return over the same route, serving the termini and all intermediate points; (4) between junction of U.S. Highways 96 and 190 and Newton, Tex., as follows: From junction of U.S. Highways 96 and 190 over U.S. Highway 190 to Newton, Tex., and return over the same route, serving the termini and all intermediate points; (5) between Lufkin, Tex., and Milam, Tex., as follows: From Lufkin, Tex., over Texas Highway 103 to its junction with Texas Highway 21, thence over Texas Highway 21 to Milam, Tex., and return over the same route, serving the termini and the junction of Texas Highway 103 and Texas Highway 147 and Texas Highway 103 and Texas Highway 21 for purposes of joinder only; and (6) between junction Texas Highway 103 and Texas Highway 147 and San Augustine, Tex., as follows: From junction Texas Highway 103 and Texas Highway 147 over Texas Highway 147 to San Augustine, Tex., and return over the same route, serving the termini and no intermediate points. NOTE: Applicant proposes to tack and coordinate the proposed additional services with all services authorized in intrastate commerce under Certificates Nos. 2627, 2054, 4337, and 4336 and with all services now authorized in interstate and foreign commerce under authorities granted in Docket No. MC-30867 and all subs thereunder. Applicant seeks no duplicative authority. Both intrastate and interstate authority sought.

HEARING: Approximately 30 days after notification in FEDERAL REGISTER. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Railroad Commission of Texas, Capitol Station, Post Office Drawer 12967, Austin, TX 78711, and should *not* be directed to the Interstate Commerce Commission.

State Docket No. MC 23466 (Sub-No. 1) filed June 23, 1971. Applicant: CENTRAL OKLAHOMA FREIGHT LINES, INC., 207 North Cincinnati, Tulsa, OK 74103. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, Oklahoma City, OK 73107. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, over regular routes: (1) between Oklahoma City, Okla., and Alva, Okla., serving the intermediate points of Enid, Nash, Jet, Cherokee, and Ingersoll, Okla., and the off-route point of Vance Air Force Base: From Oklahoma City, Okla., over State Highway 3 to its intersection with U.S. 81, thence via U.S. 81 to its intersection with U.S. 64, thence via U.S. 64 to Alva, Okla., and return over the same route; (2) between Oklahoma City, Okla., and Wakita, Okla., serving the intermediate points of Pond Creek, Jefferson, and Medford, Okla., and the off-route point of Kremlin, Okla.: From Oklahoma City, Okla., over State Highway 3 to its intersection with U.S. 81, thence via U.S. 81 to its intersection with State Highway 11, thence via State Highway 11 to its intersection with State Highway 11A, thence via State Highway 11A to Wakita, Okla., and return over the same route; (3) between Oklahoma City, Okla., and Salt Fork, Okla., serving the intermediate point of Lamont, Okla., and the off-route point of Hunter, Okla.: From Oklahoma City, Okla., over State Highway 3 to its intersection with U.S. 81, thence via U.S. 81 to Enid, Okla., thence via U.S. 60 to its intersection with State Highway 74, thence via State Highway 74 to Salt Fork, Okla., and return over the same route. Both intrastate and interstate authority sought.

HEARING: 9 a.m., on August 9, 1971, at Office of Corporation Commission of Oklahoma, Jim Thorpe Building, Oklahoma City, Okla. 73105. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Corporation Commission of Oklahoma, Jim Thorpe Building, Oklahoma City, Okla. 73105 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-9937 Filed 7-13-71;8:49 am]

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