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**Agencies in this issue—**

Agricultural Research Service  
Agriculture Department  
Atomic Energy Commission  
Business and Defense Services  
Administration  
Consumer and Marketing Service  
Customs Bureau  
Defense Department  
Federal Aviation Agency  
Federal Coal Mine and Safety Board  
of Review  
Federal Maritime Commission  
Federal Power Commission  
Fiscal Service  
Fish and Wildlife Service  
Foreign Assets Control Office  
Forest Service  
Interstate Commerce Commission  
Labor Department  
Land Management Bureau  
Maritime Administration  
Small Business Administration  
Veterans Administration

Detailed list of Contents appears inside.



Just Released

## LIST OF CFR SECTIONS AFFECTED

January–April 1966

(Codification Guide)

The List of CFR Sections Affected is published monthly on a cumulative basis. It lists by number the titles, parts, and sections of the Code of Federal Regulations amended or otherwise affected by documents published in the FEDERAL REGISTER during 1966. Entries indicate the exact nature of all changes effected. This cumulative list of CFR sections affected is supplemented by the current lists of CFR parts affected which are carried in each daily FEDERAL REGISTER.

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## List of CFR Parts Affected

(Codification Guide)

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 at the end 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, 1966, and specifies how they are affected.

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 612]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### Subpart—Khapra Beetle

###### REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), administrative instructions are hereby issued as follows, listing premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestations of the khapra beetle have been determined to exist in the premises listed below. Accordingly, such premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

###### ARIZONA

S & W Feed Lot, Post Office Box 1590, Yuma, located 1 mile east of Gila Center Store and four-tenths mile north of Highway 95.

###### CALIFORNIA

Orita Land & Cattle Co. Feed Yard, located 7½ miles east of Brawley at Orita siding on Highway 115. Mail address: Brawley.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162; interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161, 29 F.R. 16210, as amended, 30 F.R. 5801, as amended; 7 CFR 301.76-2)

These administrative instructions shall become effective May 27, 1966, when they shall supersede P.P.C. 612, effective January 13, 1966 (31 F.R. 427).

This revision adds a feed yard in California, in which khapra beetle infestations have been determined to exist, to the list of premises designated as regulated areas under the khapra beetle quarantine and regulations. It also revokes the designation as a regulated area of the Manchester No. 2 Warehouse, Houston, Tex., since it has been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises.

These administrative instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already in effect. They also relieve restrictions insofar as they revoke the

designation of a certain regulated area. They must be made effective promptly in order to carry out the purposes of the regulations and to be of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as a regulated area. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 24th day of May 1966.

[SEAL]

E. D. BURGESS,  
Director,  
Plant Pest Control Division.

[F.R. Doc. 66-5873; Filed, May 26, 1966; 8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER D—AIRMEN

[Docket No. 7395; Amdts. 61-21, 63-4, 65-8]

#### PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

#### PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

#### PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

##### Prerequisites for Written Tests

The purpose of these amendments is to remove from the airman certification regulations all requirements that applicants for airman certificates meet aeronautical experience requirements before taking the prescribed written tests. These amendments also remove the requirement that an applicant for an airline transport pilot certificate must meet the general eligibility requirements (other than age) before taking the written test.

Section 61.143 (Airplane rating: aeronautical knowledge) requires an applicant for an airline transport pilot certificate with an airplane rating to meet specified aeronautical experience before taking the written test. (The same requirement exists for the holder of an airline transport pilot certificate, rotorcraft rating, who applies for an airplane

rating, since under par. (b) of § 61.157 (Additional category ratings) he must comply with § 61.143. A change in the latter section has the effect of removing the requirement automatically in this situation.) Paragraph (c) of § 63.35 (Knowledge requirements) contains this requirement for an applicant for a flight engineer certificate. Paragraph (a) of § 65.75 (Knowledge requirements) contains the requirement for a mechanic certificate or rating. In § 65.115, the sequence stated, and administered accordingly, has placed the experience requirement before the written test. This sequence is not prescribed by the certification regulations for other airmen, nor for an instrument rating under Part 61, and in each of those situations any applicable written test may be taken first. In addition, an applicant for an airline transport pilot certificate, before taking the written test, has been required to meet the general eligibility requirements (other than age) of § 61.141, that is, the requirements on moral character, ability to read, write and understand the English language, education, and medical certification.

Private pilot written examination service has been provided at Flight Service Stations for several years. In addition, the Agency recently conducted a test program in the Southern Region whereby expanded examination service at Flight Service Stations was provided. This service, covering all airmen written examinations, was very well received by the public and the number of applicants taking examinations at Southern Region Flight Service Stations has more than doubled since introduction of the expanded service.

The obligation of the applicants for these airman certificates to first meet aeronautical experience requirements has entailed the need to obtain eligibility verification, before taking the written test at selected Flight Service Stations, from inspectors at Air Carrier District Offices, or General Aviation District Offices, or itinerary points. The Agency has determined, in conformity with its overall policy of providing the best possible service to the public, and in order to reduce the required extent of applicants' travel for certification purposes, that the showing of technical qualifying experience needs to be made to the Agency only before the prescribed oral, practical, or flight test, in the four situations discussed.

The Agency believes that the service afforded the public more than offsets the previous requirement that showing of technical qualifying experience must be made before applicants may take certain written tests.

Section 61.21 of Part 61 specifically requires an applicant for a certificate or rating to have passed the written test (if required) and have the applicable

aeronautical experience, in order to be eligible for a flight test. Neither Part 63 nor 65 has a similar provision. It is necessary to preclude any apprehension that the oral, practical, or flight test may now precede compliance with technical, qualifying experience in any situation, as a result of the removal of the regulatory requirements that the latter precede written tests in the four situations actually involved here. These amendments therefore also add, wherever necessary in these two parts, the provision that both the written test and technical qualifying experience must precede the showing of skill.

Section 61.145(b)(2) requires an applicant for an airline transport pilot certificate with an airplane rating to have had at least 1,200 hours of flight time as a pilot within the 8 years before he applies. Under § 61.143 before these amendments, it was necessary to acquire this experience before the written test. Removing the sequence requirement of § 61.143 now will necessitate the accumulation of the 1,200 hours within the 8 years before the flight test. As a result, with the passage of time an applicant entitled to the benefits of § 61.21(b) could lose credit for substantial flight time acquired as a pilot. Section 61.21(b) provides that an applicant for an airline transport pilot certificate need not take the written test within 24 months before taking the flight test if he has been continuously employed as a pilot or as a pilot assigned to flight engineer duties by, and has continuously participated in an approved pilot training program of a U.S. air carrier or commercial operator. (A similar time extension is provided in like circumstances for a person employed as a pilot by a U.S. scheduled military air transportation service.) In order to prevent the loss of benefits under this provision, these amendments add to § 61.21(b) a provision stating specifically that the applicant complies with the time limitation of § 61.145(b)(2) if he has had at least 1,200 hours of flight time as a pilot within any 8 consecutive years before he takes the flight test, but commencing no earlier than 8 years before he takes the written test (the existing earliest point in time to commence figuring).

Since these amendments are procedural in nature and result in providing applicants for the airman certificates affected an additional benefit, notice and public procedure thereon are not required.

In consideration of the foregoing, Parts 61, 63, and 65 of the Federal Aviation Regulations are amended, effective June 26, 1966, as follows:

1. By amending Part 61 as follows:

§ 61.21 [Amended]

a. By inserting the following sentence after the first sentence of paragraph (b) of § 61.21: "Also, he complies with the 8-year time period limitation of § 61.145 (b) (2) if he has had at least 1,200 hours of flight time as a pilot within any consecutive 8 years before he takes the flight test but commencing no earlier than 8 years before he passed the written test."

§ 61.143 [Amended]

b. By striking out the words "after meeting the requirements of §§ 61.141 (except paragraph (a) thereof) and 61.145," from the introductory language of § 61.143.

2. By amending Part 63 as follows:

§ 63.35 [Amended]

a. By striking out paragraph (c) of § 63.35.

b. By amending the first sentence of paragraph (a) of § 63.39 to read as follows:

§ 63.39 Skill requirements.

(a) An applicant for a flight engineer certificate with a class rating must, after complying with §§ 63.35 and 63.37, pass a practical test on the duties of a flight engineer in the class of airplane for which a rating is sought. \* \* \*

c. By amending § 63.57 to read as follows:

§ 63.57 Skill requirements.

(a) An applicant for a flight navigator certificate must, after complying with §§ 63.53 and 63.55, pass a practical test in operating flight navigation equipment, and pass a practical test in navigating aircraft by—

- (1) Dead reckoning;
- (2) Celestial means; and
- (3) Radio aids to navigation.

However, if a delay in taking the test under this section would inconvenience the applicant or an air carrier, he may take it before he receives the result of the written test, or after he has failed any part of the written test except the section on plotting and computing.

(b) The test requirements for this section are set forth in Appendix A of this part.

3. By amending Part 65 as follows:

a. By amending the introductory language of § 65.37 to read as follows:

§ 65.37 Skill requirements: junior rating.

For a junior rating, an air traffic control tower operator must, after complying with § 65.33, pass a practical test on—

b. By amending the introductory language of § 65.59 to read as follows:

§ 65.59 Skill requirements.

An applicant for an aircraft dispatcher certificate must, after complying with §§ 65.55 and 65.57, pass a practical test—

§ 65.75 [Amended]

c. By striking out the words "after meeting the applicable experience requirements of § 65.77," from paragraph (a) of § 65.75.

d. By amending the first sentence of § 65.79 to read as follows:

§ 65.79 Skill requirements.

Each applicant for a mechanic certificate or rating must, after complying

with §§ 65.75 and 65.77, pass an oral and practical test on the rating he seeks. \* \* \*

e. By redesignating paragraphs (a) and (b) of § 65.115 as paragraphs (b) and (a), respectively, and by amending paragraph (c) of § 65.115 to read as follows:

§ 65.115 Senior parachute rigger certificate: experience, knowledge, and skill requirements.

(c) After complying with paragraphs (a) and (b) of this section, pass an oral and practical test showing his ability to pack and maintain at least one type of parachute in common use, appropriate to the type rating he seeks.

f. By amending the introductory language of paragraph (b), and paragraph (c), of § 65.119 to read as follows:

§ 65.119 Master parachute rigger certificate: experience, knowledge, and skill requirements.

(b) After complying with paragraph (a) of this section, pass an oral test on the following, with respect to two types of parachutes in common use:

(c) After complying with paragraph (a) of this section, pass a practical test showing his ability to pack and maintain two types of parachutes in common use, and showing that he can satisfactorily supervise other persons in these operations.

g. By amending paragraph (b) of § 65.123 to read as follows:

§ 65.123 Additional type ratings: requirements.

(b) After complying with paragraph (a) of this section, pass a practical test, to the satisfaction of the Administrator, showing his ability to pack and maintain the type of parachute for which he seeks a rating.

(Secs. 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421))

Issued in Washington, D.C., on May 23, 1966.

WILLIAM F. MCKEE,  
Administrator.

[F.R. Doc. 66-5832; Filed, May 26, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-EA-96]

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

Alteration of Federal Airways

On February 5, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2437) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors on Federal airway

segments in the Washington, D.C., flight advisory area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America concurred in the proposed actions provided that where cardinal altitudes could be preserved that the minimum en route altitudes be established at no more than 1,500 feet above the terrain. The actions proposed in the notice will not affect presently established minimum en route altitudes. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 2473, 3231, 5055, 5056, 5287, 5505, 5824) is amended as follows:

1. In V-1 all between "Cofield, N.C.;" and "12 AGL Waterloo, Del.;" is deleted and "12 AGL Norfolk, Va.; 12 AGL Cape Charles, Va.; 12 AGL INT Cape Charles 015° and Salisbury, Md., 206° radials; 12 AGL Salisbury;" is substituted therefor.

2. In V-3 all between "Fayetteville, N.C., excluding the airspace between the main and this alternate airway;" and "12 AGL Solberg, N.J.;" is deleted and "12 AGL INT Raleigh 016° and Flat Rock, Va., 214° radials; 12 AGL Flat Rock; 12 AGL Brooke, Va.; 6-mile wide, 12 AGL INT Brooke 014° and Westminster, Md., 195° radials; 6-mile wide, 12 AGL Westminster; 12 AGL INT Westminster 065° and West Chester, Pa., 250° radials; 12 AGL West Chester;" is substituted therefor.

3. In V-4 all after "Charleston, W. Va.;" is deleted and "12 AGL Elkins, W. Va., including a 12 AGL S alternate via INT Charleston 083° and Elkins 228° radials; 12 AGL Kessel, W. Va.; 12 AGL Front Royal, Va.; 12 AGL Herndon, Va. The airspace within R-6705 is excluded." is substituted therefor.

4. In V-8 all after "Indian Head, Pa.;" is deleted and "12 AGL Martinsburg, W. Va.; 12 AGL INT Herndon, Va., 048° and Washington, D.C., 324° radials; 12 AGL Washington, including a 12 AGL N alternate from INT Martinsburg 297° and Grantsville, Md., 086° radials to INT Washington 324° and Herndon 048° radials via Hagerstown, Md. The portion outside the United States has no upper limit." is substituted therefor.

5. In V-16 all between "and Blackford;" and "12 AGL Millville, N.J.;" is deleted and "12 AGL Roanoke, Va.; 12 AGL INT Montebello, Va., 180° and Gordonsville, Va.; 247° radials; 12 AGL Gordonsville, including a 12 AGL N alternate from Roanoke to Gordonsville via INT Roanoke 035° and Montebello, 250° radials and Montebello; 12 AGL Nottingham, Md.; 6-mile wide, 12 AGL Kenton, Del.;" is substituted therefor.

6. In V-20 all after "South Boston, Va.;" is deleted and "12 AGL Richmond, Va.; 12 AGL INT Richmond 039° and Brooke, Va.; 131° radials." is substituted therefor.

7. In V-31 all before "12 AGL Selinsgrove, Pa.;" is deleted and "From INT Patuxent River, Md., 036° and Nottingham, Md., 128° radials; 12 AGL Nottingham. From Baltimore, Md.; 12 AGL Harrisburg, Pa.;" is substituted therefor.

8. In V-33 all before "12 AGL Phillipsburg, Pa.;" is deleted and "From Cofield, N.C.; 12 AGL INT Cofield 007° and Harcum, Va., 187° radials; 12 AGL Harcum; 12 AGL INT Harcum 003° and Nottingham, Md., 174° radials; 12 AGL Nottingham. From Baltimore, Md., 12 AGL Harrisburg, Pa.;" is substituted therefor.

9. In V-37 all between "Hickory, N.C.;" and "Allegheny, Pa.;" is deleted and "12 AGL Elkins, W. Va.; 12 AGL Morgantown, W. Va.;" is substituted therefor.

10. In V-38 all after "Parkersburg, W. Va.;" is deleted and "12 AGL Elkins, W. Va.;" is substituted therefor.

11. In V-39 all between "South Boston, Va.;" and "12 AGL East Texas, Pa.;" is deleted and "12 AGL Gordonsville, Va.; 12 AGL INT Gordonsville, 019° and Casanova, Va., 201° radials; 12 AGL Casanova; 12 AGL Herndon, Va., including a 12 AGL E alternate from Gordonsville to Herndon via INT Herndon 202° and Brooke, Va., 300° radials; 12 AGL Westminster, Md.; 12 AGL Lancaster, Pa.;" is substituted therefor.

12. In V-44 all between "Morgantown, W. Va.;" and "12 AGL INT Kenton 086°" is deleted and "12 AGL Martinsburg, W. Va.; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 094° and Kenton, Del., 262° radials; 12 AGL Kenton;" is substituted therefor.

13. In V-92 all after "Grantsville, Md.;" is deleted and "12 AGL Front Royal, Va.;" is substituted therefor.

14. In V-93 all before "12 AGL East Texas, Pa.;" is deleted and "From Patuxent River, Md., 12 AGL INT Patuxent 013° and Baltimore, Md., 122° radials; 12 AGL Baltimore; 12 AGL Lancaster, Pa.;" is substituted therefor.

15. In V-103 all before "INT of Clarksburg 354°" is deleted and "From Greensboro, N.C., 12 AGL Roanoke, Va.; 12 AGL Elkins, W. Va.; 12 AGL Clarksburg, W. Va.;" is substituted therefor.

16. In V-123 all before "INT of Woodstown 043°" is deleted and "From Washington, D.C., 12 AGL INT Baltimore, Md., 223° and Kenton, Del., 262° radials; 12 AGL INT Kenton 262° and Woodstown, N.J., 230° radials; 12 AGL Woodstown." is substituted therefor.

17. In V-136 all before "to Raleigh, N.C.;" is deleted and "From Pulaski, Va., 12 AGL INT Pulaski 094° and South Boston, Va., 295° radials; 12 AGL South Boston;" is substituted therefor.

18. In V-139 all before "12 AGL Sea Isle, N.J.;" is deleted and "From Cape Charles, Va., 12 AGL Snow Hill, Md.;" is substituted therefor.

19. In V-140 all after "Bluefield, W. Va.;" is deleted and "12 AGL Clifdale,

Va.; 12 AGL Montebello, Va.; 12 AGL Casanova, Va.; 12 AGL Herndon, Va.; 12 AGL INT Herndon 061° and West Chester, Pa., 234° radials; 12 AGL West Chester." is substituted therefor.

20. V-143 is amended to read as follows:

V-143 From Fort Mill, S.C., via Greensboro, N.C.; 12 AGL Lynchburg, Va.; 12 AGL Montebello, Va.

21. In V-144 all after "Morgantown, W. Va.;" is deleted and "12 AGL Kessel, W. Va.; 12 AGL Linden, Va.; 12 AGL INT Linden 104° and Herndon, Va., 185° radials," is substituted therefor.

22. In V-155 all after "Lawrenceville, Va.;" is deleted and "12 AGL INT Lawrenceville 034° and Flat Rock, Va.; 171° radials; 12 AGL Flat Rock; 12 AGL Gordonsville, Va.; 12 AGL Linden, Va.; 12 AGL Front Royal, Va. The airspace within R-6602 is excluded." is substituted therefor.

23. V-156 is amended to read as follows:

V-156 From Elkins, W. Va., 12 AGL Gordonsville, Va.; 12 AGL Richmond, Va.; 12 AGL Harcum, Va.; 12 AGL Cape Charles, Va.

24. In V-157 all between "Lawrenceville, Va.;" and "Robbinsville, N.J.;" is deleted and "12 AGL Richmond, Va.; 12 AGL INT Brooke, Va., 132° and Washington, D.C., 189° radials; 6-mile wide, 12 AGL Washington; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 038° and New Castle, Del., 261° radials; 12 AGL New Castle." is substituted therefor.

25. In V-162 all before "From Harrisburg, Pa.;" is deleted and "From INT Clarksburg, W. Va., 135° and Elkins, W. Va., 092° radials; 12 AGL Clarksburg." is substituted therefor.

26. V-166 is amended to read as follows:

V-166 From Parkersburg, W. Va., 12 AGL Clarksburg, W. Va.; 12 AGL Kessel, W. Va.; 12 AGL Martinsburg, W. Va.; 12 AGL Westminster, Md.; 12 AGL New Castle, Del.

27. V-174 is amended to read as follows:

V-174 From York, Ky., via Henderson, W. Va.; 12 AGL Elkins, W. Va.; 12 AGL Linden, Va.; 12 AGL INT Linden 104° and Herndon, Va., 185° radials.

28. V-189 is amended to read as follows:

V-189 From Rocky Mount, N.C., 12 AGL Franklin, Va.; 12 AGL Hopewell, Va.

29. In V-194 all after "Cofield, N.C.;" is deleted and "12 AGL Norfolk, Va., including a 12 AGL S alternate via INT Cofield 084° and Norfolk 209° radials; 12 AGL INT Norfolk 001° and Cape Charles, Va., 313° radials." is substituted therefor.

30. In V-213 all between "Rocky Mount, N.C.; 12 AGL Kenton, Del.;" is deleted and "12 AGL Hopewell, Va.; 12 AGL INT Hopewell 019° and Brooke, Va., 131° radials; 12 AGL Patuxent River Md.;" is substituted therefor.

31. In V-222 all after "Hickory, N.C.," is deleted and "12 AGL Lynchburg, Va.; 12 AGL Gordonsville, Va." is substituted therefor.

32. V-223 is amended to read as follows:

V-223 From Flat Rock, Va., 12 AGL INT Brooke, Va., 300° and Herndon, Va., 202° radials; 12 AGL Herndon; 12 AGL Harrisburg, Pa." is substituted therefor.

33. V-251 is amended to read as follows:

V-251 From Montebello, Va., 12 AGL Front Royal, Va.; 12 AGL Martinsburg, W. Va.; 12 AGL Lancaster, Pa.; 12 AGL Pottstown, Pa.

34. V-258 is amended to read as follows:

V-258 From Charlestown, W. Va., 12 AGL Beckley, W. Va.; 12 AGL INT Beckley 125° and Roanoke, Va., 288° radials; 12 AGL Roanoke; 12 AGL INT Roanoke 145° and Danville, Va., 320° radials; 12 AGL Danville.

35. V-260 is amended to read as follows:

V-260 From Charleston, W. Va., 12 AGL Rainelle, W. Va., including a 12 AGL N alternate via INT Charleston 083° and Rainelle 317° radials; 12 AGL Roanoke, Va., 12 AGL Lynchburg, Va., including a 12 AGL S alternate via INT Roanoke 177° and Lynchburg 253° radials; 12 AGL Flat Rock, Va.; 12 AGL Richmond, Va.; 12 AGL Hopewell, Va.; 12 AGL INT Hopewell 128° and Norfolk, Va., 296° radials; 12 AGL Norfolk.

36. In V-265 all before "12 AGL Philipsburg, Pa.," is deleted and "From INT Nottingham, Md., 271° and Westminster, Md., 179° radials; 12 AGL Westminster; 12 AGL INT Westminster 346° and Harrisburg, Pa., 196° radials; 12 AGL Harrisburg." is substituted therefor.

37. V-266 is amended to read as follows:

V-266 From Hickory, N.C., via South Boston, Va.; 12 AGL Lawrenceville, Va.; 12 AGL Franklin, Va.; 12 AGL Norfolk, Va.

38. V-268 is amended to read as follows:

V-268 From INT Grantsville, Md., 086° and Martinsburg, W. Va., 297° radials; 12 AGL Hagerstown, Md.; 12 AGL Westminster, Md.; 12 AGL Baltimore, Md.; 12 AGL INT Baltimore 094° and Kenton, Del., 262° radials; 12 AGL Kenton; 12 AGL INT Kenton 086° and Sea Isle, N.J., 049° radials. The airspace with R-4001 is excluded.

39. V-286 is amended to read as follows:

V-286 From Linden, Va., 12 AGL Casanova, Va.; 12 AGL INT Herndon, Va., 202° and Brooke, Va., 300° radials; 12 AGL Brooke; 12 AGL Cape Charles, Va.

40. V-290 is amended to read as follows:

V-290 From Rainelle, W. Va., 12 AGL Montebello, Va.; 12 AGL Flat Rock, Va. From Franklin, Va., 12 AGL Elizabeth City, N.C.

41. In V-308 all before "12 AGL Kenton, Del.," is deleted and "From INT Linden, Va., 273° and Casanova, Va., 284° radials, 12 AGL Casanova; 12 AGL INT

Casanova 076° and Nottingham, Md., 271° radials; 12 AGL Nottingham."

42. In V-433 all before "12 AGL Yardley, Pa.," is deleted and "From Washington, D.C., 12 AGL INT Baltimore, Md., 223° and Kenton, Del., 262° radials; 12 AGL INT Kenton 262° and New Castle, Del., 222° radials; 12 AGL New Castle;" is substituted therefor.

43. In V-454 "to Hopewell, Va." is deleted and "12 AGL Hopewell, Va." is substituted therefor.

44. V-469 is amended to read as follows:

V-469 From Danville, Va., 12 AGL Lynchburg, Va.

45. V-476 is amended to read as follows:

V-476 From Washington, D.C., 12 AGL Baltimore, Md.; 12 AGL Millville, N.J.

46. In V-501 all before "12 AGL Philipsburg, Pa." is deleted and "From Martinsburg, W. Va., 12 AGL St. Thomas, Pa.," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

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

[F.R. Doc. 66-5833; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 65-EA-42]

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

### Withdrawal of Designation of VOR Federal Airways

On December 15, 1965, there was published in the FEDERAL REGISTER (30 F.R. 15418) an amendment to Part 71 of the Federal Aviation Regulations which realigned VOR Federal airways Nos. 39 and 260 and designated VOR Federal airway No. 323 via a new VOR to be installed in the vicinity of Duncan, Va. This amendment was to become effective March 3, 1966. This effective date was subsequently postponed until September 15, 1966 (31 F.R. 877), due to a delay in the commissioning of the Duncan VOR.

A recent review of the requirement for commissioning the Duncan VOR has revealed that the en route traffic flow has changed between Atlanta, Ga., and terminals within the Washington, D.C., ARTC Center area and to the north thereof. This change is primarily the result of an increase in turbojet type aircraft operations which utilize the Jet Route Structure to a greater extent, and the radar traffic control capabilities within the Washington and Atlanta Center areas. Accordingly, it has now been determined that the requirement for the Duncan VOR no longer exists and that

a modified low altitude airway structure in the area to be served by the Duncan VOR can be developed through use of existing facilities. Therefore, the Federal Aviation Agency has determined that the amendment should be withdrawn.

In consideration of the foregoing, effective immediately, the amendment contained in Airspace Docket No. 65-EA-42 is withdrawn.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

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

[F.R. Doc. 66-5834; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-118]

## PART 73—SPECIAL USE AIRSPACE

### Alteration of Restricted Area

On March 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4738) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations that would alter Restricted Area R-2525 at Vernalis, Calif.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 21, 1966, as hereinafter set forth.

In § 73.25 (31 F.R. 2299), Restricted Area R-2525 is amended as follows: "Time of designation: One hour before sunrise to 2200 hours, local time, daily." is deleted and "Time of designation: Continuous." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,  
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5835; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-124]

## PART 73—SPECIAL USE AIRSPACE

### Designation of Temporary Restricted Areas

On February 19, 1966, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (31 F.R. 2969) stating that the Federal Aviation Agency was considering an amendment to Federal Aviation Regulations (FARs)



which would designate two temporary restricted areas encompassing the existing Hunter-Liggett, Calif., restricted area complex (R-2513A and R-2513B).

The designation of additional restricted airspace was requested by Joint Task Force Two (JTF-2) to contain the flights of various types of aircraft at speeds normally ranging from 175 to 600 knots. This series of tests was originally scheduled to begin July 1, 1966; however, they have been postponed until July 21, 1966. It was stated in the NPRM that supersonic speeds would be avoided; however, we were subsequently advised by JTF-2 that twenty extremely low altitude supersonic flights would be necessary to satisfy the requirements of this series of tests. The supersonic portion of these flights will, however, be conducted within the existing Hunter-Liggett restricted area R-2513A and entirely over the Hunter-Liggett military reservation. They will be conducted during daylight hours from October 3 through October 5, 1966. Due to the importance of testing at supersonic speeds and the fact that this phase of the tests will be conducted in an area isolated from the public, the FAA approves the proposed supersonic flights.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. Due consideration was given to all relevant matter presented.

Comments have been received from 13 persons. Nearly all of those who commented objected to the proposal.

The Aircraft Owners and Pilots Association, the California Council of Aviation Associations, and several individuals protested the proposed establishment of restricted airspace over the California VFR coastal flyway. The FAA believes that the establishment of restricted airspace as proposed in the NPRM would have an adverse effect upon aircraft flying the coastal flyway. Therefore, the southwestern boundary of R-2513C is modified so that no part of the new restricted airspace is closer than two statute miles from the shoreline.

A group of farmers and ranchers were generally opposed to the selection of this part of the country for the establishment of additional restricted airspace. They further objected to the possible noise and disturbance created by low flying aircraft and its effect on the recreation area around Nacimiento and San Antonio lakes.

It was stated in the NPRM that participating test aircraft would deviate from FAR 91.79 (minimum safe altitudes). However, to minimize the disturbance of persons using the recreation area, participating test aircraft shall

maintain 500 feet or higher above the surface until north of latitude 35°47'00" which will exclude most of the recreation area. In addition, to provide for a flyway between the new restricted area and the existing restricted area R-2504, we have deleted that portion of the proposed area east of longitude 120°53'15".

When these temporary restricted areas are not in use for the purpose designated, they will be released to the controlling agency (FAA, Oakland ARTC Center) for public use. Additionally, consideration will be given to requests from persons having a legitimate need to conduct flight within the restricted area at a definite time and place during periods of activation. Prior approval for such flights must be obtained from the Test Director who may be contacted by collect telephone call to Test Director, JTF-2, Experimental Control Operations Office, Hunter-Liggett Range, Jolon, Calif.

In consideration of the foregoing, Part 73 of the FARs is amended, effective July 21, 1966, as hereinafter set forth.

In § 73.25 (31 F.R. 2299) the following is added:

**R-2513C HUNTER-LIGGETT, CALIF. (TEMPORARY)**

Beginning at 35°41'12" N., 120°53'15" W., thence to 35°41'12" N., 121°08'30" W., thence to 35°51'00" N., 121°22'00" W., thence to 36°07'00" N., 121°30'00" W., thence to 36°10'00" N., 121°13'00" W., thence to 35°47'30" N., 120°53'15" W., thence to point of beginning, excluding the airspace within R-2513A and R-2513B.

Designated altitudes: Surface to 5,500 feet MSL.

Time of designation: Continuous July 21, 1966, through October 7, 1966.

Controlling agency: Federal Aviation Agency, Oakland ARTC Center.

Using agency: Joint Task Force Two, Sandia Base, N. Mex.

**R-2513D HUNTER-LIGGETT, CALIF. (TEMPORARY)**

Beginning at 36°02'45" N., 121°17'45" W., thence to 36°05'00" N., 121°15'00" W., thence to 35°57'00" N., 121°04'00" W., thence to 35°55'20" N., 121°05'45" W., thence along the northeastern boundary of R-2513A to the point of beginning.

Designated altitudes: Surface to 14,000 feet MSL.

Time of designation: Continuous July 21, 1966, through October 7, 1966.

Controlling agency: Federal Aviation Agency, Oakland ARTC Center.

Using agency: Joint Task Force Two, Sandia Base, N. Mex.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,  
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5836; Filed, May 26, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-36]

**PART 73—SPECIAL USE AIRSPACE**

**Revocation of Restricted Area**

Purpose of this amendment is to revoke Restricted Area R-4104 Nashawena, Mass.

The Department of the Navy has advised the Agency that no further requirement exists for this restricted area. Since the revocation of this restricted area will lessen the burden upon the public without a corresponding detriment to the effectiveness of the Department of the Navy, notice and public procedure hereon are unnecessary and the amendment may be effective without regard to the 30-day period preceding effectiveness.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.41 (31 F.R. 2317) R-4104 Nashawena, Mass., is revoked.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,  
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5867; Filed, May 26, 1966; 8:48 a.m.]

[Airspace Docket No. 66-SW-22]

**PART 73—SPECIAL USE AIRSPACE**

**Revocation of Restricted Area**

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke Restricted Area R-5110 at McGregor, N. Mex.

The Department of the Army has advised the Federal Aviation Agency that Restricted Area R-5110 is no longer required. Accordingly, action is taken herein to revoke this restricted area.

Since this amendment reduces the burden on the public, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.51 (31 F.R. 2323) Restricted Area R-5110 McGregor, N. Mex., is revoked.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on May 20, 1966.

WILLIAM E. MORGAN,  
Acting Director, Air Traffic Service.

[F.R. Doc. 66-5868; Filed, May 26, 1966; 8:48 a.m.]

## RULES AND REGULATIONS

## SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7274; Amdt. 476]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

## Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

## ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

## PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966, OR UPON DECOMMISSIONING OF FACILITY.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 292'; Fac. Class., MHW; Ident., LEW; Procedure No. 1, Amdt. Orig.; Eff. date, 28 Nov. 64

Augusta VOR.....	GLU RBn.....	Direct.....	2500	T-d.....	300-1	300-1	300-1
Portland LOM.....	GLU RBn.....	Direct.....	2500	T-n.....	400-1	400-1	400-1
Hiram Int.....	GLU RBn.....	Direct.....	3500	C-dn.....	700-1	700-1	700-1½
Freeport Int.....	GLU RBn.....	Direct.....	2500	S-dn-4.....	700-1	700-1	700-1
				A-dn.....	NA	NA	NA

Procedure turn S side of crs, 222° Outbnd, 042° Inbnd, 2500' within 10 miles.

Minimum altitude over facility on final approach crs, 1400'.

Crs and distance, facility to airport, 042°—3.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing GLU RBn climb straight ahead on 042° bearing from BLU RBn to 1200'. Make right-climbing turn to 2500' direct, GLU RBn. Hold SW 042° Inbnd, 1-minute right turns.

NOTES: (1) Facility must be monitored aurally throughout the approach. (2) Approach from a holding pattern not authorized. Procedure turn required. (3) Use Portland altimeter setting.

MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2000'; 180°-270°—4000'; 270°-360°—3500'.

City, Auburn; State, Maine; Airport name, Auburn-Lewiston Municipal; Elev., 292'; Fac. Class., MHW; Ident., GLU; Procedure No. 2, Amdt. Orig.; Eff. date, 7 May 66, or upon commissioning of facility

SBN VOR.....	SB LOM.....	Direct.....	2300	T-dn.....	300-1	300-1	300-1
North Liberty Int.....	SB LOM.....	Direct.....	2900	C-dn.....	800-2	800-2	800-2
GSH VOR.....	SB LOM.....	Direct.....	2900	A-dn.....	NA	NA	NA

Procedure turn N side of crs, 264° Outbnd, 084° Inbnd, 2300' within 10 miles.

Minimum altitude over facility on final approach crs, 2300'.

Crs and distance, facility to airport, 084°—9.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.8 miles after passing SB LOM, climb to 2300', make left turn, return to SB LOM.

NOTE: No weather available, obtain South Bend altimeter setting.

Other changes: GSH RBn transition and radar availability information deleted.

MSA within 25 miles of facility: 000°-180°—3000'; 180°-090°—2300'.

City, Elkhart; State, Ind.; Airport name, Elkhart Municipal; Elev., 779'; Fac. Class., LOM; Ident., SB; Procedure No. 1, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

Fort Smith VOR.....	LOM.....	Direct.....	2500	T-dn*.....	300-1	300-1	200-1½
Branch Int.....	LOM (final).....	Direct.....	2500	C-dn.....	600-1	600-1	600-1½
Charleston Int.....	LOM (final).....	Direct.....	2500	S-dn-25.....	600-1	600-1	600-1
Spiro Int.....	LOM.....	Via FSM R 230° and LOM bearing 254°.....	2500	A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 074° Outbnd, 254° Inbnd, 2500' within 10 miles.

Minimum altitude over LOM Inbnd final approach crs, 2500'.

Crs and distance, facility to airport, 254°—6.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing LOM, climb to 3000' on 254° bearing from LOM, within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR R 195° (Outbnd), climbing to 3600' within 20 miles.

NOTE: No reduction in takeoff or landing minimums authorized.

CAUTION: All maneuvering must be completed N of final approach crs. Standard distance not applied between final approach crs and restricted area R-2402.

Other change: Fort Smith RBn and Int FSM R 215° and LOM bearing 073° deleted.

\*Aircraft departing Runway 25 shall maintain runway heading until reaching 1200' prior to starting right turn.

MSA within 25 miles of facility: 000°-090°—3500'; 090°-270°—3900'; 270°-360°—3000'.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468'; Fac. Class., LOM; Ident., FS; Procedure No. 1, Amdt. 16; Eff. date, 7 May 66; Sup. Amdt. No. 15; Dated, 17 Apr. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
OKC VOR.....	LOM.....	Direct.....	2600	T-dn.....	300-1	300-1	300-1½
Bethany Int.....	LOM.....	Direct.....	2600	C-dn.....	400-1	500-1	500-1½
Cashion Int.....	TWO RBn.....	Direct.....	3100	S-dn-35L.....	400-1	400-1	400-1
TWO RBn.....	LOM.....	Direct.....	2600	A-dn.....	800-2	800-2	800-2
Newcastle Int.....	LOM (final).....	Direct.....	2400				

Radar available.  
 Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2600' within 10 miles.  
 Minimum altitude over LOM Inbnd final, 2400'.

Crs and distance, facility to airport, 351°—3.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 3100' on 351° crs within 15 miles or, when directed by ATC, turn left, climb to 2500' direct to the OKC VOR, or direct to the OKC RBn.  
 MSA within 25 miles of facility: 000°-090°—3800'; 090°-180°—2600'; 180°-270°—2400'; 270°-360°—2600'.

City, Oklahoma City; State, Okla.; Airport name, Will Rogers World; Elev., 1284'; Fac. Class., LOM; Ident., OK; Procedure No. 1, Amdt. 13; Eff. date, 7 May 66; Sup. Amdt. No. 12; Dated, 10 Apr. 65

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Shreveport; State, La.; Airport name, Shreveport Downtown; Elev., 179'; Fac. Class., BH; Ident., SHV; Procedure No. 1, Amdt. Orig.; Eff. date, 3 July 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DAL VOR.....	9.8-mile DME Fix, F-190.....	Direct.....	1400	T-dn.....	300-1	NA	NA
				C-d.....	900-1	NA	NA
				C-n.....	900-2	NA	NA
				A-dn.....	NA	NA	NA
				DME minimums—DME equipment required:			
				c-d.....	800-1	NA	NA
				c-n.....	800-2	NA	NA

Dallas radar (Love Field) available.  
 Procedure turn E side of crs 010° Outbnd, 190° Inbnd, 2200' within 10 miles. Beyond 10 miles not authorized.  
 Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 190°—9.8 miles.

When authorized by ATC, DME may be used within 10 miles at 2200' to position aircraft for a straight-in approach with the elimination of a procedure turn.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.8 miles after passing Dallas VOR, turn left, climb to 2600' on crs, 091° within 20 miles.

NOTES: No weather service available. Night operations restricted to Runways 13-31.

CAUTION: 1026' radio tower, 2.2 miles NNE.

MSA: 000°-090°—2100'; 090°-180°—2000'; 180°-270°—3300'; 270°-360°—2200'.

City, Dallas; State, Tex.; Airport name, Dallas-Garland; Elev., 614'; Fac. Class., H-BVORTAC; Ident., DAL; Procedure No. 1, Amdt. 2; Eff. date, 7 May 66; Sup. Amdt. No. 1; Dated, 28 Mar. 64

GSH VOR.....	Skeeter Int.....	Direct.....	2300	T-dn.....	300-1	300-1	300-1
SBN VOR.....	Skeeter Int.....	Direct.....	2300	C-dn.....	500-1	500-1	500-1½
SB LOM.....	Skeeter Int.....	Direct.....	2300	A-dn.....	NA	NA	NA
Cass Int.....	Skeeter Int (final).....	Direct.....	2300				

Procedure turn N side of crs, 101° Outbnd, 281° Inbnd, 2300' within 10 miles of Skeeter Int.

Minimum altitude over Skeeter Int on final approach crs, 2300'.

Crs and distance, Skeeter Int to airport, 281°—5.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Skeeter Int, make right-climbing turn to 2300' and return to Skeeter Int, or when directed by ATC, climb to 2300', proceed direct to SBN VOR.

NOTES: (1) No weather available, obtain South Bend altimeter setting. (2) Dual VOR or VOR and DME required. (3) When authorized by ATC, 26-mile DME Arc at 2600' may be used between SBN VOR R 070° clockwise to R 140° to position aircraft for straight-in approach with elimination of procedure turn.

Other changes: GSH RBn transition and radar availability information deleted.

MSA within 25 miles of facility: 090°-180°—3000'; 180°-090°—2300'.

City, Elkhart; State, Ind.; Airport name, Elkhart Municipal; Elev., 779'; Fac. Class., L-BVORTAC; Ident., SBN; Procedure No. 1, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 July 65

## RULES AND REGULATIONS

## VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Spiro Int. 5-mile DME Fix, All Airway radials	FSM VORTAC FSM VORTAC	Direct Direct	2000 2000	T-dn* C-dn S-dn-25 A-dn DME minimums—DME equipment required: S-dn-25	300-1 600-1 600-1 800-2 500-1	300-1 600-1 600-1 800-2 500-1	200-1/4 600-1 1/4 600-1 800-2 500-1

Procedure turn S side of crs. 046° Outbnd, 226° Inbnd, 3000' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'; over 3-mile DME Fix, R 226°, 1100'.

Crs and distance, facility to airport, 226°—5.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing FSM VOR, climb to 2500' on R 236° within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR R 195° (Outbnd) climbing to 3600' within 20 miles.

NOTE: No reduction in takeoff or landing minimums authorized.  
When authorized by ATC, DME may be used within 8 miles at 2000' between R 001° clockwise through R 168° to position aircraft for a straight-in approach with the elimination of a procedure turn.

\* Aircraft departing Runway 25 shall maintain runway heading until reaching 1200' prior to starting right turn.

MSA within 25 miles of facility: 000°-090°—3500'; 090°-270°—3000'; 270°-360°—3000'.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468'; Fac. Class., BVORTAC; Ident., FSM; Procedure No. 1, Amdt. 10; Eff. date, 7 May 66; Sup. Amdt. No. 9; Dated, 17 Apr. 65

				T-dn* C-d C-n S-d-13% S-n-13% A-dn	300-1 600-1 600-2 500-1 500-2 800-2	300-1 600-1 600-2 500-1 500-2 800-2	NA NA NA NA NA NA
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Procedure turn S side of crs. 282° Outbnd, 102° Inbnd, 2300' within 10 miles.

Minimum altitude over facility on final approach crs, 2300'. Minimum altitude over Troy Int, 1082'.

Crs and distance, facility to airport, 102°—6.4 miles; Troy Int to airport, 2.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing JOT VOR, make right turn, climbing to 2300'. Hold at VOR on R 102°, Inbnd crs, 282°, right turns.

NOTE: When authorized by ATC, 8-mile DME Arc at 2300' may be used between R 171° clockwise through R 006° to position aircraft for straight-in approach with elimination of procedure turn.

\* Takeoff Runway 4; climb to 1500' before turning right toward 925' tower, 1.5 miles ESE of airport.

Runway 12; turn right after takeoff to avoid 1065' tower, 2.5 miles SE and 925' tower, 1.5 miles ESE.

400' straight-in minimums apply when aircraft is dual VOR equipped or VOR/DME equipped with Troy Int received.

MSA within 25 miles of facility: 000°-090°—2600'; 090°-180°—2100'; 180°-270°—2100'; 270°-360°—2100'.

City, Joliet; State, Ill.; Airport name, Joliet Municipal; Elev., 582'; Fac. Class., BVORTAC; Ident., JOT; Procedure No. 1, Amdt. 7; Eff. date, 7 May 66; Sup. Amdt. No. 6; Dated, 3 Apr. 65

				T-dn C-dn S-dn-4* A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/4 500-1 1/4 400-1 800-2
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Procedure turn S side of crs. 216° Outbnd, 036° Inbnd, 1400' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs, 1200'.

Crs and distance, facility to airport, 036°—4.2 miles.

When authorized by ATC, DME may be used within 7 miles at 1600' between R 067° clockwise through R 292° to position aircraft for a straight-in approach with the elimination of a procedure turn.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing MLU VOR, turn right, climb to 2000' on R 067° within 20 miles.

NOTE: 7-mile DME Arc, 1600' authorized radially 067° clockwise through 292° from the Monroe VOR to intercept final approach crs eliminating procedure turn.

400-1/2 authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights. 400-1/2 authorized, except for 4-engine turbojet aircraft, with operative ALS.

MSA within 25 miles of facility: 050°-140°—1900'; 140°-230°—3100'; 230°-320°—1900'; 320°-050°—1900'.

City, Monroe; State, La.; Airport name, Monroe Municipal; Elev., 79'; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 9; Eff. date, 7 May 66; Sup. Amdt. No. 8; Dated, 24 July 65

Trinity Int.	MSL VOR (final)	Direct	2400	T-dn C-dn S-dn-20* A-dn	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1/4 500-1 1/4 500-1 800-2
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Procedure turn N side crs, 109° Outbnd, 289° Inbnd, 2400' within 10 miles.

Minimum altitude over facility on final approach crs, 2400'.

Crs and distance, facility to airport, 289°—5.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing MSL VOR, climb to 2400', turn left and return to MSL VOR or, when directed by ATC, climb to 2400' on R 200°, MSL VOR within 10 miles.

CAUTION: Transmission line poles 654' located 1.5 miles E of approach end of Runway 29.

\* Reduction below 1/4 mile not authorized.

MSA within 25 miles of facility: 000°-360°—2200'.

City, Muscle Shoals; State, Ala.; Airport name, Muscle Shoals; Elev., 548'; Fac. Class., BVOR; Ident., MSL; Procedure No. 1, Amdt. 17; Eff. date, 7 May 66; Sup. Amdt. No. 16; Dated, 26 Mar. 66

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
10-mile DME Fix, R 051°	Tulsa VORTAC (final)	Direct	1900	T-dn	300-1	300-1	*200-1½
10-mile DME Fix, R 079°	Tulsa VORTAC (final)	Direct	1900	C-dn	500-1	500-1	500-1½
				S-dn-26	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				DME minimums—DME equipment required:			
				C-dn	400-1	500-1	500-1½
				S-dn-26	400-1	400-1	400-1

Radar available.  
 Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 1900' within 10 miles.  
 Minimum altitude over facility on final approach crs, 1900'; over 1.3-mile DME Fix, 1500'.  
 Crs and distance, facility to airport, 260°—4.3 miles; 1.3-mile DME Fix to airport, 260°—3 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing the Tulsa VORTAC, climb to 2500' on R 289° of the Tulsa VORTAC or, when directed by ATC, climb to 2500' on R 238° within 20 miles.  
 \*300-1 required on Runways 3L, 21R, 17R, and 35L.  
 MSA within 25 miles of facility: 000°-090°—2100'; 090°-180°—3600'; 180°-300°—3200'.

City, Tulsa; State, Okla.; Airport name, Tulsa International; Elev., 674'; Fac. Class., BVORTAC; Ident., TUL; Procedure No. 1, Amdt. 13; Eff. date, 7 May 66; Sup. Amdt. No. 12; Dated, 18 Aug. 62

				T-d	300-1	NA	NA
				C-d	600-1	NA	NA
				S-d	NA	NA	NA
				A	NA	NA	NA

Procedure turn S side of crs, 087° Outbnd, 267° Inbnd, 1800' within 10 miles.  
 Minimum altitude over facility on final approach crs, 1300'.  
 Crs and distance, facility to airport, 267°—3.6 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.6 miles after passing MIV VORTAC, make left-climbing turn to 1800' and return to MIV VOR. Hold SW on MIV R 244°, 1-minute right turns.  
 NOTE: Airport open day light only.  
 CAUTION: Transmission lines surrounding the airport.  
 MSA within 25 miles of facility: 000°-270°—1600'; 270°-360°—2100'.

City, Vineland; State, N.J.; Airport name, Kroelinger; Elev., 100'; Fac. Class., L-BVORTAC; Ident., MIV; Procedure No. 1, Amdt. Orig.; Eff. date, 7 May 66

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Chaffee Int	CGI VOR	Direct	1800	T-dn%#	300-1	300-1	300-1
Gale Int	CGI VOR	Direct	1800	C-dn	700-1	700-1	700-1½
				S-dn-2	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
				Kelso Fan Marker Minimums 75 mc receiver required: *			
				C-dn*	500-1	500-1	500-1½
				S-dn-2*	400-1	400-1	400-1

Procedure turn W side of crs, 192° Outbnd, 012° Inbnd, 1800' within 10 miles.  
 Minimum altitude over Kelso Fan Marker on final approach crs, 1042'.  
 Crs and distance, Kelso Fan Marker to airport, 012°—2.3 miles; breakoff point to runway, 018°—0.9 mile.  
 Facility on airport.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing Kelso Fan Marker or 0 mile after passing CGI VOR, make right turn, climbing to 1800' on R 192° within 10 miles, make right turn and return to CGI VOR.  
 NOTE: 2487' tower, 12.3 miles N of airport.  
 \*When instrument flight planned to NW, N, or NE, after takeoff turn right or left as appropriate and climb to 1700' on CGI VOR R 192° before departing on crs.  
 #Reduction not authorized.  
 MSA within 25 miles of facility: 045°-135°—2300'; 135°-225°—1900'; 225°-315°—2000'; 315°-045°—3500'.

City, Cape Girardeau; State, Mo.; Airport name, Cape Girardeau Municipal; Elev., 342'; Fac. Class., L-BVOR; Ident., CGI; Procedure No. TerVOR-2, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 6 Nov. 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Chaffee Int	CGI VOR	Direct	3000	T-dn%#	300-1	300-1	300-1
Gale Int	CGI VOR	Direct	3000	C-dn	700-1	700-1	700-1½
				S-dn-20	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
				McClure Fan Marker Minimums*	75 mc receiver required:		
				C-dn*	500-1	500-1	500-1½
				S-dn-20*	400-1	400-1	400-1

Procedure turn E side of crs, 032° Outbd, 212° Inbd, 3000' within 12 miles.  
 Minimum altitude over McClure Fan Marker on final approach crs, 1042'.  
 Crs and distance, McClure Fan Marker to airport, 212°—2.4 miles; breakoff point to runway, 198°—0.4 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing McClure Fan Marker or 0 mile after passing CGI VOR, climb to 1800' on R 192° within 10 miles, make right turn and return to CGI VOR. Hold on R 192°, 012° Inbd, left turns, 1-minute pattern.  
 NOTE: 2487' tower, 12.3 miles N of airport.  
 \*When instrument flight planned to NW, N, or NE, after takeoff turn left or right as appropriate and climb to 1700' on CGI VOR R 192° before departing on crs.  
 #Reduction not authorized.  
 MSA within 25 miles of facility: 045°-135°—2300'; 135°-225°—1900'; 225°-315°—2000'; 315°-045°—3500'.  
 City, Cape Girardeau; State, Mo.; Airport name, Cape Girardeau Municipal; Elev., 342'; Fac. Class., L-BVOR; Ident., CGI; Procedure No. TerVOR-20, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 5 Nov. 65

				T-dn%#	300-1	300-1	300-1½
				C-d	900-1	900-1	900-1½
				C-n	900-2	900-2	900-2
				A-dn	1000-2	1000-2	1000-2

Procedure turn S side of crs, 255° Outbd, 075° Inbd, 2900' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2100'.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of IWD VOR, climb to 3000' on R 075° within 10 miles.  
 NOTE: Procedure not authorized when control zone not in operation, except for air carriers with weather reporting service.  
 Other change: Deletes T.O. reduction note.  
 \*When weather is less than 500-1, takeoffs on Runways 9, 27, and 36, maintain runway heading until reaching 2500' prior to turning on crs. 500-1 minimums apply on Runway 18. Restrictions due to 1700' terrain S.  
 MSA within 25 miles of facility: 000°-090°—3000'; 090°-270°—3100'; 270°-360°—2600'.  
 City, Ironwood; State, Mich.; Airport name, Gogebie County; Elev., 1246'; Fac. Class., VOR; Ident., IWD; Procedure No. TerVOR R 255°, Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 3 Mar. 66

				T-dn*	300-1	300-1	300-1
				C-dn	800-1	800-1	800-1½
				S-dn-8#	800-1	800-1	800-1
				A-dn	1000-2	1000-2	1000-2
				Dual VOR minimums—Dual VOR receivers required:			
				C-dn	700-1	700-1	700-1½
				S-dn-8#	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 251° Outbd, 071° Inbd, 3200' within 10 miles.  
 Minimum altitude over Nagaunee Int on final approach crs, 2219'.  
 Facility on airport.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2800' on MQT VOR, R 084° within 10 miles, turn left and return to the VOR.  
 CAUTION: 2241' tower, 5 miles SW, 2110' tower, 4 miles SW, and 1768' tower, 2 miles N of airport. Rough unlighted terrain all quadrants.  
 \*Runways 8-26: Climb to 2400' prior to making right or left turn. 600-1 required for Runways 1-19.  
 #Reduction not authorized.  
 MSA within 25 miles of facility: 000°-090°—2800'; 090°-180°—2600'; 180°-270°—3300'; 270°-360°—2800'.  
 City, Marquette; State, Mich.; Airport name, Marquette County; Elev., 1419'; Fac. Class., BVOR; Ident., MQT; Procedure No. TerVOR-8, Amdt. 5; Eff. date, 7 May 66; Sup. Amdt. No. 4; Dated, 26 Mar. 66

				T-dn*	300-1	300-1	300-1
				C-dn	700-1	700-1	700-1½
				S-dn-26#	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
				Dual VOR minimums—Dual VOR receivers required:			
				S-dn-26#	500-1	500-1	600-1

Radar available.  
 Procedure turn N side of final approach crs, 084° Outbd, 264° Inbd, 3200' within 10 miles.  
 Minimum altitude over Forrestville Int on final approach crs, 2019'.  
 Facility on airport.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MQT VOR, turn right, climbing to 3200' on R 264° within 10 miles, turn left and return to the VOR.  
 CAUTION: 2241' tower, 5 miles SW, 2110' tower, 4 miles SW, and 1768' tower, 2 miles N of airport. Rough unlighted terrain all quadrants.  
 \*Runways 8-26: Climb to 2400' prior to making right or left turn. 600-1 required for Runways 1-19.  
 #Reduction not authorized.  
 MSA within 25 miles of facility: 000°-090°—2800'; 090°-180°—2600'; 180°-270°—3300'; 270°-360°—2800'.  
 City, Marquette; State, Mich.; Airport name, Marquette County; Elev., 1419'; Fac. Class., BVOR; Ident., MQT; Procedure No. TerVOR-26, Amdt. 4; Eff. date, 7 May 66; Sup. Amdt. No. 3; Dated, 26 Mar. 66

4. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Dallas; State, Tex.; Airport name, Dallas Garland; Elev., 614'; Fac. Class., H-BVORTAC; Ident., DAL; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 26 Sep. 64; Sup. Amdt. No. Orig.; Dated, 25 July 64

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468'; Fac. Class., BVORTAC; Ident., FSM; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 17 Apr. 65

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Monroe; State, La.; Airport name, Monroe Municipal; Elev., 79'; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 1; Eff. date, 24 July 65; Sup. Amdt. No. Orig.; Dated, 26 Dec. 64

PROCEDURE CANCELED, EFFECTIVE 7 MAY 1966.

City, Tulsa; State, Okla.; Airport name, Tulsa International; Elev., 674'; Fac. Class., BVORTAC; Ident., TUL; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 4 Apr. 64

ACT VORTAC.....	8-mile Fix on R 141°.....	Direct.....	2200	T-dn.....	300-1	300-1	200- $\frac{1}{2}$
Heart DME Fix.....	8-mile Fix on R 141°.....	Direct.....	1500	C-dn.....	400-1	500-1	500- $\frac{1}{2}$
				S-dn-32.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 141° Outbnd, 321° Inbnd, 2200' within 10 miles of 8-mile DME Fix. Minimum altitude over 8-mile DME Fix on final approach crs, 1500'. Crs and distance, 8-mile DME Fix to airport, 321°—3.9 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.9-mile DME Fix on R 141°; proceed direct to ACT VORTAC, climbing to 2500', continue on R 306° within 15 miles. NOTE: When authorized by ATC, DME may be used to orbit E of the R 013° and R 187° at 11 miles from the VOR at 2000' for a final approach with the elimination of procedure turn. MSA within 25 miles of facility: 090°-180°—2700'; 180°-090°—2100'.

City, Waco; State, Tex.; Airport name, Waco Municipal; Elev., 515'; Fac. Class., H-BVORTAC; Ident., ACT; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 7 May 66

5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

Holston Mountain VORTAC.....	Int BLA, R 200° and 310° bearing to LOM.....	Direct.....	6000	T-dn.....	300-1	300-1	**200- $\frac{1}{2}$
Int BLA, R 200° and 310° bearing to LOM.	LOM (MHW).....	Direct.....	3600	C-dn.....	800-1	800- $\frac{1}{2}$	800-2
Telford Int.....	LOM (MHW).....	Direct.....	3600	S-dn-22 $\frac{1}{2}$ °.....	600- $\frac{3}{4}$	600- $\frac{3}{4}$	600- $\frac{3}{4}$
Yums Int.....	LOM (MHW).....	Direct.....	4000	A-dn.....	800-2	800-2	800-2
Hilton Int.....	LOM (MHW).....	Direct.....	5000				
Greendale Int.....	LOM (final)##.....	Direct.....	5000				
Damascus Int.....	Int HMV, R 008° and 271° bearing to LOM.....	Direct.....	6000				
Int HMV, R 008° and 271° bearing to LOM.	LOM (MHW).....	Direct.....	3600				
BON RBN.....	LOM (MHW).....	Direct.....	3600				

Radar available. Procedure turn E side of crs, 044° Outbnd, 224° Inbnd, 3600' within 10 miles. Beyond 10 miles not authorized. Minimum altitude at glide slope interception Inbnd, 3600'##. Altitude of glide slope and distance to approach end of runway at OM, 3462'—0 miles; at MM, 1742'—0.5 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing LOM, climb to 4000' on crs, 224° from LOM within 20 miles or, when directed by ATC, turn right, climb to 4000' on HMV, R 293° to Yums Int. CAUTION: Airport changes in terrain elevations adjacent to procedure areas NW. Due to high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a track of 044° from Boone RBN or 224° from LOM to 4000' before continuing climb on crs. \*\*Runways 4 and 22 only. #300-1 required when approach lights inoperative. 600-1 also required when glide slope not utilized and aircraft must maintain 2400' or above until passing Beaver Int. ##Descent from 5000' may be made on glide slope or SW of HMV VORTAC, R 348° on final.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519'; Fac. Class., ILS; Ident., I-TRI; Procedure No. ILS-22, Amdt. 10; Eff. date, 7 May 66; Sup. Amdt. No. 9; Dated, 16 Apr. 66

RULES AND REGULATIONS

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Fort Smith VOR.....	LOM.....	Direct.....	2700	T-dn*	300-1	300-1	200-1/2
Branch Int.....	LOM (final).....	Direct.....	2700	C-dn.....	600-1	600-1	600-1 1/2
Charleston Int.....	LOM (final).....	Direct.....	2700	S-dn-25#.....	200-1/2	200-1/2	200-1/2
Spiro Int.....	LOM.....	Via FSM R° 230 and LOM bearing 254°.	2700	A-dn#.....	600-2	600-2	600-2

Procedure turn N side of crs, 074° Outbnd, 254° Inbnd, 2700' within 10 miles.  
 Minimum altitude at glide slope interception Inbnd, 2700'.  
 Altitude of glide slope and distance to approach end of runway at OM, 2658'—6.9 miles; at MM, 684'—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing LOM, climb to 3000' on 254° bearing from LOM, within 20 miles or, when directed by ATC, turn left to heading, 180° until intercepting FSM VOR, R 195° (Outbnd); climbing to 3600' within 20 miles.  
 NOTE: No reduction in takeoff or landing minimums authorized.  
 CAUTION: All maneuvering must be completed N of the localizer crs. Standard distance not applied between localizer crs and restricted area R-2402.  
 Other change: Deletes transitions intercepting FSM, R 215° and E crs, FSM ILS and Fort Smith RBn.  
 \*Aircraft departing Runway 25 shall maintain runway heading until reaching 1200' prior to starting right turn.  
 #500-3/4 required when glide slope not utilized.  
 ##All installed components of the ILS must be operating otherwise alternate minimums of 800-2 apply.

City, Fort Smith; State, Ark.; Airport name, Fort Smith Municipal; Elev., 468'; Fac. Class., ILS; Ident., I-FSM; Procedure No. ILS-25, Amdt. 8; Eff. date, 7 May 66; Sup. Amdt. No. 7; Dated, 5 June 65

RVH VORTAC.....	Coram Int.....	Via RVH R 282°.....	1800	T-dn.....	300-1	300-1	200-1/2
Coram Int.....	Edwards Int (final).....	Direct.....	1100	C-dn.....	600-1	600-1	600-1 1/2
				A-dn.....	800-2	800-2	800-2

Procedure turn not authorized. Transition from Riverhead VORTAC to final required.  
 No glide slope or markers. Descend to landing minimums after passing Edwards Int.  
 Minimum altitude over Edwards Int on final approach crs, 1100'.  
 Crs and distance, Edwards Int to airport, 237°—3 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing Edwards Int, make left-climbing turn to 2000', proceed direct to RVH VOR, hold NE RVH VOR, 1-minute right turns, Inbnd crs, 238°.  
 NOTE: Runways 10-28 closed nights.  
 Other change: Deletes straight-in minimums.

City, Islip; State, N.Y.; Airport name, Long Island; Elev., 98'; Fac. Class., ILS; Ident., I-ILS; Procedure No. ILS-24 (back crs), Amdt. 1; Eff. date, 7 May 66; Sup. Amdt. No. Orig.; Dated, 15 Jan. 66

OKC VOR.....	LOM.....	Direct.....	2600	T-dn.....	300-1	300-1	**200-1/2
Bethany Int.....	LOM.....	Direct.....	2600	C-dn.....	400-1	500-1	500-1 1/2
Cashion Int.....	TWO RBn.....	Direct.....	3100	S-dn-35L**.....	200-1/2	200-1/2	***200-1/2
TWO RBn.....	LOM.....	Direct.....	2600	A-dn.....	600-2	600-2	600-2
Newcastle Int.....	LOM (final).....	Direct.....	2400				

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2600' within 10 miles.  
 Minimum altitude at glide slope interception Inbnd, 2400'.  
 Altitude of glide slope and distance to approach end of runway at OM, 2329'—3.8 miles; at MM, 1494'—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, climb to 3100' on N crs, ILS within 20 miles, or when directed by ATC, turn left, climb to 2500' direct to the OKC VOR.  
 \*RVB 2400' authorized for Runway 35L.  
 \*\*RVB 2400'. Descent below 1484' not authorized unless approach lights are visible.  
 \*\*\*300-1/2 authorized without glide slope and with operative ALS except for 4-engine turbojet.

City, Oklahoma City; State, Okla.; Airport name, Will Rogers World; Elev., 1284'; Fac. Class., ILS; Ident., I-OKC; Procedure No. ILS-35L, Amdt. 11; Eff. date, 7 May 66; Sup. Amdt. No. 10; Dated, 10 Apr. 65



6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums				
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less		More than 2-engine, more than 65 knots	
															65 knots or less	More than 65 knots		
															Surveillance approach			
															T-dn.....	300-1	300-1	200-1/2
															C-dn.....	1000-1	1000-1	1000-1 1/4
															S-dn-1.....	700-1	700-1	700-1
															A-dn.....	1000-2	1000-2	1000-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn right, climb to 2400', proceeding direct to FI LFR. Continue on E crs of FI LFR to Chena Int or, when directed by ATC, climb to 4000' on S crs, I FAI ILS within 20 miles.

CAUTION: All maneuvering E of airport, 900'; terrain, 1.7 miles W rising to 1000' at 1.9 miles W.  
 NOTES: Air carrier sliding scale not approved.

City, Fairbanks; State, Alaska; Airport name, Fairbanks International; Elev., 434'; Fac. Class. and Ident., Fairbanks Rapcon; Procedure No. 1, Amdt. 2; Eff. date, 7 May 66; Sup. Amdt. No. 1; Dated, 4 Mar. 61

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on March 31, 1966.

JAMES F. RUDOLPH,  
 Acting Director, Flight Standards Service.

[F.R. Doc. 66-5876; Filed, May 26, 1966; 8:49 a.m.]

**Title 30—MINERAL RESOURCES**

**Chapter IV—Federal Coal Mine Safety Board of Review**

**PART 401—RULES OF PROCEDURE**

Part 401 of Chapter IV of Title 30 of the Code of Federal Regulations is revised to read as follows:

**DEFINITIONS**

Sec. 401.1 Definitions.

**INITIAL PROCEEDINGS**

401.2 Who may initiate proceedings.  
 401.3 Where to file.  
 401.4 Form of application; other pleadings.  
 401.5 Time for filing.  
 401.6 Computation of time.  
 401.7 Service on Director.  
 401.8 Applicants; attorneys.  
 401.9 Appearance as amicus curiae.  
 401.10 Service generally.

**HEARING, EVIDENCE, TESTIMONY**

401.11 Hearing; notice; place.  
 401.12 Testimony.  
 401.13 Burden of proof; sequence.  
 401.14 Rules of evidence.  
 401.15 Copies of exhibits.  
 401.16 Objections.  
 401.17 Further proceedings before Board; oral argument.  
 401.18 Briefs.  
 401.19 Request for findings of fact and conclusions of law.  
 401.20 Temporary relief.  
 401.21 Transcripts.  
 401.22 Inspection of transcript.  
 401.23 Additional time for taking testimony.  
 401.24 Official records and printed publications.  
 401.25 Official notice of facts.

**SUBPENAS, DEPOSITIONS**

Sec. 401.26 Issuance of subpoenas.  
 401.27 Depositions.  
 401.28 Witness fees and mileage; deposition costs; payment.

**TERMINATION OF PROCEEDINGS**

401.29 Prior to finding.  
 401.30 State plan cases.  
 401.31 After hearing.  
 401.32 Finding and order; form and content.

**APPEAL TO UNITED STATES COURT OF APPEALS**

401.33 Appeal to Court.  
 401.34 Record on appeal.

**GENERAL**

401.35 Official acts; hearings and records.  
 401.36 Constituency of Board.

**AUTHORITY:** The provisions of this Part 401 issued under section 205, 66 Stat. 697, as amended; 30 U.S.C. 475.

**DEFINITIONS**

**§ 401.1 Definitions.**

As used in this part:

(a) The terms "Board," "Bureau," "Director," "duly authorized representative of the Bureau," "mine," and "operator," shall have the meanings set forth in section 201(a) of the Federal Coal Mine Safety Act, as amended.

(b) (1) The term "act" means the Federal Coal Mine Safety Act, as amended.

(2) The term "closing order" means an order issued under sections 203(a), 203(c), or 203(d), or section 206 of the act, which requires an operator to cause persons to be withdrawn from, and to be debarred from entering, an area of a mine.

(3) The term "classification order" means an order issued under section 203(f) or section 206 of the act, requiring the operator of a mine to comply with the provisions of section 209 of the act which pertain to gassy mines, in the operation of such mine.

(4) The term "applicant" means an operator who has applied to the Board for annulment or revision of either a closing or classification order.

(5) The term "respondent" means the Director of the U.S. Bureau of Mines, in any proceeding before the Board.

**INITIAL PROCEEDINGS**

**§ 401.2 Who may initiate proceedings.**

(a) An operator notified of a closing order, or of a classification order, made pursuant to section 203 of the act may apply directly to the Board for annulment or revision of such order, without first appealing to the Director under section 206 of the act.

(b) An operator notified of a closing order, or of a classification order, made by the Director pursuant to section 206 of the act may apply to the Board for annulment or revision of such order.

**§ 401.3 Where to file.**

Each application shall be filed with the Board, at its office in Room 707-8, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., 20452.

**§ 401.4 Form of application; other pleadings.**

(a) No special form of application is required to initiate an appeal under the

act. However, each application shall recite the order complained of, and other facts sufficient to advise the Board of the nature of the proceeding.

(b) The application shall be signed by the operator, or by any person authorized to represent the operator under § 401.8.

(c) Optional forms which meet the foregoing requirements may be obtained, without charge, by request to the Board at its office referred to in § 401.3.

(d) Other pleadings by either party may be required, within the discretion of the Board.

#### § 401.5 Time for filing.

(a) Application for review of a closing order may be filed at any time while such order is in effect.

(b) Application for review of a classification order must be filed not later than 20 days after receipt of notice of such order.

#### § 401.6 Computation of time.

(a) Except as otherwise provided by law, in computing any period of time prescribed or allowed by any rule, regulation, notice, or order of the Board, or by any applicable statute, the day of the act, event, or default from or after which the designated period of time begins to run shall not be included; but the last day of the period so computed shall be included, unless it is a Saturday, Sunday, or a legal holiday in the District of Columbia, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or a holiday. When a period of time prescribed or allowed is seven days or less, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation; otherwise, Saturdays, Sundays, and holidays shall be included in the computation. A part-day holiday shall be considered as other days and not as a holiday.

(b) When an applicable act or any rule, regulation, notice or order of the Board requires the filing of an application, motion, brief, or other document in any proceeding, such document must be received by the Board before the close of business of the last day of the time limit for such filing.

#### § 401.7 Service on Director.

(a) The applicant shall send a copy of the application by registered mail or by certified mail to the Director at Washington, D.C.

(b) A copy of any request for temporary relief shall also be sent by registered mail or by certified mail to the Director at Washington, D.C.

(c) Proof of service must be made before the application or any request for temporary relief will be considered by the Board. A statement by the applicant or his attorney clearly stating the time, date, place, and method of mailing the copy will be accepted as prima facie proof of service.

#### § 401.8 Applicants; attorneys.

(a) Any person may file and prosecute his own application for review, or the application of a firm, partnership, corporation or association of which he is a

member, or an official, and which he is authorized to represent.

(b) An applicant may be represented by an official of a coal mine operators' association of which he is a member and which official has been authorized to represent him as attorney-in-fact in the proceeding.

(c) An applicant may be represented by an attorney-at-law in good standing, who is admitted to practice before any Federal court, or the highest court of any State or territory of the United States, and who is not under any order of any Court suspending, enjoining, restraining, disbaring or otherwise restricting, him in the practice of law.

(d) Each attorney representing an applicant or respondent shall enter his appearance with the Board prior to participating in any proceeding before the Board, which appearance shall be made a part of the record.

(e) Any person appearing before, or transacting business with, the Board in a representative capacity may be required to file a power of attorney with the Board showing his authority to act in such capacity.

(f) The Board may disqualify, and deny, temporarily or permanently, the privilege of appearing or practicing before it in any way to any person who is found by the Board after hearing in the matter:

(1) Not to possess the requisite qualifications to represent others; or

(2) To be lacking in character or integrity, or to have engaged in unethical or improper professional conduct.

(g) Contemptuous conduct at any hearing before the Board shall be ground for exclusion from said hearing and for summary suspension, without a hearing, for the duration of said hearing.

#### § 401.9 Appearance as amicus curiae.

Any person desiring to appear as amicus curiae in a proceeding shall make a timely motion for leave to appear, stating the grounds for such motion. Leave to appear, if granted, will be for such purposes established by the Board in the proceeding.

#### § 401.10 Service generally.

(a) A copy of all appearances, motions, briefs, or other documents, filed with the Board must be served by the filing party on the other party or parties in the case.

(b) Unless otherwise specifically provided by law or herein, such service shall be made personally or by first-class, certified, or registered mail, or by telegram. Proof of service must accompany the document filed.

#### HEARING, EVIDENCE, TESTIMONY

#### § 401.11 Hearing; notice; place.

(a) Immediately upon the filing of an application, the Board shall fix the time and place for a prompt hearing thereof. The parties shall be provided with adequate notice of the place and time of the hearing.

(b) Hearings may be held at the office of the Board in Washington, D.C.; or, whenever the convenience of the public

or of the parties may be promoted, or delay or expense may be minimized, the Board may hold hearings or conduct other proceedings at any other place. If the applicant so requests, the Board shall hold hearings or conduct other proceedings at the county seat of the county in which the mine involved is located, or at any other place mutually agreed to by the chairman of the Board and the applicant.

(c) Hearings may be conducted by the entire Board; or, upon order of the Board, a hearing may be held by a special panel of one or more Board members and the transcript thereof, which shall be made available to the parties before final action of the Board, shall be submitted to the entire Board for its action thereon.

(d) Upon its own motion, or upon proper cause shown by either party, the Board may advance or postpone the date of the hearing.

#### § 401.12 Testimony.

(a) Except as may be otherwise provided in other paragraphs of this section, all witnesses at a hearing shall testify under oath or affirmation administered by a member of the Board and shall be subject to cross-examination.

(b) Any witness may, in the discretion of the Board, be examined separately and apart from all other witnesses except those who may be parties to the proceeding.

(c) For good cause shown, the Board, at any stage of a pending proceeding, may order testimony to be taken by deposition in accordance with § 401.27.

(d) With the consent of the Board and of all parties to the proceeding, the testimony of any witness or witnesses may be submitted in the form of an affidavit, or affidavits, of such witness or witnesses.

(e) With the consent of the Board, the parties may stipulate what a particular witness would testify to if called, or may stipulate as to any or all the facts in the case of any party.

(f) The refusal of a witness at any hearing to answer any question which has been ruled to be proper shall, in the discretion of the Board, be ground for striking all testimony previously given by such witness on related matters.

#### § 401.13 Burden of proof; sequence.

(a) The burden of proof is on the respondent when he claims that danger, or a violation of section 209 of the act, as set out in the order under review, existed at the time of the filing of the application, or that methane has been ignited or found in the mine as set out in the order under review. In such hearings, the respondent shall present his evidence first to prove the then existence of such danger or violation or the presence of methane. Following the presentation of respondent's evidence the applicant may present his evidence. Thereupon, respondent may present evidence to rebut the applicant's evidence. If additional evidence is sought to be adduced thereafter, the Board, in its discretion, may admit such evidence, in the sequence determined by the Board.

(b) In all other proceedings, the Board shall designate the order of presentation of evidence.

**§ 401.14 Rules of evidence.**

In any proceeding before the Board, relevant and material evidence shall be admissible, but there shall be excluded such evidence as is unduly repetitious or cumulative, or such evidence as is not of the kind which would affect reasonable and fair-minded men in the conduct of their daily affairs.

**§ 401.15 Copies of exhibits.**

Unless otherwise provided by the Board, each document or exhibit, or part thereof, introduced in evidence shall be submitted in duplicate. Furthermore, when exhibits of a documentary character are to be offered in evidence, copies shall be furnished to the adverse party, unless the Board otherwise directs.

**§ 401.16 Objections.**

If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the Board. No such objection shall be deemed waived by further participation in the hearing.

**§ 401.17 Further proceedings before Board; oral argument.**

(a) When hearings are conducted by less than the entire Board, an opportunity to appear before the Board shall be afforded the parties prior to any final action in the case, and the Board, in its discretion, may afford the parties an opportunity to submit additional evidence as may be required for a full and true disclosure of the facts.

(b) If oral argument is timely requested by a party or parties in any case, the Board shall allow a reasonable period for such argument, as determined by the Board, and such argument shall be included in the stenographic report of the hearing.

**§ 401.18 Briefs.**

Parties to a hearing will be permitted to file briefs, if they so request, within time limits which will be set by the Board, depending upon the facts in each individual case. Seven copies of each brief or reply brief shall be filed with the Board. Copies of briefs shall be legibly printed or otherwise legibly duplicated.

**§ 401.19 Request for findings of fact and conclusions of law.**

If so desired, either party may submit concise proposed findings of fact, supported by specific references to, and analysis of, the record, and conclusions of law, supported by citation of authorities. The Board may, in its discretion, adopt the proposed findings and conclusions in whole or in part, or enter an order without making specific reference to such proposed findings and conclusions.

**§ 401.20 Temporary relief.**

(a) Pending a hearing on the merits of an application, the applicant may file a request with the Board for temporary relief from the order complained of in the application. The applicant must serve notice of such request on the Director as provided in § 401.7(b).

(b) Immediately upon the filing of a request for temporary relief, the Board shall fix a time and place for a hearing on this request. The Board shall provide ample notice to the parties of the time and place of hearing.

(c) At the conclusion of the testimony, the parties may, in the discretion of the Board, be permitted to present oral argument.

(d) As soon after the conclusion of the hearing as may be practicable, the Board shall grant such temporary relief as it may deem just and proper.

**§ 401.21 Transcripts.**

Hearings of the Board shall be recorded stenographically by an official reporter designated by the Board. Copies of transcripts of such hearings may be purchased from the official reporter at rates approved by the Board.

**§ 401.22 Inspection of transcript.**

After the transcript is filed with the Board, it may be inspected in the office of the Board during official hours of business by any party to the case, or may otherwise be made available to the parties as provided by the Board. The transcript may be copied by someone specially designated or approved by the Board for that purpose, under proper restrictions and safeguards.

**§ 401.23 Additional time for taking testimony.**

If either party shall be unable to procure the testimony of a witness or witnesses within the time limited by the Board, and said time has expired, or is about to expire, and the party desires additional time for such purpose, he must file a motion, accompanied by a statement setting forth specifically the cause of such inability, the name or names of the witness or witnesses, the facts expected to be proved by such witness or witnesses, the steps which have been taken to procure such testimony, and the dates on which efforts have been made to procure it. The Board in its discretion may grant or deny said motion.

**§ 401.24 Official records and printed publications.**

Official records and any special matter contained in a printed publication, if competent evidence and pertinent to the issue, may be introduced in evidence, before the closing of the time for taking the evidence of the party, by specifying the record or the printed publication, and the page or pages thereof to be used, and submitting the record or authenticated copy, or the printed publication or a copy. Such evidence must be submitted in duplicate and a copy must be provided the other party.

**§ 401.25 Official notice of facts.**

Official notice may be taken of such matters as might be judicially noticed by the courts of the United States, or of any other matter of technical or scientific fact of established character peculiarly within the general knowledge of the Board as an expert body: *Provided*, That any party shall, on timely request, be afforded an opportunity to show the contrary.

SUBPENAS, DEPOSITIONS

**§ 401.26 Issuance of subpoenas.**

(a) Any member of the Board may, on the written application of a party or the Board's own motion, forthwith issue subpoenas requiring the attendance and testimony of witnesses and the production of relevant papers, books, and documents in their possession and under their control. If the application is made on the record while the hearing is in progress, it may be accepted in lieu of a written request. Each request for a subpoena shall indicate the person to be subpoenaed and shall be supported by a showing of the general relevance and materiality of the evidence sought. An application for subpoena to compel a witness to produce documentary evidence shall be verified and shall specify with particularity the books, papers and documents desired and the facts expected to be proved thereby.

(b) If service of a subpoena is made by U.S. marshal or his deputy, such service shall be evidenced by his return thereon. If made by another person, such person shall make affidavit thereof, describing the manner in which service is made, and shall return such affidavit on or with the original subpoena. In case of failure to make service, the reasons for the failure shall be stated on the original subpoena. The original subpoena, bearing or accompanied by the authorized return, affidavit or statement, shall be returned forthwith to the office of the Board or, if so directed on the subpoena, to the presiding officer before whom the person named in the subpoena is required to appear.

**§ 401.27 Depositions.**

(a) For good cause shown, testimony may be taken by deposition in any pending proceeding, at any stage of such proceeding. Any person may be compelled to appear and depose, and to produce books, papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in § 401.26.

(b) Application to take a deposition shall be made in writing to the Board, setting forth the reasons why such deposition should be taken, the name and post office address of the witness, the matters concerning which it is expected the witness will testify, and the time and place proposed for the taking of the deposition, together with the name and address of the person before whom it is desired that the deposition be taken (referred to in this section as the "offi-

cer"). Upon receipt of the application, the Board, in its discretion good cause has been shown, shall make and serve upon the parties an order which will specify the name of the witness whose deposition is to be taken and the time, the place, and the designation of the officer before whom the witness is to testify, who may or may not be the same officer as that specified in the application. Such order shall be served upon all the parties a reasonable time before the deposition is to be taken.

(c) Such deposition may be taken before any officer authorized to administer oaths by the laws of the United States or of the place where the examination is held. If the examination is held in a foreign country, it may be taken before any secretary of embassy or legation, consul general, vice consul, or consular agent of the United States.

(d) At the time and place specified in said order, the officer designated to take such deposition shall permit the witness to be examined and cross-examined under oath by all the parties appearing, and the testimony of the witness shall be reduced to typewriting by the officer or under his direction. All objections to questions or evidence shall be deemed waived unless made at the examination. The officer shall not have power to rule upon any objections, but he shall note them upon the deposition. The testimony shall be subscribed by the witness in the presence of the officer who shall attach his certificate stating that the witness was duly sworn by him, that the deposition is a true record of the testimony and exhibits given by the witness, and that said officer is not of counsel or attorney to any of the parties nor interested in the event of the proceeding. If the deposition is not signed by the witness because he is ill, dead, cannot be found, or refuses to sign it, such fact shall be included in the certificate of the officer and the deposition may then be used as fully as though signed. The officer shall immediately deliver an original and one copy of said testimony and exhibits, together with his certificate, in person or by registered or certified mail, to the office of the Board, or to the presiding officer of the Board if a hearing is in process.

(e) The Board shall rule upon the admissibility of the deposition or any part thereof.

(f) All errors or irregularities in complying with the provisions of this section shall be deemed waived unless a motion to suppress the deposition, or some part thereof, is made with reasonable promptness after such defect is or, with due diligence, might have been ascertained.

(g) If the parties so stipulate in writing, depositions may be taken before any person at any time or place, upon any notice and in any manner, and when so taken may be used like other depositions.

#### § 401.28 Witness fees and mileage; deposition costs; payment.

Witnesses summoned before the Board shall be paid the same fees and mileage

that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the person taking the deposition shall be paid by the party at whose instance the deposition is taken.

#### TERMINATION OF PROCEEDINGS

##### § 401.29 Prior to finding.

Except in State plan cases, at any stage of the proceeding prior to the making of a finding and order by the Board, upon the submission by either the applicant or the respondent of a copy of an order issued by the respondent or, in proper instances, by a duly authorized representative of the Bureau, annulling, cancelling or revising the order from which the applicant is appealing to the Board, an order dismissing the application may be entered by the Board, at its discretion, without further proceedings.

##### § 401.30 State plan cases.

When an application for annulment or revision of an order of a Federal inspector is filed by an operator of a mine located in a State with an approved State plan, the Board may, without further proceedings, issue an order annulling or revising the order of the Federal inspector upon the filing with the Board by the respondent of a statement that (a) an inspection by a duly authorized representative of the Bureau has shown that the imminent danger or violation upon which the order was based has been abated, and (b) the respondent joins with the applicant in requesting annulment or revision of the order.

##### § 401.31 After hearing.

Unless terminated as provided in § 401.29, the Board, at the conclusion of the hearing or as soon thereafter as is practicable, will issue an order, affirming, revising, or annulling the order under review.

##### § 401.32 Finding and order; form and content.

Each finding and order of the Board shall be in writing, shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. A true copy of the finding and order in each case shall be sent to all the parties or to their attorneys of record by registered or certified mail, and shall be published by the Board in such manner as it deems advisable. Each finding and order shall be entered upon the official record of the Board, together with any written opinion prepared by any members in support of, or dissenting from, any such finding or order.

#### APPEAL TO U.S. COURT OF APPEALS

##### § 401.33 Appeal to Court.

(a) Any party dissatisfied with a final order issued by the Board may appeal to

the U.S. Court of Appeals for the circuit in which the mine affected is located.

(b) The appeal is initiated by the filing in the appropriate appellate court of a notice of appeal within thirty days from the date of the making of the final order.

(c) A copy of such notice of appeal must be sent forthwith by registered or certified mail to the other party and to the Board.

##### § 401.34 Record on appeal.

(a) Upon receipt of the copy of the notice of appeal, the Board will prepare and file, in the designated appellate court, a certified complete transcript of the record of the proceedings before the Board.

(b) The party making the appeal must pay any costs of the complete transcript of the record, before it is filed with the court.

#### GENERAL

##### § 401.35 Official acts; hearings and records.

Every official act of the Board shall be entered of record. Hearings of the Board, and the official records pertaining to proceedings under section 207 of the act, shall be open to the public.

##### § 401.36 Constituency of Board.

Three members of the Board shall constitute a quorum, and official action can be taken only on the affirmative vote of at least three members: *Provided*, That in any official action involving mines in which no more than 14 individuals are regularly employed underground, the participation of the small mine operators' representative and small mine workers' representative shall be required, and in any official action involving mines in which more than 14 individuals are regularly employed underground, the participation of the large mine operators' representative and large mine workers' representative shall be required. However, a hearing may be conducted by a special panel composed of one or more members, upon order of the Board, as provided in § 401.11(c).

Pursuant to authority granted by section 205(h) of the act, the Board adopted the above Rules of Procedure at its office in Washington, D.C., on the 24th day of May 1966, to be effective immediately.

EDWARD STEIDLE,  
Chairman, Federal Coal Mine  
Safety Board of Review.

[F.R. Doc. 66-5858; Filed, May 26, 1966;  
8:47 a.m.]

## Title 29—LABOR

### Subtitle A—Office of the Secretary of Labor

#### PART 20—OCCUPATIONAL TRAINING OF UNEMPLOYED PERSONS

##### Transportation Allowance Within Commuting Area

Pursuant to authority contained in section 207 of the Manpower Development and Training Act of 1962 (42 U.S.C.



3. In §§ 520.4(d), 520.5, 520.30 (introductory text), and 520.204(a)(10), the word "commonwealth" should be inserted following the word "State". As corrected, §§ 520.4(d), 520.5, 520.30 (introductory text), and 520.204(a)(10) read as follows:

§ 520.4 General License No. 4.

(d) Securities issued or guaranteed by the Government of the United States or any State, commonwealth, territory, district, county, municipality or other political subdivision thereof (including agencies and instrumentalities of the foregoing) need not be sold on a national securities exchange: *Provided*, That such securities are sold at market value and pursuant to all other terms and conditions prescribed in this general license.

§ 520.5 General License No. 5.

A general license is hereby granted authorizing the payment from any blocked account to the United States or any agency or instrumentality thereof or to any State, commonwealth, territory, district, county, municipality or political subdivision in the United States, of customs duties, taxes, and fees payable thereto, by the owner of such blocked account.

§ 520.30 General License No. 30.

A general license is hereby granted authorizing any bank or trust company incorporated under the laws of the United States or of any State, commonwealth, territory or district of the United States, or any private bank subject to supervision and examination under the banking laws of any State of the United States, acting as trustee of any trust administered in the United States or as legal representative of any estate of an infant or incompetent administered in the United States, in which trust or estate one or more persons who are nationals of one of the foreign countries listed in § 520.101(a)(1) have an interest, beneficial or otherwise, or are co-trustees or corepresentatives, to engage in the following transactions:

§ 520.204 General Ruling No. 4.

(10) The term "domestic bank" shall mean any branch or office within the United States of any of the following which is not a national of any blocked country: any bank or trust company incorporated under the banking laws of the United States or of any State, commonwealth, territory, or district of the United States, or any private bank or banker subject to supervision and examination under the banking laws of the United States or of any State, commonwealth, territory or district of the United States. The Treasury Department may also authorize any other banking institution to be treated as a "domestic bank" for the purpose of this definition or for the purpose of any license, ruling, or instruction.

## Title 32A—NATIONAL DEFENSE, APPENDIX

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

[BDSA Order M-11A, Direction 2, Amdt. 1 of May 27, 1966]

#### M-11A—COPPER AND COPPER-BASE ALLOYS

##### Domestic Refined Copper Set-Aside RESERVED PORTION OF PRODUCTION (SET-ASIDE)

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, consultation with industry representatives was rendered impracticable because of the need for immediate action.

This amendment affects Direction 2 to BDSA Order M-11A, of February 23, 1966, by changing the reserved portion of production, as set forth in section 8 of that direction, from ten percent (10%) to thirteen percent (13%).

Section 8 of Direction 2 to BDSA Order M-11A of February 23, 1966, is hereby amended to read as follows:

##### Sec. 8 Reserved portion of production (set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least thirteen percent (13%) of his average monthly production of domestic refined copper (as defined in sec. 2(i) of this direction) for the acceptance of such rated orders calling for delivery in the immediately following month until the quantity of domestic refined copper for which he has accepted such rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however*, That DX rated orders must be accepted in accordance with the provisos contained in sec. 6 (2) and (5) above.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, P.L. 89-343, 78 Stat. 235)

This amendment shall become effective May 27, 1966.

BUSINESS AND DEFENSE SERVICES  
ADMINISTRATION,  
FORREST D. HOCKERSMITH,  
Acting Administrator.

[F.R. Doc. 66-4579; Filed, May 26, 1966; 8:45 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4022]

[Anchorage 053765]

#### ALASKA

##### Opening of Lands, Subject in Part to Section 24 of the Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

1. In DA-64-Alaska, the Federal Power Commission vacated the power withdrawal created pursuant to the filing of applications for preliminary permit and for amendment thereof for Project No. 350 affecting lands (a) lying within one-half mile of the ordinary high water line of Eklutna Lake and at an elevation in excess of 900 feet above mean sea level and, (b) lying within one-half mile of Eklutna River, with the exception of 200 acres. The excepted area comprises those portions of the S $\frac{1}{2}$ SE $\frac{1}{4}$  of sec. 19, and the E $\frac{1}{2}$ NE $\frac{1}{4}$  and the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of sec. 30 T. 16 N., R. 1 E., S.M., lying within a strip 600 feet in width, embracing the diversion dam, tunnel, penstock, and powerhouse locations. The lands are described on a map designated "Exhibit K, Anchorage Light & Power Co., River Diversion and Power", and filed in the Office of the Federal Power Commission on April 7, 1931, in connection with Project No. 350.

The areas described aggregate approximately 10,627 acres, of which about 10,000 acres are public lands. Some of the public lands are withdrawn for other purposes, and some have previously been restored subject to section 24 of the Federal Power Act. As to the latter, the effect of this order is to relieve the lands of the restrictive provisions of the said section 24.

2. In DA-64-Alaska, the Federal Power Commission determined that the value of the lands reserved or classified for powersite purposes, bordering Eklutna Lake, and lying below elevation 900, will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act, as amended, and subject to the condition that the United States, its permittees or licensees shall not be held liable for any damage to the improvements placed thereon resulting from the construction, operation, and maintenance of any power project works thereupon. The lands are located within an area which, if surveyed, would probably be described as follows:

SEWARD MERIDIAN

**Title 46—SHIPPING**

**Chapter II—Maritime Administration,  
Department of Commerce**

**SUBCHAPTER G—EMERGENCY OPERATIONS**

[General Order 82, 14th Rev., Amtd. 1]

**PART 309—VALUES FOR WAR RISK  
INSURANCE**

**Values Effective January 1, 1966;  
Correction**

In F.R. Doc. 66-5074 appearing in the FEDERAL REGISTER issue of May 11, 1966 (31 F.R. 6893), the following list of vessels was inadvertently omitted:

Binder No.	Name of vessel	Official No.	Stated valuation (in thousands)
2040	Australian Reef	244020	\$582
2090	Australian Surf	254842	582
210	Avila	267181	1,390
259	Azalea City	243436	2,225
707	Badger State	245136	555
2067	Baltimore Trader	245965	555
1864	Bangor	252036	500
980	Barbara	248079	2,175
347	Barbara Jane	278103	6,620
1616	Bat	244714	275
708	Bayou State	254012	555
1915	Beauregard	251508	2,225
709	Beaver State	245583	593
1755	Beloit Victory	245883	593
947	Bengal Mail	248844	1,000
594	Bennington	242406	555
607	Bethlor	256034	2,550
608	Bethlox	255530	2,550
419	Biddeford Victory	248433	465
261	Bienville	243438	2,225
710	Blue Grass State	253866	555

Dated: May 24, 1966.

L. C. HOFFMANN,  
Chairman,

Ship Valuation Committee.

[F.R. Doc. 66-5853; Filed, May 26, 1966;  
8:47 a.m.]

**Title 50—WILDLIFE AND  
FISHERIES**

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

**PART 33—SPORT FISHING**

**Brigantine National Wildlife  
Refuge, N.J.**

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

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

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Sport fishing in tidal waters from the shore and access thereto by walking is

permitted on Holgate Peninsula and Little Beach Island on the Brigantine National Wildlife Refuge, N.J., from May 1, 1966, through December 31, 1966, except in those areas posted as closed. The open areas, comprising 60 acres, are delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations governing fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66-5855; Filed, May 26, 1966;  
8:47 a.m.]

**PART 33—SPORT FISHING**

**Elizabeth Alexandra Morton National  
Wildlife Refuge, N.Y.**

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

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

NEW YORK

ELIZABETH ALEXANDRA MORTON NATIONAL  
WILDLIFE REFUGE

Sport fishing from the shore in tidal waters and access thereto by walking is permitted on the Elizabeth Alexandra Morton National Wildlife Refuge, N.Y., from May 1, 1966, through December 31, 1966, inclusive. The open area, comprising 10 acres, is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations governing fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

MAY 18, 1966.

[F.R. Doc. 66-5856; Filed, May 26, 1966;  
8:47 a.m.]

- T. 15 N., R. 2 E.,  
Sec. 8, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
- Sec. 9, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ ;
- Sec. 10, W $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;
- Sec. 15, NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ ;
- Sec. 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;
- Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;
- Sec. 23, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;
- Sec. 24, W $\frac{1}{2}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Sec. 25;
- Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Sec. 36, N $\frac{1}{2}$ , SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ .
- T. 15 N., R. 3 E.,  
Sec. 30, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- Sec. 31, W $\frac{1}{2}$ .
- T. 14 N., R. 2 E.,  
Sec. 1, NE $\frac{1}{4}$ .

The areas described aggregate approximately 5,560 acres.

The lands described in this order surround Eklutna Lake and a portion of the Eklutna River. They are traversed by the Eklutna Road which ties into the Glenn Highway 21 miles northeast of Anchorage, Alaska.

3. Until 10 a.m., on August 19, 1966, the State of Alaska shall have a preferred right to select the public lands not otherwise withdrawn in accordance with the provisions of the act of July 28, 1956 (70 Stat. 709; 43 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the public lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on August 19, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Any disposals of the lands described in paragraph 2 of this order shall be subject to the provisions of section 24 of the Federal Power Act, as amended, and to the conditions specified by the Federal Power Commission in its determination.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

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

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

MAY 20, 1966.

[F.R. Doc. 66-5831; Filed, May 26, 1966;  
8:45 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ 43 CFR Part 4110 ]

### GRAZING REGULATIONS FOR PUBLIC LANDS

#### Notice of Proposed Rule Making

*Basis and purpose.* Notice is hereby given that pursuant to authority vested in the Secretary of the Interior by the Act of June 28, 1934 (43 Stat. 1270; 43 U.S.C. 315a), as amended and supplemented, it is proposed to amend and revise the regulations as set forth below. The purpose of this change is to recognize groups, associations or corporations as qualified applicants for grazing use by amending § 4111.1-1. In addition, changes in grazing use will be simplified by amending § 4115.2-1(k) 4.

It is the policy of the Department, 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 amendments to the Bureau of Land Management, Washington, D.C., 20240, within thirty (30) days of publication of this notice in the FEDERAL REGISTER.

1. Section 4111.1-1 is amended as indicated below:

#### § 4111.1-1 Qualifications.

An applicant for a grazing license or permit is qualified if:

(a) He is engaged in the livestock business and is a citizen of the United States or has on file before a court of competent jurisdiction a valid declaration of intention to become a citizen or a valid petition for naturalization, or:

(b) It is a group, or association authorized to conduct business under the laws of the State in which the grazing privileges sought are to be exercised, all the members of which are qualified under paragraph (a) of this section; provided that the agreement or articles of association under which the association has been formed are approved by the State Director, or:

(c) It is a corporation, the controlling interest in which is vested in persons qualified under paragraph (a) of this section and which is authorized to do business under the laws of the State in which grazing privileges sought are to be exercised; provided that the articles of incorporation have been approved by the State Director.

2. In § 4115.2-1, paragraph (k) (4) is revised to read as follows:

#### § 4115.2-1 License and permit procedures; requirements and conditions.

(k) \* \* \*

(4) *Payment of fees; modification in fees due.* No license or permit shall be issued or renewed until payment of all fees due the United States under these regulations has been made. Fees for licenses and permits are due the United States upon issuance of the fee notice and are payable in full in advance before grazing use is authorized. Grazing privileges may be canceled or reduced pursuant to paragraph (d) of this section for failure to pay the fee in accordance with the fee notice. Any licensee or permittee who desires to make a change in authorized grazing use must file, in advance, a written request for such changes with the District Manager. If the District Manager approves the request he will issue an adjusted fee notice.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

MAY 23, 1966.

[F.R. Doc. 66-5851; Filed, May 26, 1966; 8:47 a.m.]

## DEPARTMENT OF AGRICULTURE

Forest Service

[ 36 CFR Part 211 ]

### BOARD OF FOREST APPEALS

#### Proposed Rules of Procedure

It is proposed to amend Title 36 CFR, Chapter II, Part 211 by adding thereto a Subpart C containing procedural rules governing appeals to the Board of Forest Appeals for which provision has been made in 36 CFR 211.23 (30 F.R. 6346). Proposed rules of procedure are set forth below. Interested persons may submit such written comments and suggestions with respect to the proposed rules as they may desire. Communications should be submitted in duplicate to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250. Communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before issuance of the rules of procedure for the Board of Forest Appeals. No public hearing is contemplated or required. Arrangements for informal conferences with the Chairman of the Board of Forest Appeals may be made by contacting the Chairman at the U.S. Department of Agriculture, Washington, D.C. Any comments and suggestions presented during any such conference should also be submitted in writing for

consideration by the Board of Forest Appeals. The proposed rules set forth below may be changed in the light of the comments and suggestions received within the above period.

#### Subpart C—Rules of Procedure of the Board of Forest Appeals

Sec.	
211.101	Scope and purpose.
211.102	Words in the singular form.
211.103	Definitions.
211.104	Membership and participation of the Board.
211.105	Appealable decisions.
211.106	Notice of appeal and written statement.
211.107	Action by forest officer.
211.108	Consolidation of appeals and intervention by other persons.
211.109	Determination of classification of case on appeal.
211.110	Production of documents for inspection and copying.
211.111	Depositions.
211.112	Interrogatories.
211.113	Objections to, and limitations on, production of documents, depositions, and interrogatories.
211.114	Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112, and 211.113.
211.115	Request for and scheduling of hearing.
211.116	Conduct of hearings.
211.117	Closing of the record—readiness of appeal for decision.
211.118	Decisions of the Board.
211.119	Filing, service; extension of time; effective date of filing and computation of time.

**AUTHORITY:** The provisions of this Subpart C issued under 30 Stat. 35, as amended, 16 U.S.C. 551, 50 Stat. 526, 7 U.S.C. 1011(f); R.S. 161 as amended, 5 U.S.C. 22.

#### § 211.101 Scope and purpose.

This subpart implements Subpart B of this part, "Appeals from Administrative Decisions Relating to the Administration of the National Forest or other lands under the Administration of the Forest Service," by providing rules of procedure to be followed in proceedings before the Board of Forest Appeals. For additional information regarding the Board of Forest Appeals, as well as for procedures to be followed prior to appeal to the Board of Forest Appeals and in cases outside the jurisdiction of the Board of Forest Appeals reference should be made to §§ 211.20-211.37 (30 F.R. 6345). There are excluded from the application of this subpart: (a) Appeals from decisions of contracting officers of the Department of Agriculture involving disputed questions of fact under contracts for the construction, alteration or repair of public buildings or works, or the purchase of administrative supplies, equipment, materials, or services, provided for in 7 CFR 1.101 et seq., (b) appeals where the relief appellant seeks is reformation of a contract or monetary damages, (c) ap-



peals where the relief sought is the reversal or modification of a decision denying an application for a special use permit, contract, or any use of the national forests, (d) appeals where the jurisdiction of another Government agency over the subject matter of the appeal supersedes that of the Department of Agriculture, (e) appeals from decisions of forest officers in personnel matters, and (f) appeals from decisions in appeals classified by the forest officers as within Class Three as defined in § 211.20(a)(3) except that the classification of the case, if disputed, may be appealed to the Board and the Secretary as provided in this subpart.

§ 211.102 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 211.103 Definitions.

Unless the context of this subpart otherwise requires:

- (a) The term "Department" means the U.S. Department of Agriculture;
- (b) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore or may hereafter be delegated to act in his stead;
- (c) The term "Board" means the Board of Forest Appeals for which provision has been made in § 211.23 (30 F.R. 6346);
- (d) The term "Chairman" means the Chairman of the Board of Forest Appeals;
- (e) The term "presiding officer" means the member of the Board delegated by the Board to conduct a hearing and the Chairman of the Board shall be deemed to be the "presiding officer" in any appeal for which no other member of the Board has been named presiding officer as provided in § 211.104(b);
- (f) The term "Forest Service" means the Forest Service of the U.S. Department of Agriculture;
- (g) The term "National Forest" includes national forest lands and other lands under the administration of the Forest Service;
- (h) The term "Regional Forester" means a Regional Forester of the Forest Service or any other field officer of the Forest Service reporting directly to the Chief of the Forest Service;
- (i) The term "forest officer" means a Regional Forester or the Chief of the Forest Service;
- (j) The term "person" means any individual, partnership, any public or private corporation, association, agency, or other legal entity;
- (k) The term "written instrument" means all written contracts, agreements, permits, or other instruments having the legal effect of contracts;
- (l) The term "hearing" means that part of the proceeding which involves the submission of oral or written evidence;
- (m) The term "party" includes the person prosecuting the appeal, intervenors admitted to the proceeding as

provided in this subpart and the forest officer who made the decision from which the appeal is taken;

(n) The term "decision" shall include any order, ruling, or other exercise of discretion by a forest officer or the Board having a substantial effect on private rights but shall not include procedural orders, rulings on evidence, and other like determinations of the presiding officer during the course of an appeal which are not dispositive of the appeal; and

(o) The term "Hearing Clerk" means the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C.

§ 211.104 Membership and participation of the Board.

(a) *Members of the Board.* The Board shall be appointed and serve as provided in § 211.23.

(b) *Meetings of the Board.* Meetings of the Board shall be called by the Chairman from time to time as required to decide appeals and otherwise transact the business of the Board. Such meetings shall generally be held in Washington, D.C., but may, in the discretion of the Chairman, be held at other places mutually convenient to members of the Board. Meetings shall be under the general direction of the Chairman or his alternate if the Chairman is unable to participate. If neither the Chairman or his alternate are able to participate in the meeting and a quorum of the Board is otherwise present, the members so constituting a quorum may choose a temporary Chairman to conduct the business of the meeting. Reasonable notice of meetings of the Board shall be given by the Chairman to the members of the Board and to alternate members in the place of members having like status in the event one or more regular members are unable to participate in the meeting.

(c) *Quorum of the Board.* Three members of the Board, at least one of whom shall not be a regular employee of the Department, shall constitute a quorum for the transaction of business of the Board and any decision or action concurred in by a majority of such quorum shall be deemed a decision or action of the Board.

(d) *Functions of the Chairman—delegation of members for conduct of hearings.* (1) In addition to the functions of the Chairman to which specific reference is made in this subpart, the Chairman shall conduct hearings for the purpose of taking testimony of witnesses and assembling a record of the proceedings and otherwise perform the duties and functions of a presiding officer specified in this subpart in all cases before the Board. The Board also may, from time to time, delegate any one of its other members to conduct hearings and perform the duties and functions of a presiding officer in any case where such a delegation of authority has been made by the Board.

(2) The Chairman shall be responsible for the internal management and administration of the Board, and the Chairman is authorized to act on behalf of the Board in calling meetings of the Board, in conducting correspondence for

the Board and in carrying out such other duties as may be necessary in the conduct of routine business of the Board.

(e) *Assignment of presiding officer and members of the Board.* No presiding officer or member of the Board who has any pecuniary or other interest in the outcome of the proceeding, or who has participated in any investigation preceding the institution of the proceeding, shall serve in any capacity in such proceeding.

(f) *Powers of presiding officer.* Subject to review by the Board on completion of the record, the presiding officer shall have the power to:

- (1) Rule upon motions and requests, including requests for permission to intervene;
- (2) Adjourn the hearing from time to time, and change the time and place of hearing;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Examine witnesses and receive evidence;
- (5) Take or order the taking of depositions;
- (6) Admit or exclude evidence;
- (7) Hear oral argument on facts or law;
- (8) Consolidate appeals filed by two or more appellants if consolidation is warranted under § 211.108(a);
- (9) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding and, upon closing of the record as provided in § 211.117, make the record available to the Board for its consideration and decision on the appeal.

§ 211.105 Appealable decisions.

(a) *Appeals in Class One and Class Two cases.* Appeals from decisions classifying cases or from decisions of forest officers on the merits of cases, or both, may be taken to the Board if the appeals are within either of the following categories:

(1) *Class One.* Appeals from decisions in which the issue under appeal relates to a breach of the terms or provisions of a written instrument. To be classified as a Class One appeal, the appeal must be taken by a party or parties to the written instrument.

(2) *Class Two.* Appeals from decisions having effect on the enjoyment of use under a written instrument in which a breach of the terms or provisions of such instrument is not the issue under appeal. To be classified as a Class Two appeal, the appeal must be taken by a party or parties to the written instrument.

(b) *Appeals in Class Three cases.* In the event an appeal is classified by the forest officer as being within Class Three and such classification is disputed by the person adversely affected, such person may appeal the forest officer's classification of the case, but not the merits of the decision, to the Board. The Board shall determine the issue of classification as provided in § 211.119 of this subpart and if the case is reclassified by the Board, or by the Secretary on appeal from the Board, as a Class One or Class Two ap-

peal, the proceedings shall then be continued before the Board as provided in this subpart for appeals of Class One or Class Two, as the case may be. If the forest officer's classification of the appeal is upheld by the Board or by the Secretary, the Chairman shall transmit to the Secretary or to the Chief of the Forest Service, as the case may be, the record before the Board without recommendation as to the disposition of the case on the merits.

**§ 211.106 Notice of appeal and written statement.**

(a) *Filing of notice and written statement.* Any decision in either Class One or Class Two which is appealable to the Board under the provisions of §§ 211.20 and 211.21 shall be final unless the person adversely affected by the decision files a written notice of appeal to the Board with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, within 30 days from the date of receipt by him of the decision of the forest officer. In the case of an appeal from the classification of a case as one within Class Three, the notice of appeal shall be filed as provided in this paragraph within 90 days from the date of receipt by the appellant of the decision of the forest officer. The time for filing such notices of appeal may not be enlarged by the Board. In addition, the party prosecuting the appeal shall file a written statement of reasons why the decision appealed from is contrary to, or in conflict with, the facts, the law, or the regulations of the Secretary of Agriculture, or is otherwise in error. The written statement of reasons shall be filed with the Hearing Clerk within the 30-day or 90-day period, as the case may be, specified as the period in which notice of appeal shall be filed or within such additional time for filing the statement as may be granted by the Chairman.

(b) *Contents of the notice of appeal.* The notice of appeal shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the date, number and title of the contract or other written instrument involved; the date of the decision from which the appeal is being taken; and the name and title of the forest officer who made the decision.

(2) A request for a hearing before the Board, if one is desired.

(c) *Contents of the written statement.* The written statement shall contain:

(1) Sufficient information to identify the decision from which the appeal is being taken and should include the docket number assigned to the case if such number has been assigned and appellant has been advised thereof. If the appellant is other than an individual, the statement should also indicate whether the appellant is a corporation, a partnership, or other form of legal entity and the name and business address of the officer, partner, or other individual authorized to act on behalf of the entity in connection with the appeal. Such person shall be deemed to be the person to whom notices and other

documents relating to the appeal may be addressed for purposes of service. In addition, if the appellant is represented by legal counsel or other persons authorized to represent appellant as provided in § 211.115(d), the statement should specify the name and business address of any such person and service of notices and other documents relating to the appeal upon such person shall be deemed to be service upon the appellant.

(2) If the appellant disputes the classification of the case by the forest officer, the written statement should also include a statement of the class in which the appellant believes the case should be placed together with an explanation of the reasons why the appellant believes the case should be so classified.

(3) A statement setting forth clearly and concisely the reasons why the appellant considers the decision appealed from contrary to, or in conflict with, the facts, the law or the regulations of the Secretary of Agriculture, or is otherwise in error, including a statement of facts (avoiding a mere repetition of detailed evidence) upon which the appeal is based, and which it is desired that the Board consider.

(4) A brief statement of the relief which the appellant desires the Board to grant.

**§ 211.107 Action by forest officer.**

(a) *Notification of forest officer and time for filing responsive pleading.* The Hearing Clerk shall mail copies of the notice of appeal and written statement to the forest officer concerned by certified mail. The forest officer shall within 30 days after receipt of the written statement or within such additional period as may be granted by the Chairman, file a responsive pleading with the Hearing Clerk.

(b) *Contents of responsive Pleading of the forest officer.* The responsive pleading of the forest officer should contain the following:

(1) If the forest officer is of the opinion that the appeal does not substantially comply with the requirements of this subpart, was not filed in good faith, or does not raise any issue of fact to be decided by the Board, he shall state the reasons for such conclusions in his responsive pleading and may request that the Board rule thereon before proceeding further with the appeal. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that the objections are not dispositive of the appeal.

(2) If the forest officer's classification of the case has been disputed, his responsive pleading shall set forth the facts and considerations upon which he made his classification. The pleading shall, however, also set forth the statements specified in subparagraph (3) of this paragraph if the forest officer intends to rely thereon in the event the Board decides that disposition of the dispute as to classification is not dispositive of the appeal.

(3) Specific admissions or denials of the facts contained in the written statement of the appellant and a statement of such other facts as the forest officer believes constitute separate matters of defense.

(4) If the appellant has not requested a hearing before the Board, the forest officer may include such a request in his responsive pleading if he wishes the matter to be heard by the Board. If neither the appellant nor the forest officer requests a hearing, the forest officer shall forward the record on which his decision was based to the Board with his responsive pleading and the Board shall decide the appeal without a hearing, unless a hearing is ordered by the Board on its own motion.

**§ 211.108 Consolidation of appeals and intervention by other persons.**

(a) *Consolidation.* The presiding officer may, in his discretion, consolidate appeals filed by two or more persons who are adversely affected by the same decision of a forest officer or whose appeals present substantially the same legal and factual issues and are based on the same fact situation.

(b) *Intervention.* The presiding officer may, in his discretion, where intervention will not have the effect of extending the permitted period for filing an appeal, permit persons who may be adversely affected by the modification or reversal of a decision under appeal to intervene in the proceedings on appeal if such intervention does not raise issues foreign to those under appeal and will not unduly delay or prejudice the determination of the rights of the original parties to the appeal. The intervenor shall file a written request for permission to intervene with the Hearing Clerk and shall include in such request the data and information specified in § 211.106(c) for written statements supporting an appeal and shall, in addition, set forth the grounds on which intervention is sought. In any case where the intervention is permitted by the presiding officer, the intervenor shall be bound by all prior proceedings in the appeal. The forest officer whose decision is under appeal shall not be required to file his responsive pleading until at least 30 days after the pleadings of the intervenor have been filed. If intervention is authorized by the presiding officer after responsive pleadings have been filed by the forest officer, the forest officer shall, within such time as the presiding officer may allow, file such additional responsive pleadings as he deems necessary to respond adequately to the intervenor.

**§ 211.109 Determination of classification of case on appeal.**

If the notice of appeal or written statement and the responsive pleading of the forest officer indicate that the parties are in dispute as to the classification of the appeal, the Board shall classify the appeal upon the written record before considering the case on the merits. The Board or the presiding officer may request the parties to supply such additional written information and docu-

mentary evidence as may be determined necessary to classify the case. Such information shall be supplied by the party to whom any such request is addressed within such period of time as may be specified in the request. The classification assigned by the Board to the case shall be final unless the Board's classification is appealed by either party within 30 days to the Secretary, in which case the Secretary shall make the final decision on classification. If the classification is appealed to the Secretary, no further action on the appeal shall be taken by the Board until classification of the case by the Secretary. In the event the Board or the Secretary classifies a case as one which falls within Class Three or finds the case is within the exclusions provided in § 211.20(b) or § 211.21(a), the Chairman will so notify the parties and the Board will take no further action on the appeal except to make such disposition thereof as may be appropriate to the case under the provisions of Subpart B of this part.

#### § 211.110 Production of documents for inspection and copying.

At any stage of an appeal, upon motion of either party filed with the Hearing Clerk and upon a showing of good cause therefor, the presiding officer may order the other party to produce for inspection and copying or photographing, any documents, papers, records, letters, photographs, or other tangible things not privileged, relevant to the issues on appeal which are in the other party's possession, custody, or control. The presiding officer upon his own motion, may, at any time prior to closing the record, make a request upon either party to the proceeding for the production of material or information, not privileged and relevant to the appeal.

#### § 211.111 Depositions.

(a) *Motion for taking deposition.* Upon motion of a party filed with the Hearing Clerk, the presiding officer may, at any time after the filing of the motion, order the taking of testimony by deposition. The motion shall be in writing and shall set forth: (1) The name and address of the proposed deponent; (2) the name and address of the person (referred to in this section as the "officer"), qualified under the rules in this part to take depositions, before whom the proposed examination is to be made; (3) the proposed time and place of the examination, which shall be at least 15 days after the date of the mailing of the application; and (4) the reasons why such deposition should be taken.

(b) *Presiding officer's order for taking deposition.* If, after the examination of the application, the presiding officer is of the opinion that the deposition should be taken, he shall order its taking. The order shall be filed with the Hearing Clerk and shall be served upon the parties and shall state: (1) The name of the deponent; (2) the time and place of the examination (which shall not be less than 10 days after the filing of the order); and (3) the name of the officer

before whom the examination is to be made. The officer and the time and place need not be the same as those suggested in the application.

(c) *Qualifications of officer.* The deponent shall appear before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before an officer authorized by the Secretary to administer oaths.

(d) *Procedure on examination.* The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. In lieu of oral examination, parties may transmit written interrogatories to the deponent which shall be propounded to the deponent by the officer. The applicant must arrange for the examination of the witness either by oral examination or by written interrogatories.

(e) *Certification by officer.* The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope and mail the same by certified or registered mail to the Hearing Clerk.

(f) *Use of depositions.* A deposition ordered and taken in accord with the provisions of this section may be used in a proceeding if the presiding officer finds that the witness is absent and his presence cannot be readily obtained, the evidence is otherwise admissible, and that circumstances exist as to make it desirable in the interests of justice to allow the deposition to be used. If a deposition has been taken, and the party upon whose application it was taken refuses to offer the deposition, or any part thereof, in evidence, the other party may introduce the deposition, or any portion thereof on which he wishes to rely.

#### § 211.112 Interrogatories.

At any time after the filing of the appellant's written statement and in sufficient time to permit answers to be filed before the hearing, either party may serve upon the other interrogatories and requests for admissions by filing them with the Hearing Clerk who shall thereupon transmit a copy to the party for whom they are intended. Such interrogatories and requests for admissions shall be drawn with the purpose of defining the issues in dispute between the parties and to facilitate the presentation of evidence at the hearing. Answers shall be served upon the Hearing Clerk, within 15 days from the date of service of such interrogatories or within such other period of time as may be agreed upon by the parties or prescribed by the presiding officer. A copy of the answers shall be transmitted by the Hearing Clerk to the party propounding the interrogatories.

#### § 211.113 Objections to, and limitations on, production of documents, depositions and interrogatories.

The presiding officer, upon motion seasonably made by any party, or by the person to be examined, or upon his own motion, may, upon notice and for good cause, direct that proceedings under §§ 211.110, 211.111, and 211.112 be conducted only under, and in accordance with, such limitations as to documents, persons, time, place and scope as he deems necessary and appropriate.

#### § 211.114 Effect of failure to comply with orders under §§ 211.110, 211.111, 211.112, and 211.113.

In the event of the failure of a party to comply with a request for production of documents under § 211.110; or on the failure of a party to appear or to make available an officer, director, official or employee of such party for examination under § 211.111; or on failure of a party to respond to interrogatories or requests for admissions under § 211.112; or on failure of a party to comply with an order of the presiding officer issued under § 211.113; without, in any of such events, showing an excuse or explanation, for such failure satisfactory to the Board, the Board may (a) decide the fact or issue relating to the material requested to be produced, or the subject matter of the probable testimony, in accordance with the claims of the other party or in accordance with other evidence available to the Board; (b) dismiss the appeal if the appellant is the disobedient party; or (c) make such other ruling as the Board determines just and proper.

#### § 211.115 Request for and scheduling of hearing.

(a) *Request for hearing.* A hearing before the Board in a Class One or Class Two case shall be a matter of right provided a request therefor has been made by the appellant as specified in this subpart. If a hearing is not requested by the appellant, the forest officer whose decision has been appealed may request a hearing in which event the Board shall proceed to hold such a hearing. If neither of the parties request a hearing, the Board may on its own motion call a hearing on the appeal.

(b) *Place of hearing.* The presiding officer shall designate the place at which the hearing shall be held. The place of hearing shall be in close proximity to the National Forest involved or at such other place as may best serve the interest of the parties to the appeal.

(c) *Time and notice of hearing.* The presiding officer shall make every effort to satisfy the convenience of the parties in fixing the date for the hearing and, unless otherwise agreed to by the parties and the presiding officer, no hearing shall be held unless 30-days notice in writing has been given to the parties of the time and place set for the hearing.

(d) *Representation before the Board.* Any appellant or intervenor may be represented at the hearing and otherwise before the Board by any individual meeting the requirements of 7 CFR 1.26. The forest officer shall be represented by an

attorney from the staff of the Office of the General Counsel, U.S. Department of Agriculture. Whenever, while a proceeding is pending before him, the presiding officer finds that a person acting as counsel or representative for any party to the proceeding is guilty of unethical or unprofessional conduct, the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Board may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal, except that the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the party involved to obtain other counsel or representative.

(e) *Abandonment of appeal.* In any case where an appellant or an intervenor does not take such action as may be necessary to prosecute his appeal, or pursue his petition as intervenor, in accordance with the regulations in this subpart, the presiding officer shall notify him in writing of his default and if such person does not show an explanation for such failure within such period of time as may be specified in the notice of default the Board may dismiss the appeal or the request for intervention for lack of prosecution.

(f) *Prehearing arrangements.* The presiding officer may at any time prior to the hearing direct the parties to appear before him at a specified time and place for a conference to consider or otherwise provide for: (1) Simplification of the issues, (2) stipulations or admissions of fact and of documents, and (3) such other matters as might aid in the disposition of the appeal. The results of any such conference shall be reduced to writing by the presiding officer in the presence of the parties and this writing shall become part of the record.

#### § 211.116 Conduct of hearings.

(a) *General.* Hearings shall be conducted by the presiding officer in such a way as to afford the parties a full and complete review of the challenged decision and to obtain a clear and orderly record. Facts admitted in the pleadings or stipulated to by the parties will be treated by the Board as having been established and no further proof of such facts will be required. Facts in dispute between the parties shall be determined by the Board only upon the basis of evidence in the record except that the Board may officially notice those facts which are commonly accepted as being the subject of judicial notice.

(b) *Burden of proof and order of proceeding.* The burden of proof in establishing errors or omissions in the decision of the forest officer shall rest on the person asserting the error or omission. Unless otherwise directed by the presiding officer, the appellant shall proceed first at the hearing and shall be followed by the presentation on behalf of the forest officer. The presiding officer may thereafter limit the introduction of other evidence by the parties in such a manner

as to prevent burdening the record with repetitious or cumulative evidence.

(c) *Evidence—(1) In general.* Hearings will be conducted as informally as possible considering the necessity for having a clear and concise record of the evidence relating to the issues presented by the appeal. The presiding officer shall receive only evidence which is germane to the issues involved and shall exclude, insofar as practicable, evidence which is immaterial, irrelevant, or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely. Hearings shall be publicly conducted and the testimony given at such hearings shall be reported verbatim. The testimony of witnesses shall be upon oath or affirmation and subject to cross-examination. Any witness may, in the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who may be parties to the proceeding.

(2) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon, except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

(3) *Depositions.* The deposition of any witness shall be admitted, in the manner provided in § 211.110(f).

(4) *Affidavits.* Affidavits may be admitted if the evidence is otherwise admissible.

(5) *Records and documents.* Upon proof of authenticity, papers, books, records, or documents shall be admissible in evidence without the production of the person who made or prepared the same and copies thereof shall be admissible in lieu of submission of original documents where such submission is not practicable.

(6) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon a satisfactory showing of the admissibility of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Except where the presiding officer finds that the furnishing of copies is impracticable, a copy of each exhibit, in addition to the original, shall be filed with the presiding officer for the use of each other party to the proceeding. The presiding officer shall advise the parties as to the exact number of copies which will be required to be filed and shall make and have noted on the record the proper distribution of the copies. If the testimony of a witness refers to a statute, or to a report, document or transcript, the presiding officer, after inquiry relating to the identification of such statute, report, document or transcript, shall determine whether the same shall be produced at the hearing and physically be

made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by reference. If relevant and material matter offered in evidence is embraced in a report, document or transcript containing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(7) *Official notice.* Official notice will be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific, or commercial-fact of established character: *Provided*, That the parties shall be given adequate notice of matters so noticed, and (except where official notice is taken, for the first time in the proceeding, in the final decision) shall be given adequate opportunity to show that such facts are erroneously noticed.

(8) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Board decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume an unreasonable length of time at the hearing. In the latter event, if the Board decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

(d) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be allowed unless the presiding officer finds that the denial of such argument will not deprive the parties of an adequate opportunity for oral argument subsequently in the proceeding. Such arguments may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and be made part of the transcript.

(e) *Briefs and proposed findings of fact and conclusions of law—oral argument before the Board.* Such briefs and proposed findings of fact and conclusions of law as may be allowed by the presiding officer shall be filed within such periods of time or extensions thereof as may be determined by the presiding officer. The Board may, in such cases as it deems appropriate, request the parties to appear before the Board, at such time and place as it determines the interest of the parties to the appeal will be best served, and present oral argument upon such issues involved in the appeal as the Board may specify.

(f) *Transcript.* During the period in which the proceeding has an active

status before the Board, a copy of the transcript and exhibits shall be kept on file in the Office of the Hearing Clerk, where it shall be available for examination during official hours of business. Thereafter the transcript and exhibits shall be made available by the Hearing Clerk for examination during official hours of business after prior request and reasonable notice to the Hearing Clerk. If a personal copy of the transcript is desired, it may be obtained upon written application filed with the reporter and upon payment of fees at the rate (if any) provided in the contract between the reporter and the Secretary.

**§ 211.117 Closing of the record—readiness of appeal for decision.**

(a) *Disputes as to classification.* A dispute as to the classification of a case shall be considered ready for decision on submission of the written statements of the parties and such supplemental or additional information relating to the issue of classification as may have been requested by the Board or by the presiding officer. The record in the proceeding shall, however, remain open for disposition of the case on the merits if the decision of the Board on the issue of classification is not dispositive of the appeal.

(b) *Cases in which no hearing on the merits has been requested.* Cases in which no hearing has been requested by either party and none has been ordered by the Board shall be ready for decision on receipt of the written statements of the parties and the prior record of the proceeding submitted to the Board by the forest officer in accordance with § 211.22 (b) (3). The Board may, however, in any such case request the parties to submit additional information in writing, oral arguments, or briefs, in which event, the case shall not be deemed ready for decision by the Board until such supplementary material requested by the Board has been received.

(c) *Cases in which hearings have been held.* A case in which a hearing has been held shall be ready for decision upon receipt by the Board of the transcript and all exhibits, or upon receipt of briefs, when briefs are to be submitted, or upon conclusion of oral argument before the Board, if such argument is requested by the Board, whichever last occurs.

**§ 211.118 Decisions of the Board.**

(a) *Class One cases, finality of decisions and requests for reconsideration.* The Board shall make decisions in appeals arising under Class One which shall be final, conclusive and binding on the parties thereto except as they may be subject to review as provided by law. A request for reconsideration of a decision in a Class One case may be made to the Board by any party to an appeal within thirty (30) days from the date of the decision. Such a request shall be in writing, shall be filed with the Hearing Clerk, and shall set forth the grounds on which reconsideration is sought. Reconsideration of a decision, which may include a hearing or rehearing, may be granted or denied at the discretion of the Board.

(b) *Class Two cases, recommendations, advisory.* In Class Two cases which are on appeal, the Board shall make written advisory recommendations, together with supporting determinations of fact, for the consideration of the Chief or the Secretary, as the case may be, and the Chairman shall transmit the record, together with the recommendations of the Board, to the Chief, or to the Secretary, as the case may be, in accordance with the applicable provisions of Subpart B of this part.

(c) *Class Three cases and cases outside of jurisdiction of Board.* If the Board determines that an appeal is in Class Three or is outside its jurisdiction it shall make such disposition of the appeal as is appropriate to the circumstances of the case under the provisions of Subpart B of this part.

(d) *Preponderance of evidence.* The weight and sufficiency of evidence shall be determined by the Board and the decision of the Board on an appeal shall be based on the preponderance of the evidence contained in the record.

(e) *Inclusion of facts, conclusions and reasons.* Decisions of the Board shall include (1) a statement of facts, (2) the conclusion of the Board, and (3) the reasons upon which the conclusion is based. The Chairman shall be responsible for the preparation of the decisions of the Board which shall be signed by all members who concur therein. The concurrence of a majority of the members of the Board shall be sufficient to constitute a decision of the Board on an appeal.

(f) *Action to be taken within sixty (60) days.* On or before the expiration of sixty (60) days after closing of the record as provided in this subpart, the Board shall either make a decision, provide for the production of additional evidence and information, or remand the case to the presiding officer with appropriate instructions. If the production of additional evidence or information is required or the case is remanded, the presiding officer shall notify the parties to the appeal and shall specify the action to be taken by the parties as directed by the Board as well as the period of time within which such action shall be taken. If more than sixty (60) days are required for a decision after the entire record is received, the Board shall notify the parties and specify the reasons for the delay.

(g) *Publication of decisions.* The decisions of the Board shall be reproduced in such manner as the Chairman may determine. A copy of the decision of the Board shall be furnished to each party to the appeal and copies shall be distributed to the Office of the Hearing Clerk, U.S. Department of Agriculture, to the Chief of the Forest Service, to the Regional Offices of the Forest Service and to all Forest Supervisors. Decisions of the Board shall be available at such locations for public inspection at any time during normal business hours. On payment of the cost thereof, if any, copies of decisions of the Board will be distributed to members of the public on request therefor.

**§ 211.119 Filing, service; extension of time; effective date of filing and computation of time.**

(a) *Filing; number of copies.* Except as provided otherwise in this subpart, all documents or papers required or authorized in this subpart to be filed with the Hearing Clerk shall be filed in quadruplicate: *Provided*, That if there are more than two parties to the appeal, a sufficient number of additional copies shall be filed so as to provide for service upon all the parties to the appeal. Any document or paper, required or authorized in this subpart to be filed with the Hearing Clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Service; proof of service.* Copies of all such papers shall be served upon the parties by the Hearing Clerk, by the presiding officer, or by some other employee of the Department. Service shall be made either: (1) By delivering a copy of the document or paper to the party to be served or to the attorney or agent of record of such party; (2) by leaving a copy of the document or paper at the principal office or place of business of such party or of his or its attorney or agent of record; (3) by mailing via certified or registered mail a copy of the document or paper, addressed to such party, or to his or its attorney or agent of record, at his or its last known principal office, place of business, or residence. Proof of service hereunder shall be made by the affidavit of the person who actually made the service. The affidavit of service shall be filed with the Hearing Clerk and the fact of filing thereof shall be noted on the docket of the appeal.

(c) *Extension of time.* The time for the filing of any documents or papers required or authorized in this subpart to be filed, except for notices of appeal and requests for reconsideration, may be extended upon (1) a written stipulation between the parties, or (2) upon the request of a party, by the Board or by the presiding officer if in the judgment of the Board or presiding officer there is good reason for the extension.

(d) *Effective date of filing.* Any document or papers required or authorized under these rules shall be deemed to have been filed when it is postmarked, or when it is received by the Hearing Clerk if other than the U.S. mails are used to accomplish delivery. If the date of mailing cannot be determined from the postmark, an affidavit of mailing may be requested by the presiding officer when he deems such a request necessary and appropriate.

(e) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided, however*, That when such time expires on a Sunday or a Federal holiday the time allowed shall be extended to include the next following business day.

Dated: May 19, 1966.

JOHN A. HARRIS,  
Chairman of the Board.

[F.R. Doc. 66-5874; Filed, May 26, 1966;  
8:49 a.m.]

# ATOMIC ENERGY COMMISSION

[ 10 CFR Part 70 ]

## SPECIAL NUCLEAR MATERIAL

### Requirements for Control and Physical Inventory of Special Nuclear Material

The Atomic Energy Commission has under consideration amendments to its regulation, 10 CFR Part 70, Special Nuclear Material, which would require holders of licenses for special nuclear material to adopt material control systems to better enable them to account for the special nuclear material which they are licensed to possess and to perform physical inventories of such material. The purpose of the proposed amendments is to further promote the common defense and security by the prevention of loss or diversion of special nuclear material.

Special nuclear material heretofore possessed by AEC licensees has consisted primarily of Government-owned material distributed for the performance of AEC contract work or distributed under lease arrangements for private use. In appropriate cases the contracts and leases have included requirements that the material be accounted for in a manner acceptable to the Commission. As a result of Public Law 88-489, approved on August 26, 1964, which provided for the private ownership of special nuclear material, some amounts of special nuclear material possessed by licensees will not be subject to the conditions of an AEC contract or lease. Certain accountability requirements of the type heretofore incorporated in the contracts and leases with respect to Government-owned material are reflected in the proposed amendments set forth below.

The proposed amendments would add to the present regulatory requirements imposed upon Commission licensees for maintaining records of receipts, transfers and inventories of special nuclear material, and reporting losses of such material other than normal operating losses. The amendments would require each AEC licensee who is authorized under license to possess in excess of 5,000 grams of special nuclear material, computed by adding the weights of any uranium 233, uranium 235 and plutonium, to (a) establish and maintain written procedures to control and account for the special nuclear material in his possession under license and keep records showing the location and movement of such special nuclear material; and (b) perform, at least annually, a physical inventory of the special nuclear material in his possession under license and keep records thereof. In addition, the proposed amendments would require that each AEC licensee, who is presently authorized to possess at any one time in excess of 5,000 grams of special nuclear material, to submit for Commission re-

view a written description of his special nuclear materials control and accounting system. This latter requirement would not apply to licensees who possess special nuclear material incidental to operation of a nuclear reactor licensed pursuant to 10 CFR Part 50, or to licensees who possess special nuclear material in sealed sources only. It would primarily apply to persons engaged in the processing and fabrication of special nuclear material. The proposed requirements would be set forth in a new § 70.24; present § 70.24 would be renumbered § 70.25.

Since persons who receive special nuclear material pursuant to an agreement State<sup>1</sup> license would not be likely to possess at any one time in excess of 5,000 grams of special nuclear material, no new requirements are proposed for agreement State licensees. All AEC licensees who are authorized under license to possess special nuclear material will continue to be subject to existing requirements of the Commission for maintaining records relating to special nuclear material and for reporting losses of material, other than normal operating losses.

Section 70.4 would be amended by the addition of a new paragraph (q) defining "sealed source."

Section 70.22 would be amended, by the addition of a new paragraph (b) to require an applicant for a license to possess at any one time in excess of 5,000 grams of uranium 233, uranium 235, or plutonium, or any combination thereof, to describe his material control and accounting system, including his physical inventory and measurement procedures. As noted above, this requirement would not apply to licensees who possess special nuclear material incidental to operation of a nuclear reactor licensed pursuant to 10 CFR Part 50, or to licensees who possess special nuclear material in sealed sources only.

Section 70.23 would also be amended, by the addition of a new paragraph (g), to provide that an application, for a license to possess special nuclear material as described in the proposed new § 70.22(b) would be approved by the Commission if, among other things, the Commission found that the applicant's proposed material control and accounting system was adequate.

The Commission is continuing to review its policies and procedures for safeguarding special nuclear material, including privately owned material. Particular attention will be given to the experience gained under these additional requirements to determine whether other requirements are needed. The Commission expects, however, that compliance with these additional requirements, in conjunction with (a) the criminal penalties provided by the Atomic Energy Act of 1954, as amended, for the receipt and possession of special nuclear material

<sup>1</sup> A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to sec. 274 of the Atomic Energy Act of 1954, as amended.

without a license,<sup>2</sup> (b) the considerable intrinsic value of special nuclear material, and (c) the regulatory requirements of the Commission relating to such matters as controlling access to and unauthorized removal of special nuclear material and the reporting of the theft or loss of special nuclear material, will provide greater assurance that special nuclear material will be adequately safeguarded. In addition, the regulations, as proposed to be amended, would better enable the Commission's licensees to fulfill their obligations to safeguard the material. The Commission is not proposing at this time to impose physical security requirements, such as the employment of guards or the erection of fences. However, the adequacy of the physical security of special nuclear material possessed by licensees will be carefully observed during routine AEC health and safety inspections, material surveys, and periodic security surveys; and the Commission will take whatever additional measures appear to be necessary to assure that special nuclear material is adequately safeguarded.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments to 10 CFR Part 70 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 70.4 of 10 CFR Part 70 is amended by adding a new paragraph (q) to read as follows:

#### § 70.4 Definitions.

(q) "Sealed source" means any special nuclear material that is encased in

<sup>2</sup> Sec. 222 of the Atomic Energy Act of 1954, as amended, provides in part, "Whoever willfully violates, attempts to violate, or conspires to violate, any provision of sections 57, 92, or 101 \* \* \* shall, upon conviction, thereof, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury), or by a fine or not more than \$20,000 or by imprisonment for not more than 20 years, or both."

Sec. 57 provides, in part, "Unless authorized by a general or specific license issued by the Commission \* \* \* no person may transfer or receive in interstate commerce, transfer, deliver, acquire, own, possess, receive possession of or title to, or import into or export from the United States any special nuclear material."

a capsule designed to prevent leakage or escape of the special nuclear material.

2. Section 70.22 of 10 CFR Part 70 is amended by redesignating paragraphs (b) and (c) as paragraphs (c) and (d) and adding a new paragraph (b) to read as follows:

**§ 70.22 Contents of applications.**

(b) Each application for a license to possess at any one time special nuclear material in excess of 5,000 grams, computed by adding the weights of any uranium 233, uranium 235 and plutonium, shall contain a description of the applicant's system for control of and accounting for special nuclear material, in storage or use, including a description of physical inventory and measurement procedures. This requirement does not apply to an application for (1) a license to possess special nuclear material incidental to the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, or (2) a license to possess special nuclear material in a sealed source only.

3. Section 70.23 of 10 CFR 70 is amended by adding a new paragraph (g) to read as follows:

**§ 70.23 Requirements for the approval of applications.**

A license application will be approved if the Commission determines that:

(g) Where the applicant is required to describe his material control and accounting system pursuant to § 70.22(b), the applicant's proposed system is adequate.

4. Section 70.24 is renumbered § 70.25 and a new § 70.24 is added to read as follows:

**§ 70.24 Special nuclear material control and physical inventory requirements.**

(a) In addition to any other requirements of this regulation, each licensee who is authorized to possess at any one time special nuclear material in excess of 5,000 grams, computed by adding the weight of any uranium 233, uranium 235, and plutonium, shall (1) establish and

maintain written material control and accounting procedures which are sufficient to enable the licensee to account for the special nuclear material in his possession under license and shall keep records showing the location and movement of such special nuclear material in his possession; (2) perform, at least annually, a physical inventory of the special nuclear material in his possession under license and keep records of such inventory.

(b) Except as provided in paragraph (c) of this section, a licensee authorized to possess the quantities of special nuclear material specified in paragraph (a) of this section under a license outstanding on the effective date of this section shall submit to the Commission within 60 days of the effective date of this section, a written description of his system for control of and accounting for special nuclear material possessed under his license, including a description of physical inventory and measurement procedures.

(c) The requirements of paragraph (b) of this section shall not apply to (1) a licensee who is authorized to possess special nuclear material incidental to the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter; or to (2) a licensee who is authorized to possess special nuclear material in sealed sources only.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 20th day of May 1966.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

[F.R. Doc. 66-5830; Filed, May 26, 1966; 8:45 a.m.]

**FEDERAL AVIATION AGENCY**

[ 14 CFR Part 75 ]

[Airspace Docket No. 66-WE-22]

**JET ROUTE**

**Proposed Alteration**

The Federal Aviation Agency has under consideration a proposal to amend

Part 75 of the Federal Aviation Regulations by realigning Jet Route No. 5 segment from Lakeview, Oreg., direct to Seattle, Wash.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

Realignment of Jet Route No. 5 as proposed herein would, by eliminating an existing dog leg, simplify air navigation and reduce the segment distance by approximately 15 miles. The proposed direct route presently is used in preference to the current J-5 segment, and its designation as a jet route would ease the workload of the pilot and controller.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 20, 1966.

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

[F.R. Doc. 66-5837; Filed, May 26, 1966; 8:45 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[471.21]

### TYPEWRITER RIBBONS, ON SPOOLS

#### Notice of Tariff Classification

The Bureau published on March 2, 1966 (31 F.R. 3308, No. 41), a notice of proposed tariff classification of typewriter ribbons with fast edges, cut to length and wound on spools, indicating that there was under review an established practice whereby such typewriter ribbons were classifiable, if of cotton, under item 347.33, Tariff Schedules of the United States (TSUS), as narrow fabrics, of cotton, dutiable at the rate of 17.5 percent ad valorem; if of silk, under item 347.50, TSUS, as narrow fabrics, of nonpile or nontufted construction, of silk, dutiable at the rate of 15 percent ad valorem; and if of man-made fibers, under item 347.60, TSUS, as narrow fabrics, of man-made fibers, ribbons other than pile or tufted construction, dutiable at the rate of 25 cents per pound plus 20 percent ad valorem.

In a letter dated May 19, 1966, addressed to the collector of customs at New York, the Bureau held that typewriter ribbons with fast edges, cut to length and wound on spools, were properly classifiable, if of cotton, under item 386.50, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of cotton, dutiable at the rate of 20 percent ad valorem, if of silk, under item 389.30, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of silk, dutiable at the rate of 27.5 percent ad valorem; and if of man-made fibers, under item 389.60, TSUS, as other articles, not ornamented or of pile, knit, or tufted construction, of man-made fibers, dutiable at the rate of 25 cents per pound plus 30 percent ad valorem. These classifications appear to be required in light of Schedule 3, Part 4, Subpart A, Headnote 1, TSUS (covering items 345.10 through 349.30), which reads: "This subpart provides for the named fabrics, braids, and elastic materials, when in the piece only."

As this ruling will result in the assessment of duties at rates higher than those previously assessed on such typewriter ribbons, the higher rates will be applied only to such typewriter ribbons entered, or withdrawn from warehouse for consumption, 90 days after the date of the publication of an abstract of the Bureau letter to the collector of customs at New York in the weekly Treasury Decisions.

[SEAL]

LESTER D. JOHNSON,  
Commissioner of Customs.

[F.R. Doc. 66-5791; Filed, May 26, 1966; 8:45 a.m.]

## DEPARTMENT OF DEFENSE

Office of the Secretary

### SECRETARY OF THE ARMY ET AL.

#### Delegation of Authority To Appoint Contracting Officers in Support of Defense Intelligence Agency Activities

The Deputy Secretary of Defense approved the following delegation of authority May 16, 1966:

Pursuant to section 133(d) of Title 10, United States Code, there is hereby delegated to the Secretary of the Army, the Secretary of the Navy and the Secretary of the Air Force, respectively, with power to redelegate, authority to enter into contracts, including leases, in support of the activities of the Defense Intelligence Agency. This authority includes the power to appoint as a contracting officer for such purpose, any qualified member of their respective departments who is assigned to duty with that Agency.

Precontract actions and contract administration support, including any necessary Secretarial reviews, decisions or determinations and findings, will be taken, provided, or made by the respective military departments or cognizant DOD agency, as appropriate, in accordance with established policies and procedures. Single service responsibility for procurement management and contract administration is authorized under arrangements acceptable to the Military Departments and the Defense Intelligence Agency where this will promote greater efficiency and economy in procurement activities.

This directive is effective immediately.

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

[F.R. Doc. 66-5870; Filed, May 26, 1966; 8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[P.P.C. 640, Amendment]

### GYPSY MOTH AND BROWN-TAIL MOTH

#### Additions to and Deletions From List of Establishments

Pursuant to § 301.45(b) (2) of the gypsy moth and brown-tail moth quarantine (Notice of Quarantine No. 45, 7 CFR 301.45), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee),

the list of specifically approved establishments eligible to ship stone and quarry products without a gypsy moth certification or permit (30 F.R. 9012-9014) is hereby amended by adding thereto and deleting therefrom establishments as specified below:

Establishment or dealer; address; product

#### NEW JERSEY

Add:

Samuel Braen's Sons; Central Avenue, Haledon (Mail: Brookside Avenue, Wyckoff); Bluestone.

Samuel Braen's Sons; Route 23, Hamburg (Mail: Brookside Avenue, Wyckoff); Bluestone.

Samuel Braen's Sons; Route 23, Riverdale (Mail: Brookside Avenue, Wyckoff); Bluestone.

Anthony Ferranti & Sons, Inc.; Mine Brook Road, Bernardsville; Bluestone.

Peter W. Kero, Inc.; Route 206, Byram (Mail: 216 Washington Avenue, Carlstadt); Bluestone.

Passaic Crushed Stone, Inc.; Broad Street, Pompton Lakes; Bluestone.

Shamoon Industries, Inc.; Mount Hope; Bluestone.

#### NEW YORK

Add:

Green Mt. Slate Co., Inc.; Middle Granville; Slate.

Kelly Wholesale Stone & Slate Co.; Route 17M, Monroe; Stone, slate and bluestone.

Labas, Andy; Route 22; Granville; Slate.

Valley Brook Slate Co.; Granville; Slate.

Delete:

Andreas, Andy; Granville; Slate.

Dellamarine, Dan, Stone Quarry; Yonkers; Granite.

Kelly, Philip; Middle Granville; Slate.

Lake Street Granite Quarry, Inc.; East White Plains; Granite.

Loomis, Carl B.; Granville; Slate.

Povelka, John; Granville; Slate.

Prehoda Slate Co.; Granville; Slate.

#### VERMONT

Add:

Acme Granite Co.; 46 Webster Street, Barre; Granite.

Fred Capron, Vermont Slate Products; Pittsford; Slate.

Prehoda Slate Co.; Wells; Slate.

Sheldon Slate Co., Inc.; Poultney; Slate.

Sheldon Slate Co., Inc.; Rupert; Slate.

Tip Top Tile Co.; Fair Haven; Slate.

Vermarco Ground Products; Florence; Marble.

Vermarco Ground Products; West Rutland; Marble.

Delete:

Diego Granite Co.; 120 River Street, Barre; Granite.

Loomis, Carl B.; Castleton; Slate.

Loomis, Carl B.; Fair Haven; Slate.

Loomis, Carl B.; Poultney; Slate.

Marr & Gordon, Inc.; Willey Street, Barre; Granite.

Moore & Northrup; Castleton; Slate.

Vermont Marble Co.; Winooski; Marble.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 F.R. 16210, as amended, 30 F.R. 5801, as amended; 7 CFR 301.45(b) (2))



The foregoing amendment shall become effective May 26, 1966.

In this amendment, seven establishments in New Jersey, four establishments in New York, and eight establishments in Vermont are added to the list, and seven establishments in New York and seven establishments in Vermont are deleted from the list, of specifically approved establishments eligible to ship stone and quarry products without a gypsy moth certification or permit under administrative instructions designated as 7 CFR 301.45a.

Under administrative instructions designated as 7 CFR 301.45a(e), mined, quarried, or manufactured stone and quarry products are exempt from the certification and permit requirements of 7 CFR 301.45-3 when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector and when the Director specifically approves the establishment from which the product is shipped. It has been determined under 7 CFR 301.45(b)(2) that sanitation practices adequate to prevent the spread of infestation are being maintained at the premises of the 19 establishments added to the list. Accordingly, these establishments are specifically approved for the purposes of said administrative instructions. This action relieves certain restrictions presently imposed. It should, therefore, be made effective promptly to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are being relieved.

The Director of the Plant Pest Control Division has determined, on the basis of recent surveys, that the Lake Street Granite Quarry is infested with the gypsy moth. Consequently, a certificate or permit hereafter will be required for movement of its products, and certification will be on the basis of inspection. The other establishments removed from the list either are no longer operating or have discontinued shipments of stone and quarry products subject to regulation.

To the extent this amendment imposes restrictions necessary to prevent the spread of the gypsy moth by deleting the name of the Lake Street Granite Quarry from the list of specifically approved establishments, it should be made effective promptly in order to effectuate the purposes of the regulations. Since the other establishments being deleted from the list are no longer operating or are no longer shipping regulated products, notice and other public procedure with respect to deletion of the names of these establishments from the list would serve no useful purpose.

Accordingly, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public procedure with respect to these actions are unnecessary and contrary to the public interest, and good cause is found for making such actions effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 20th day of May 1966.

[SEAL]

E. D. BURGESS,  
Director,  
Plant Pest Control Division.

[F.R. Doc. 66-5850; Filed, May 26, 1966;  
8:47 a.m.]

### Consumer and Marketing Service HUMANELY SLAUGHTERED LIVESTOCK

#### Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the

#### ESTABLISHMENTS SLAUGHTERING HUMANELY

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Cleve Farm Packing Co., Inc.	97A					(*)	
J. Lynn Cornwell, Inc.	107					(*)	
Kansas Packing Co.	164	(*)					
Pinte Packing Co.	259	(*)					
Agar Packing Co.	282					(*)	
Puckett Packing Co.	343	(*)					
Kennedy's Sausage Co.	950					(*)	
New establishments reporting: 7.							
Swift & Co.	3FF		(*)				
Ferrara Meat Co., Inc.	134				(*)		
Animal Husbandry Department, Texas Technological College.	236				(*)		
Kummer Meat Co., Inc.	617				(*)		
Jacob Bauer's Sons, Inc.	678		(*)				
Kerber Packing Co.	929			(*)	(*)		
Armour & Co.	956		(*)				
Species added: 8.							

Done at Washington, D.C., this 24th day of May 1966.

R. K. SOMERS,

Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 66-5804; Filed, May 26, 1966; 8:45 a.m.]

### Office of the Secretary TEXAS

#### Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative leading agencies, or other responsible sources.

#### TEXAS

Harrison. Marlon.  
Kaufman. Tarrant.

It has also been determined that in the hereinafter-named counties in the State of Texas the disaster for which such counties are presently designated has caused a continuing need in those counties for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Texas	Original designation	Present extension
Deaf Smith	29 F.R. 13121	30 F.R. 7969
Oldham	29 F.R. 13121	30 F.R. 7969

statement of policy thereunder in 9 CFR 381.1, the lists (31 F.R. 1208, 3138, 5330, and 6877) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to Knauss Bros., Inc., establishment 204, and the reference to calves with respect to such establishment are deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 24th day of May, 1966.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 66-5875; Filed, May 26, 1966;  
8:49 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-245]

### CONNECTICUT LIGHT & POWER CO. ET AL.

#### Notice of Issuance of Provisional Construction Permit

Please take notice that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated May 9, 1966, the Director of the Division of Reactor Licensing has issued Provisional Construction Permit No. CPPR-20 to The Connecticut Light & Power Co., The Hartford Electric Light Co., Western Massachusetts Electric Co., and the Millstone Point Co. for the construction of

a boiling water nuclear reactor to be located at the Millstone Nuclear Power Station in the town of Waterford, Conn.

A copy of the initial decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 19th day of May 1966.

For the Atomic Energy Commission.

R. L. DOAN,  
Director,  
Division of Reactor Licensing.

[F.R. Doc. 66-5861; Filed, May 26, 1966;  
8:47 a.m.]

## FEDERAL COAL MINE SAFETY BOARD OF REVIEW

### STATEMENT OF ORGANIZATION

The Statement of Organization of the Federal Coal Mine Safety Board of Review is revised to read as follows:

1. *Creation and authority.* The Federal Coal Mine Safety Board of Review, hereinafter referred to as the Board, is an independent agency in the Executive Branch of the Government, created, and operating under the authority vested, by Title II of the Federal Coal Mine Safety Act, as amended (66 Stat. 692, as amended; 30 U.S.C. 471). The Board has jurisdiction to hear and determine applications for revision or annulment of orders issued by representatives of the U.S. Bureau of Mines under section 203 or section 206 of the act, and other related duties and powers set forth in the statutes cited above.

2. *Organization.* The organization of the Board is as follows:

(a) The Board itself is composed of five members. Each member of the Board is appointed for a term of 5 years by the President, by and with the advice and consent of the Senate. One member of the Board shall be a person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators of coal mines employing 14 or fewer employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators of coal mines employing 15 or more employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing 14 or fewer employees underground; one member, who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal mine workers in mines employing 15 or more employees underground; and the chairman, who shall be a graduate engineer with experience in the coal mining industry or shall have had at least 5 years of experience as a practical mining engineer in the coal mining industry, and who shall not, within 1 year of his appointment as a member of the Board, have had a pecuniary interest in, or have

been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or coal mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau of Mines.

(b) The General Counsel and Secretary of the Board is the chief full-time legal and administrative officer of the Board. He is directly responsible to the Board for all legal and administrative matters within the jurisdiction of the Board. He has custody of the official seal of the Board and of all official files, property and records, and is responsible to the Board for the transaction of all business except matters requiring official action of the Board or a member thereof.

3. *Office; information and applications; hearings and records.*

(a) The office of the Board is located in Washington, D.C. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except legal holidays.

(b) Information may be obtained, and applications or other requests should be filed, with the Board at this office.

(c) Hearings of the Board, and all its official records pertaining to proceedings filed under section 207 of the act, including the findings and orders of the Board in each case, are open to the public.

4. *Procedures.* The methods whereby applications and other requests should be filed, and the general procedures of the agency, are detailed in the Board's rules of procedure (30 CFR 401.1, et seq.), a copy of which may be obtained, without charge, by communicating with the Board office in Washington, D.C.

Adopted by the Federal Coal Mine Safety Board of Review at its office in Washington, D.C., on May 24, 1966.

EDWARD STEIDLE,  
Chairman, Federal Coal Mine  
Safety Board of Review.

[F.R. Doc. 66-5859; Filed, May 26, 1966;  
8:47 a.m.]

## FEDERAL MARITIME COMMISSION EVANS PRODUCTS CO. AND RETLA STEAMSHIP CO.

### Notice of Agreement Filed for Approval

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, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, 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. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mrs. Amy Scupi, Galland, Kharasch, Calkins & Lippman, 1824 R Street NW., Washington, D.C., 20009.

Agreement 9549, between Evans Products Co. and Retla Steamship Co., proposes to establish agency arrangements whereby Retla Steamship Co. will, for a specified fee, act as general agent for Evans Products Co. in the operation of vessels owned by and/or under charter to Evans Products for carriage of its own plywood and general cargo of other shippers or consignees in the trade between United States ports and unspecified foreign ports. Both parties agree to establish rates, terms and conditions for carriage in the trades, and publish individual tariffs. Retla Steamship Co. will secure and book cargo, account for the operations of Evans' vessels, and perform other functions for Evans Products in accordance with the terms and conditions set forth in the agreement.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Special Assistant to the Secretary.

[F.R. Doc. 66-5862; Filed, May 26, 1966;  
8:47 a.m.]

## FAR EAST CONFERENCE AND PACIFIC WESTBOUND CONFERENCE

### Notice of Agreement Filed for Approval

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, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elkan Turk, Jr., Burlingham, Underwood, Baron, Wright & White, 25 Broadway, New York, N.Y., 10004.

Agreement 8200-1 modifies the membership provision of the Joint Confer-

ence Agreement between the Far East Conference and the Pacific Westbound Conference to require the member lines of either or both to participate in all duly approved agreements supplemental to Agreement 8200.

Dated: May 23, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
*Special Assistant to the Secretary.*

[F.R. Doc. 66-5863; Filed, May 26, 1966;  
8:47 a.m.]

### GREECE/U.S. ATLANTIC RATE AGREEMENT

#### Notice of Agreement Filed for Approval

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, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. Prudenti, States Marine Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.

Agreement 9238-2, between the parties to the Greece/United States Atlantic Rate Agreement, amends the basic agreement by reducing the term of the Secretary from a period of 1 year to a period of 3 months.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
*Special Assistant to the Secretary.*

[F.R. Doc. 66-5864; Filed, May 26, 1966;  
8:48 a.m.]

### TURKEY/U.S. ATLANTIC RATE AGREEMENT

#### Notice of Agreement Filed for Approval

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, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. Prudenti, States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.

Agreement 9239-2, between the parties to the Turkey/United States Atlantic Rate Agreement, amends the basic agreement by reducing the term of the Secretary from a period of 1 year to a period of 3 months.

Dated: May 23, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
*Special Assistant to the Secretary.*

[F.R. Doc. 66-5866; Filed, May 26, 1966;  
8:48 a.m.]

### LYKES BROS. STEAMSHIP CO., INC., AND AHLMANN-TRANSPORT K.G.

#### Notice of Proposed Cancellation of Agreement

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of intent to cancel agreement 8634 filed by:

Mr. T. L. Gusman,  
Assistant Vice President—Traffic, 821  
Gravier Street, New Orleans, La., 70150.

Agreement 8634, approved August 10, 1961, between Lykes Bros. Steamship

Co., Inc. and Ahlmann-Transport K.G. covers a through billing arrangement on cargo transported from Danish ports to U.S. Gulf ports via Hamburg, Germany.

Dated: May 24, 1966.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
*Special Assistant to the Secretary.*

[F.R. Doc. 66-5865; Filed, May 26, 1966;  
8:48 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-6119, etc.]

GEORGE L. BUCKLES, ET AL.

Findings and Order

MAY 17, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, substituting respondents, making successors co-respondents, redesignating proceedings, requiring filing of agreements and undertakings, requiring filing of surety bond, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's statement of general policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Applicants in Docket Nos. G-6297, G-14364, G-14585, G-19135, CI60-55, and CI61-56 propose to continue the sales of natural gas heretofore authorized in said dockets. The FPC gas rate schedules of Applicants' predecessors in interest will be redesignated as those of Applicants. Applicants in Docket Nos. CI66-259 and CI66-779 propose to continue in part the sales of natural gas heretofore authorized in Docket Nos. CI60-423 and G-4547, respectively. The latter Applicants have submitted their predecessors' contracts with the gas purchasers as their own rate schedules. The presently effective rates under all of the aforementioned rate schedules are in effect subject to refund in the following dockets:

Certificate docket No.	Rate suspension docket No.	Predecessor's FPC gas rate schedule
G-6297	RI60-44 <sup>1</sup>	Leonard Oil Co., FPC gas rate schedule No. 1.
G-14364	RI61-505 <sup>2</sup>	Limpia Royalties, Inc., FPC gas rate schedule No. 2.
G-14585	RI61-495 <sup>2</sup>	Limpia Royalties, Inc., FPC gas rate schedule No. 3.
G-19135	RI60-289 <sup>2</sup>	Prime Drilling Co., et al., FPC gas rate schedule No. 3.
CI60-55	RI60-113 <sup>1</sup>	Leonard Oil Co., FPC gas rate schedule No. 3.
CI61-56	RI64-160 <sup>3</sup>	Panhandle Development Co., Inc. (Operator), et al., FPC gas rate schedule No. 2.
CI66-259	RI60-13 <sup>1</sup>	Husky Oil Co., FPC gas rate schedule No. 9.
CI66-779	RI64-483	Sinclair Oil & Gas Co., FPC gas rate schedule No. 272.

<sup>1</sup> Consolidated with the original proceeding in Docket No. AR61-1, et al.

<sup>2</sup> Consolidated with the proceeding on the order to show cause issued Aug. 5, 1965, in Docket No. AR61-1, et al.

<sup>3</sup> Consolidated with Docket No. AR64-1, et al.

Applicant in Docket Nos. G-6297 and CI60-55 has filed an agreement and undertaking to assure the refund of all amounts collected in excess of the amounts determined to be just and reasonable in Docket Nos. RI60-44 and RI60-113. Applicant in Docket No. CI61-56 has expressed his intention in his certificate application to file an agreement and undertaking to assure the total refund from the date the increased rate became effective. Applicant in Docket No. G-14364 and G-14585 filed an agreement and undertaking to assure the refund of any increased rates collected by it. Accordingly, Applicant in Docket Nos. G-6297 and CI60-55 will be substituted as respondent in the proceedings pending in Docket Nos. RI60-44 and RI60-113; Applicants in Docket Nos. G-14364, G-14585, G-19135, CI61-56, CI66-259, and CI66-779 will be made co-respondents in the proceedings pending in Docket Nos. RI61-505, RI61-495, RI60-289, RI64-160 (insofar as the proceeding pertains to the assigned rate schedule), RI60-13 (insofar as the proceeding pertains to the assigned rate schedule) and RI64-483, respectively; and the proceedings will be redesignated. The agreements and undertakings submitted in Docket Nos. RI60-44, RI60-113, RI61-495, and RI61-505 will be accepted for filing. Applicant in Docket No. CI61-56 will be required to file an agreement and undertaking in Docket No. RI64-160 to assure the total refund from the date the increased rate became effective; and Applicants in Docket Nos. G-19135, CI66-259, and CI66-779 will be required to file agreements and undertakings in Docket Nos. RI60-289, RI60-13, and RI64-483, respectively, to assure the refund of any increased rates collected by them.

Applicants in Docket Nos. G-6119, G-6296, G-6297, G-14364, G-14585, CI60-55, and CI66-259 propose to continue sales of natural gas from the Permian Basin area and they will be required to conform to the requirements of the Commission's Opinion Nos. 468 and 468-A with respect to the rates

charged for such sales. Applicants in Docket Nos. G-6119, G-14364, G-14585, and CI66-259 have applied for small producer certificates pursuant to § 157.40 of the regulations under the Natural Gas Act. Said applications are pending in Docket Nos. CS66-12 and CS66-119. If small producer certificates should be denied, Applicants will be required to submit rate schedule-quality statements for the sales herein authorized in Docket Nos. G-6119, G-14364, G-14585, and CI66-259.

Alvin C. Hope (Operator), et al., Applicant in Docket No. G-16458, proposes to sell natural gas from additional acreage at a rate in effect subject to refund in Docket No. RI60-401. Applicant has heretofore filed a surety bond in Docket No. RI60-401 to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in said proceeding. It is appropriate that Applicant should file an additional bond or a rider to the existing bond to assure the refund of any amounts collected for sales of gas from the additional acreage in excess of the amount determined to be just and reasonable in Docket No. RI60-401.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on May 11, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record, The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas heretofore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued in the following dockets should be amended as hereinafter ordered and conditioned:

G-6119	CI61-56	CI63-1461
G-6296	CI61-238	CI64-71
G-6297	CI61-488	CI64-156
G-14364	CI61-496	CI64-175
G-14585	CI61-527	CI64-965
G-15689	CI61-1151	CI64-966
G-15791	CI61-1386	CI65-1312
G-16458	CI61-1392	CI65-1335
G-19135	CI61-1771	CI66-29
G-19145	CI63-318	
CI60-55	CI63-1282	

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	New certificates
G-4528	CI66-873
G-4547	CI66-779
G-13299	CI66-877
G-13633	CI66-870
G-18061	CI66-563
CI60-423	CI66-259

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate suspension proceeding in Docket No. RI65-524 should be terminated.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Applicant in Docket Nos. G-6297 and CI60-55 should be substituted as respondent in the proceedings pending in Docket Nos. RI60-44 and RI60-113; that Applicants in Docket Nos. G-14364, G-14585, G-19135, CI61-56, CI66-259, and CI66-779 should be made co-respondents in the proceedings pending in Docket Nos. RI61-505, RI61-495, RI60-289, RI64-160, RI60-13, and RI64-483, respectively; and said proceedings should be redesignated accordingly.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the agreements and undertakings submitted in Docket Nos. RI60-44, RI60-113, RI61-495, and RI61-505 should be accepted for filing; and Applicants in Docket Nos. G-19135, CI61-56, CI66-259, and CI66-779 should be required to file agreements and undertakings in Docket Nos. RI60-289, RI64-160, RI60-13, and RI64-483, respectively.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Alvin C. Hope (Operator), et al., should be required to file an additional surety bond or a rider to the existing bond in Docket No. RI60-401.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

#### The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's statement of general policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 10 and 14 in the attached tabulation.

(E) The certificate issued herein in Docket No. CI66-874 involving the sale of gas by Anadarko Production Co. to its parent, Panhandle Eastern Pipe Line Co., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any future rate proceeding involving either company.

(F) The certificate issued herein in Docket No. CI66-886 is subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449), except that said certificate shall not be subject to the Commission's ultimate determination in Docket No. R-200.

(G) The certificate heretofore issued in Docket No. CI66-29 is amended to include the interests of the co-owners.

(H) The certificates heretofore issued in Docket Nos. CI64-965 and CI64-966 are amended to extend the effectiveness thereof for a period of 1 year from the date of this order.

(I) The certificates heretofore issued in Docket Nos. G-15791, G-16458, G-19145, CI61-1392, CI63-318, CI63-1461, CI64-71, CI64-156, CI64-175, and CI65-1335 are amended by adding thereto authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(J) The certificates issued herein in Docket Nos. CI66-764 and CI66-821, and the authorization granted in Docket No. CI63-1461 in paragraph (I) above are issued at a total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.

(K) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

<i>Amend to delete acreage</i>	<i>New certificate</i>
G-4528	CI66-873
G-4547	CI66-779
G-13299	CI66-877
G-13633	CI66-870
G-18061	CI66-563
CI60-423	CI66-259

(L) The certificates heretofore issued in Docket Nos. G-6119, G-6296, G-6297, G-14364, G-14585, G-15689, G-19135, CI60-55, CI61-56, CI61-238, CI61-483, CI61-496, CI61-527, CI61-1151, CI61-1386, CI61-1771, CI63-1282, and CI65-1312 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(M) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(N) Permission for and approval of the abandonment of service by Applicant in Docket No. CI66-760 is granted, and the related certificate in Docket No. G-12251 is terminated only insofar as it pertains to FPC Gas Rate Schedule No. 7.

(O) The certificates heretofore issued in Docket Nos. G-10174, G-12779 and CI63-554, are terminated.

(P) The rate suspension proceeding in Docket No. RI65-524 is terminated.

(Q) Tenneco Oil Co. is substituted in lieu of Leonard Oil Co. as respondent in the proceedings pending in Docket Nos. RI60-44 and RI60-113; Robert F. White (Operator), et al., Kewanee Oil Co., A. L. Abercrombie (Operator), et al., George L. Buckles, et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al., shall be co-respondents in the proceedings pending in Docket Nos. RI60-289, RI61-505 and RI61-495, RI64-160 (insofar as said proceeding pertains to A. L. Abercrombie (Operator), et al., FPC Gas Rate Schedule No. 9<sup>4</sup>), RI60-13 (insofar as said proceeding pertains to George L. Buckles, et al., FPC Gas Rate Schedule No. 15<sup>5</sup>) and RI64-483, respectively; and all of the aforementioned proceedings are redesignated accordingly.<sup>6</sup>

(R) The agreements and undertakings submitted by Tenneco Oil Co. in Docket Nos. RI60-44 and RI60-113 and by Kewanee Oil Co. in Docket Nos. RI61-495 and RI61-505 are accepted for filing.

(S) Within 30 days from the issuance of this order A. L. Abercrombie (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI64-160 to assure the total refund, together with interest at the rate of 7 percent per annum, of all amounts collected by Abercrombie or his predecessors in excess of the amount determined to be just and reasonable in said proceeding insofar as said proceeding pertains to sales made pursuant to the contract herein redesignated as Abercrombie's FPC Gas Rate Schedule No. 9.<sup>4</sup> Unless notified to the contrary by the Secretary

<sup>4</sup> Formerly Panhandle Development Co., Inc. (Operator), et al., FPC Gas Rate Schedule No. 2.

<sup>5</sup> The contract comprising said rate schedule is also on file as Husky Oil Co. FPC Gas Rate Schedule No. 9.

<sup>6</sup> RI60-13, Husky Oil Co., Haynes and V. T. Drilling Co., Reserve Oil & Gas Co. and George L. Buckles, et al. RI60-44, Tenneco Oil Co. RI60-113, Tenneco Oil Co. RI60-289, Prime Drilling Co., et al., and Robert F. White (Operator), et al. RI61-495, Limpia Royalties, Inc., and Kewanee Oil Co. RI61-505, Limpia Royalties, Inc., and Kewanee Oil Co. RI64-160, Panhandle Development Co., Inc. (Operator), et al., and A. L. Abercrombie (Operator), et al. RI64-483, Sinclair Oil & Gas Co. (Operator), et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al.

of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(T) Within 30 days from the issuance of this order, George L. Buckles, et al., Robert F. White (Operator), et al., and R & G Drilling Co., Inc., agent (Operator) for William C. Russell, et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission acceptable agreements and undertakings in Docket Nos. RI60-13, RI60-289 and RI64-483, respectively, to assure the refunds, together with interest at the rate of 7 percent per annum, of any amounts collected by them in excess of the amounts determined to be just and reasonable in said proceedings.<sup>7</sup> Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

(U) Applicants in Docket Nos. G-6297, G-14364, G-14585, G-19135, CI60-55, CI61-56, CI66-259, and CI66-779 shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreements and undertakings filed by them in Docket Nos. RI60-44, RI61-505, RI61-495, RI60-289, RI60-113, RI64-160, RI60-13, and RI64-483, respectively, shall remain in full force and effect until discharged by the Commission.

(V) Within 45 days from the date of this order Applicants in Docket Nos. G-6296, G-6297, G-14585, CI60-55, and CI66-259 shall submit supplements to their related rate schedules reflecting any reductions necessary to bring their rates into conformity with the applicable base area rate established by paragraph (A) of Opinion No. 468, as modified by Opinion No. 468-A. Due to the stay of the effectiveness of certain of the requirements of Opinion Nos. 468 and 468-A, any filings, if acceptable, will be accepted for informational purposes only.

(W) Within 90 days from the date of this order Applicant in Docket Nos. G-6296, G-6297 and CI60-55 shall file rate schedule-quality statements in the form prescribed in Opinion No. 468-A. If small producer certificates are hereafter denied in Docket Nos. CS66-12 and CS66-119, Applicants in Docket Nos. G-6119, G-14364, G-14585, and CI66-259 shall file rate schedule-quality statements within 45 days of such determinations.

(X) Applicants in Docket Nos. G-14585 and CI66-259 shall submit refund reports as required by paragraph (I) of Opinion No. 468.

(Y) Any rates collected on or after September 1, 1965, by Applicants in Docket Nos. G-6119, G-6296, G-6297, G-14364, G-14585, CI60-55, and CI66-259 in excess of the applicable area base rates prescribed in paragraphs (A) and (B) of Opinion No. 468, as modified by

Opinion No. 468-A, shall be subject to refund under the conditions prescribed in paragraph (D) of Opinion No. 468.

(Z) Within 30 days from the issuance of this order Alvin C. Hope (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission in Docket No. RI60-401 and additional surety bond<sup>8</sup> or rider to the existing bond in said docket to assure the refund, together with interest at the rate of 7 percent per annum, of any amount collected for sales of natural gas from additional acreage authorized herein in excess of the amount determined to be just and reasonable in Docket No. RI60-401.

(AA) Alvin C. Hope (Operator), et al. shall comply with the refunding and reporting procedure required by the Nat-

ural Gas Act and § 154.102 of the regulations thereunder, and the additional bond or rider to the existing bond filed in Docket No. RI60-401 shall remain in full force and effect until discharged by the Commission.

(BB) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission,

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-6119 E 9-17-65	George L. Buckles, et al. (successor to Albert Gackle (Operator), et al.). <sup>1</sup>	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Contract 4-1-49 <sup>2</sup>	16	
			Supplemental agreement 8-1-51.	16	1
			Supplemental agreement 10-26-59.	16	2
			Assignment 6-25-65 <sup>3</sup>	16	3
			Assignment 8-30-65 <sup>4</sup>	16	4
G-6296 E 11-3-65 C 8-30-65 <sup>4</sup>	Tenneco Oil Co. (successor to Leonard Oil Co.).	do	Leonard Oil Co., FPC GRS No. 2.	194	
			Supplement Nos. 1-13.	194	1-13
			Agreement 8-4-65 <sup>5</sup>	194	14
			Notice of succession 11-1-65.		
			Conveyance 10-1-65.	194	16
G-6297 E 11-3-65	do	do	Effective date: 10-1-65.		
			Leonard Oil Co., FPC GRS No. 1.	193	
			Supplement Nos. 1-5.	193	1-5
			Notice of succession 11-1-65.		
			Conveyance 10-1-65.	193	6
G-14364 E 8-16-65	Kewanee Oil Co. (successor to Limplia Royalties, Inc.).	El Paso Natural Gas Co., Wemac Field, Andrews County, Tex.	Effective date: 10-1-65.		
			Limplia Royalties, Inc., FPC GRS No. 2.	55	
			Supplement Nos. 1-2.	55	1-2
			Notice of succession (Undated).		
			Assignment 10-1-64 <sup>7</sup>	55	3
G-14585 E 8-16-65	do	El Paso Natural Gas Co., Clearfork Field, Strawberry Trend Area, Upton County, Tex.	Effective date: 10-1-64.		
			Limplia Royalties, Inc., FPC GRS No. 3.	56	
			Supplement Nos. 1-5.	56	1-5
			Notice of Succession (Undated).		
			Assignment 10-1-64 <sup>7</sup>	56	6
G-15689 E 2-17-66	Amex Petroleum Corp. (Operator), et al. (successor to American Climax Petroleum Corp. (Operator), et al.).	El Paso Natural Gas Co., West Bar-X Area, Grand County, Utah.	Effective date: 10-1-64.		
			American Climax Petroleum Corp. (Operator), et al., FPC GRS No. 1.	22	
			Supplement No. 1.	22	1
			Notice of succession 2-15-66.		
			Certificate of merger 3-28-61 <sup>8</sup>	22	2
G-15791 C 3-16-66 <sup>10</sup>	Sun Oil Co. (Southwest Division).	Transwestern Pipeline Co., North Follett Field, Lipscomb County, Tex.	Assignment 6-29-62 <sup>4</sup>	22	3
			Letter agreement 1-19-66. <sup>11</sup>	122	17
			Letter agreement 1-20-66. <sup>11</sup>	122	18
			Amendment 9-22-61 <sup>8</sup>	1	4
G-15791 C 3-16-66 <sup>10</sup>	do	Transwestern Pipeline Co., Parsell Field, Roberts County, Tex.	Letter agreement 1-20-66. <sup>11</sup>	122	18
G-16458 C 10-23-61	Alvin C. Hope (Operator), et al.	West Lake Natural Gasoline Co. and Holly Corp., Lake Trammell Field, Nolan County, Tex.	Amendment 9-22-61 <sup>8</sup>	1	4

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

See footnotes at end of table.

<sup>7</sup> The agreement and undertaking filed by R & G Drilling Co., Inc., shall pertain only to sales made pursuant to its FPC Gas Rate Schedule No. 5.

<sup>8</sup> The principal amount of the additional bond shall be equal to the annual amount collected subject to refund for sales of gas from the additional acreage.

NOTICES

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No.				Supp.	Description and date of document
G-19135 E 3-4-66	Robert F. White (Operator), et al. (successor to Prime Drilling Co., et al.).	Cities Service Gas Co., Rhodes Gas Field, Barber County, Kans.	Prime Drilling Co., et al., FPC GRS No. 3. Supplement Nos. 1-2-2-25-66. Notice of succession Assignment 1-6-66. Effective date: 2-1-66. Supplemental agreement 12-31-64.	6	1-2	6	1-2	14	1-2
G-19145 C 2-24-66	J. Glenn Turner.	El Paso Natural Gas Co., Basin Dakota-Bianco Mesaverde Field, San Juan County, N. Mex. El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Leonard Oil Co., FPC GRS No. 3. Supplement Nos. 1-2-1-66. Notice of succession 11-1-66. Conveyance 10-1-65. Effective date: 10-1-65. Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 2. Notice of succession 2-23-66. Assignment 1-3-66. Effective date: 1-1-66. Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 3. Notice of succession 3-9-66. Assignment 2-25-66. Effective date: 2-1-66. Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 4. Notice of succession 3-9-66.	195	1-2	195	1-2	16	1
G-19156 E 2-24-66	A. L. Abercrombie (Operator), et al. (successor to Panhandle Development Co., Inc. (Operator), et al.).	Northern Natural Gas Co., Harper-Randi Field, Clark County, Kans.	Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 10. Notice of succession 2-24-66.	9	3	9	3	15	1
G-191238 E 3-11-66	do.	Panhandle Eastern Pipe Line Co., Hugoton Field, Grant County, Kans.	Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-24-66. Assignment 1-3-66. Effective date: 1-1-66. Letter agreement 10-4-65. Letter agreement 11-10-65. § 13	15	1	15	1	15	1
G-191238 E 3-11-66	do.	do.	Assignment 2-25-66. Effective date: 2-1-66. Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 4. Notice of succession 3-9-66.	10	1	10	1	8	18
G-191488 E 2-21-66	do.	Panhandle Eastern Pipe Line Co., Angell Field, Meade County, Kans.	Assignment 2-25-66. Effective date: 2-1-66. Panhandle Development Co., Inc. (Operator), et al., FPC GRS No. 5. Notice of succession 2-17-66. Assignment 1-3-66. Effective date: 1-1-66.	18	1	18	1	17	1
G-191496 E 2-28-66	do.	Phillips Petroleum Co., Hugoton Field, Sherman County, Tex.	Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-8-66. Letter agreement 1-11-66. § 2	11	1	11	1	315	2
G-191527 E 2-24-66	do.	Panhandle Eastern Pipe Line Co., Light Northeast Field, Seward County, Kans.	Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	12	3	12	3	363	10
			Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	13	3	13	3	363	8
			Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	13	1	13	1	331	1
			Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	13	1	13	1	435	1
			Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	13	1	13	1	435	1
			Assignment 1-3-66. Effective date: 1-1-66. Supplemental agreement 2-23-66. Assignment 1-3-66. Effective date: 1-1-66.	13	1	13	1	435	2

See footnotes at end of table.

Docket No. and date filed	FFC rate schedule to be accepted		Applicant	Purchaser, field, and location	Description and date of document	No.	Supp.
	No.	Supp.					
CI66-1335 C 2-21-66 14	2	1	Central Gas Co., et al.	Consolidated Gas Supply Corp., Center District, W. Va.	Letter agreement 1-6-66 <sup>3</sup>	2	1
CI66-29 3-17-66 10 24	156		Union Oil Co. of California (Operator), et al.	Michigan Wisconsin Pipe Line Co., South East Stockholm Field, Laverne Area, Harper County, Okla. El Paso Natural Gas Co., Langlie-Matrix Field, Lea County, N. Mex.	( <sup>29</sup> ) Contract 5-4-60 <sup>29</sup> Letter 6-13-60 Letter agreement 6-28-60 Supplemental agreement 12-16-60 Supplemental agreement 12-16-60 Assignment 4-28-65 27 Assignment 4-28-65 28 Assignment 5-1-65 29 Effective 4-28-65 29 Contract 4-27-60 30 Letter agreement 6-13-60 Supplemental agreement 6-29-61 Assignment 1-14-63 Supplemental agreement 10-26-68 Supplemental agreement 4-1-63 Supplemental agreement 7-15-63 Assignment 4-28-65 28 Assignment 5-1-65 29 Effective 4-28-65 29 Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 30 Effective date: 2-1-65 Contract 9-1-65	156	
A CI66-269 CI66-423 F 9-13-65			George L. Buckles, et al. (successor to Husky Oil Co.)	do.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
A CI66-506 A 12-13-65 14 30			John G. Polokoff.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Letter agreement 1-6-66 <sup>3</sup> Contract 5-4-60 <sup>29</sup> Letter 6-13-60 Letter agreement 6-28-60 Supplemental agreement 12-16-60 Supplemental agreement 12-16-60 Assignment 4-28-65 27 Assignment 4-28-65 28 Assignment 5-1-65 29 Effective 4-28-65 29 Contract 4-27-60 30 Letter agreement 6-13-60 Supplemental agreement 6-29-61 Assignment 1-14-63 Supplemental agreement 10-26-68 Supplemental agreement 4-1-63 Supplemental agreement 7-15-63 Assignment 4-28-65 28 Assignment 5-1-65 29 Effective 4-28-65 29 Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
A CI66-563 CI66-583 F 11-22-65			Craig Steel & Salvage Co., (successor to Pan American Petroleum Corp.).	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-578 A 1-10-66 14			Lario Oil & Gas Co. (Operator), et al.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-617 A 1-19-66			Humble Oil & Refining Co.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-645 A 1-24-66 14			Sam Dazzo, et al.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-702 A 2-4-66			Charley Cain	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-746 A 2-17-66			Skelly Oil Co.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-753 A 2-21-66 14			Francis M. Frieftad, et al.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-760 CI66-761 B 2-21-66 23			Okmar Oil Co.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		
CI66-764 A 2-23-66 10			Shell Oil Co. <sup>23</sup> (Operator), et al.	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex. M. J. Hel Supply Co., White Worm Creek Field, Sweetwater County, Wyo. Cities Service Gas Co., Barbour County, Kans. Arkansas Louisiana Gas Co., Fortke field, Miller County, Ark. El Paso Natural Gas Co., Pictured Cliffs Formation, San Juan County, N. Mex. United Fuel Gas Co., agree in Martin County, Ky. Arkansas Louisiana Gas Co., Fouke Field, Miller County, Ark. Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va. Consolidated Gas Supply Corp., Sheridan District, Calhoun County, W. Va. Natural Gas Pipeline Co. of America, South Taloga Field, Dewey County, Okla.	Contract 1-24-65 Supplemental agreement 11-30-63 Contract 8-29-63 Assignment 11-16-64 Effective date: 2-1-65 Contract 9-1-65		

See footnotes at end of table.



<sup>13</sup> Deletes certain expired leases and adds renewed leases. Date of initial delivery effective date for renewed leases; 30 days after filing (Mar. 31, 1966) effective date for deletion of expired leases.

<sup>14</sup> Adds acreage and deletes 1.0 cent per Mcf minimum guarantee for liquids and Favored Nation Provisions insofar as they pertain to the subject acreage.

<sup>15</sup> Adds acreage and deletes 16.8 cents Mcf, however, Applicant proposes and states it is willing to accept both temporary and permanent authorization for the additional acreage at the 15-cent rate.

<sup>16</sup> Includes casinghead gas under basic contract and provides for a rate for casinghead gas of 2 cents per Mcf less than for gas well gas.

<sup>17</sup> Certificate originally issued for 1 year.

<sup>18</sup> Applicants request an extension of 1 year from date extension is authorized.

<sup>19</sup> Provides for extension of short term contract for a period of 1 year from the date such extension is authorized.

<sup>20</sup> Assigns acreage from Sun Oil Co. to Applicant.

<sup>21</sup> Amendment to the certificate filed to include interests of nonsignatory co-owners.

<sup>22</sup> No more schedule filing required.

<sup>23</sup> Casinghead gas contract between Culbertson & Irwin, et al. (predecessor to Husky Oil Co.) and El Paso; on file as Husky Oil Co., FCC GRS No. 8.

<sup>24</sup> Partial assignment and release of production payment by Elbee Ventures, Inc.

<sup>25</sup> Partial assignment and release of production from Reserve Oil & Gas Co. (an "et al." party under Husky's rate schedule) to George L. Buckles, et al.

<sup>26</sup> Partial assignment of acreage from Husky Oil Co. to George L. Buckles, et al.

<sup>27</sup> Dry gas contract between Culbertson & Irwin, et al. (predecessor to Husky Oil Co.) and El Paso; on file as Husky Oil Co., FCC GRS No. 9.

<sup>28</sup> This is a June 7, 1954, filing.

<sup>29</sup> Between Pan American Petroleum and Mountain Fuel Supply Co.; on file as Pan American Petroleum Corp., FCC GRS No. 301.

<sup>30</sup> Transfer of Pan American's 40 percent interest in acreage to Craig Steel & Salvage Co.

<sup>31</sup> Other sales authorized in Docket No. G-12251, therefore, said docket will be terminated only insofar as it relates to sales covered under Okmar's FCC GRS No. 7.

<sup>32</sup> Source of gas depleted.

<sup>33</sup> Effective date: Date of this order.

<sup>34</sup> By letter filed Apr. 18, 1966, Applicant agreed to accept a permanent certificate conditioned at a total initial rate of 15.0 cents per Mcf at 14.65 p.s.i.a.

<sup>35</sup> On file as Sinclair Oil & Gas Co., FCC GRS No. 272.

<sup>36</sup> Assignment of E $\frac{1}{2}$  of sec. 10, T. 27 N., R. 8 W., N.M.P.M. to William C. Russell by Sinclair (pertains to Mesa Verde formation only).

<sup>37</sup> Assignment of SE $\frac{1}{4}$  of sec. 10, T. 27 N., R. 8 W., N.M.P.M. to William G. Rabo by William C. Russell. Rabo is being covered by the instant filing; Applicant advised willingness to accept a permanent certificate at a rate of 15.0 cents per Mcf at 14.13 p.s.i.a. in adjustment.

<sup>38</sup> By letter filed Mar. 21, 1966, Applicant advised willingness to accept a permanent certificate at a rate of 15.0 cents per Mcf at 14.13 p.s.i.a. in adjustment.

<sup>39</sup> Rate increase to 16.5 cents per Mcf was suspended in Docket No. R165-524 and not made effective subject to refund; therefore, the rate suspension proceeding in said docket will be terminated.

<sup>40</sup> Basic contract between Union Producing Co., as seller and United Gas Pipe Line Co., as buyer; on file as Union Producing Co. (Operator), et al., FCC GRS No. 245.

<sup>41</sup> Minerals properties from Union Producing Co. (Operator), et al., to Southern Minerals Corp. (Depth limitation of 7,566 ft. not applicable to all assigned acreage).

<sup>42</sup> Basic contract between Bismarck Oil Co., as seller and Tennessee Gas Transmission Co., as buyer. Contract ratified by T. J. Ahern and designated T. J. Ahern, et al., FCC GRS No. 1.

<sup>43</sup> Provides for life of contract rate of 15.0 cents per Mcf.

<sup>44</sup> Transfers properties from T. J. Ahern, et al., to Sunray DX Oil Co.

<sup>45</sup> On file as Sinclair Oil & Gas Co. (Operator), et al., FCC GRS No. 165.

<sup>46</sup> Provides for a life of lease term.

<sup>47</sup> Provides for minimum daily quantity.

<sup>48</sup> Contract price is 19.5 cents per Mcf, however, Applicant states it will accept a permanent certificate at the area ceiling (15.0 cents per Mcf).

[Docket No. CP66-250]  
**CONSOLIDATED GAS SUPPLY CORP.**  
**Notice of Petition To Amend**  
 MAY 20, 1966.  
 Take notice that on May 16, 1966, (Petitioner) Consolidated Gas Supply Corp. (Petitioner), 445 West Main Street, Clarksville, W. Va., 26301, filed in Docket No. CP66-250 a petition to amend the order issued in said docket, which order authorized, inter alia, the construction and operation of 25 miles of 30-inch transmission pipeline extending from the existing Hastings Compressor Station, Wetzel County, W. Va., to a proposed new delivery point in Monroe County, Ohio, for The East Ohio Gas Co., an existing customer, together with a dual 24-inch river crossing at the Ohio River. By the instant filing, Petitioner seeks authorization to construct one 30-inch and one 24-inch pipeline at the crossing of the Ohio River in lieu of the presently authorized dual 24-inch river crossing, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.  
 Petitioner states that the authorization requested by the instant petition would result in a saving in the total estimated cost of construction of approxi-

[F.R. Doc. 66-5609; Filed, May 26, 1966; 8:45 a.m.]

Docket No. and date filed	Applicant	Purchaser, field, and location	Description and date of document	No.	Supp.
CI66-866 A 3-21-66 10	Kewanee Oil Co. (Operator), et al.	Southern Natural Gas Co., East Catahoula Field, St. Martin Parish, La.	Contract 3-11-66	57	
CI66-867 A 3-21-66 14	Standard Oil Co. of Texas, a division of Chevron Oil Co.	El Paso Natural Gas Co., Huerfano Mesa Verde Unit, San Juan County, N. Mex.	Contract 12-20-65	42	
CI66-868 A 3-21-66 14	D. A. Drake	United Fuel Gas Co., Geary District, Roane County, W. Va.	Contract 2-23-66	1	
CI66-869 A 3-21-66 10	OK & B Drilling Co., (Operator), et al.	Cities Service Gas Co., acreage in Logan County, Okla.	Contract 3-10-66	1	
CI66-870 G-13633 F 3-15-66	Southern Minerals Corp. (successor to Union Producing Co.)	United Gas Pipe Line Co., Fox Field Area, Refugio County, Tex.	Ratified 3-15-66 Contract 1-31-66 Assignment 2-8-66 Effective date: 12-17-65	4 4 4	
CI66-873 G-5328 F 3-21-66	Sunray DX Oil Co. (successor to T. J. Ahern, et al.)	Tennessee Gas Pipeline Co., a division (formerly Texas Gas Transmission Co.), Placedo Field, Victoria County, Tex.	Contract 6-20-49 Ratified 9-15-49 Letter agreement 10-29-63	284 284 284	
CI66-874 A 3-21-66 10	Anadarko Production Co.	Panhandle Eastern Pipe Line Co., Moccasin-Laverne Area, Harper County, Okla.	Assignment 10-25-65 Effective date: 11-1-65 Contract 2-8-66	284 284 117	
CI66-877 G-13299 F 3-17-66	Sunray DX Oil Co. (successor to Sinclair Oil & Gas Co. (Operator), et al.)	Michigan Wisconsin Pipe Line Co., Laverne Field, Beaver County, Okla.	Contract 3-9-57 Amendment 1-14-59 Assignment 4-29-65 Effective date: 4-29-65	286 286 286	
CI66-878 A 3-21-66 10	Reading & Bates Offshore Drilling Co.	Michigan Wisconsin Pipe Line Co., Laverne Area, Harper County, Okla.	Contract 3-3-66	16	
CI66-879 A 3-21-66 14	Neal Rudder, agent for Rudder Oil & Gas Co., et al.	Equitable Gas Co., Central District, Doddridge County, W. Va.	Notice of cancellation 3-15-66	3	
CI66-881 G-12779 B 3-21-66	Subsurface Reserve Corp.	Texas Eastern Transmission Corp., Christmas Field, De Witt County, Tex.	Contract 2-25-66 Letter agreement 2-25-66	1 1	
CI66-882 A 3-21-66 10	Whitestone Petroleum Corp. (Operator), et al.	Texas Eastern Transmission Corp., Manila Village Field, Jefferson Parish, La.	Contract 2-3-66	4	
CI66-886 A 3-24-66 10	Kirkpatrick Oil and Gas Co. (Operator), et al.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woods County, Okla.			

<sup>1</sup> The related rate schedule (Gackie's FCC GRS No. 6) covers the sales from two leases, The G. A. Smith and the May W. Odworth. The sale from these leases was authorized in Docket Nos. G-6119 and G-6120, respectively. Between Julian E. Simon, et al. and El Paso, on file as Albert Gackie (Operator), et al., FCC GRS No. 6. Gackie had no interest in sale, acts as agent only.

<sup>2</sup> Assigns 51/2 interest in the Smith lease from Margaret B. Clay, individually and trustee with Republic National Bank, to George L. Buckles, et al.

<sup>3</sup> Assigns 1/2 interest in the Smith lease from Adrienne G. Simons, individually and as Executrix of estate of Julian E. Simon, to George L. Buckles, et al.

<sup>4</sup> Adds acreage; this filing made by Leonard Oil Co.

<sup>5</sup> Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).

<sup>6</sup> Assigns interest from Linnia Royalties, Inc., to Kewanee Oil Co.

<sup>7</sup> American Climax Petroleum Corp. merged into American Metal Climax, Inc.

<sup>8</sup> Interest in lease transferred by American Metal Climax, Inc. to Amax Petroleum Corp.

<sup>9</sup> July 1, 1967, moratorium date pursuant to Commission's statement of general policy 61-1, as amended.

<sup>10</sup> Adds acreage and deletes impermissible price provisions with respect to the subject acreage.

<sup>11</sup> For gas produced above base of Chase Group.

<sup>12</sup> For gas produced below base of Chase Group.

<sup>13</sup> January 1, 1968, moratorium date pursuant to Commission's statement of general policy 61-1, as amended.

mately \$72,000. Petitioner further states that the anticipated savings result primarily from the elimination of two 30-inch and four 24-inch scraper traps at the river crossing and the replacement of four 24-inch valves with two 16-inch valves.

The petition to amend states that the aforementioned savings would be made possible because Petitioner now proposes that the 24-inch pipeline crossing the Ohio River be maintained as an emergency pipeline only, not requiring scraper traps, and that the 30-inch pipeline extend the entire distance to the Monroe County, Ohio, delivery point. Petitioner states that this will permit a slight reduction in operating expenses and will eliminate the need to vent gas at scraper traps at the river crossing in close proximity to a proposed power station.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 13, 1966.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5838; Filed, May 26, 1966;  
8:46 a.m.]

[Docket No. CP66-362]

### EL PASO NATURAL GAS CO.

#### Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP66-362 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in replacement of those proposed to be abandoned, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that in the interest of public safety, Applicant proposes to modify the design and configuration of a certain segment of its San Juan Mainline System situated in the vicinity of the city of Flagstaff, Ariz. The application further states that the area traversed by Applicant's system has undergone a substantial change in character as a result of the growth and development of the said city since the time the aforesaid facilities were originally installed, thereby increasing the potential hazards associated with the operation of such high pressure pipelines.

Specifically, Applicant proposes to remove and salvage segments of its existing 34-inch O.D. pipeline downstream of its Flagstaff Compressor Station totaling 3.3 miles in length and, in replacement thereof, to construct and operate an equivalent length of heavier wall pipeline of the same diameter; and to remove

and salvage 7.8 miles of each of its existing 24-inch O.D. and 30-inch O.D. pipelines similarly situated and, in replacement thereof, to construct and operate a single 34-inch O.D. heavier wall pipeline 7.8 miles in length.

Applicant states that no reduction or abandonment of service will result from the project.

The total estimated cost of Applicant's proposed construction is \$2,405,653, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5839; Filed, May 26, 1966;  
8:46 a.m.]

[Docket No. CP66-360]

### NATURAL GAS PIPELINE COMPANY OF AMERICA

#### Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-360 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of an additional 2,000 Mcf per day of natural gas for sale to The New Jersey Zinc Co. (New Jersey Zinc), an existing direct industrial customer of Applicant, for use by New Jersey Zinc at its plant located in Depue, Bureau County, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that New Jersey Zinc, by letter dated May 9, 1966, has requested of Applicant an increase in

peak day delivery quantity of 2,000 Mcf of natural gas, commencing with the fall of 1966. The application further states that such increase would raise the total peak day delivery quantity of New Jersey Zinc to 5,350 Mcf.

Applicant states that no additional facilities will be required by it to make the proposed delivery.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5840; Filed, May 26, 1966;  
8:46 a.m.]

[Docket No. CP66-361]

### NATURAL GAS PIPELINE COMPANY OF AMERICA

#### Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-361 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities in order to increase the capacity of its Depue lateral located in Bureau County, Ill., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following facilities:

(1) Approximately 3.7 miles of 20-inch pipeline looping that portion of its existing 4-inch Depue lateral from the junction thereof with its main transmission pipeline to the junction thereof with the 16-inch pipeline to be constructed by Illinois Power Co.;

(2) A measuring and regulating station on the Depue lateral at the junction of Illinois Power Co.'s proposed 16-inch pipeline and Applicant's Depue lateral; and

(3) Miscellaneous and appurtenant facilities to the above described facilities.

The application states that Illinois Power has advised Applicant that its gas needs, in the area served by Applicant's Depue lateral, will be an estimated 5,400 Mcf of gas per day in the 1966-67 heating season, which constitutes a significant increase. The application further states that New Jersey Zinc Co., another existing customer of Applicant has also requested increased deliveries (Docket No. CP66-360 filed May 12, 1966), and that due to these increases, Applicant's existing facilities which constitute its Depue lateral are therefore insufficient to meet the delivery requirements which will be imposed on it commencing with the fall of 1966.

The total estimated cost of Applicant's proposed facilities is \$329,540, which will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5841; Filed, May 26, 1966;  
8:46 a.m.]

[Docket No. CP66-370]

## NORTHERN NATURAL GAS CO.

### Notice of Application

MAY 20, 1966.

Take notice that on May 16, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP66-370 an application pursuant to section 7(b) of the Nat-

ural Gas Act for permission and approval to abandon certain natural gas facilities in Yoakum County, Tex., and Washington County, Minn., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to abandon and remove its measuring station located in section 20, block K, Public School Land, Yoakum County, Tex. Applicant states that this station, which consists of a 500B meter and appurtenances, has been utilized by Applicant to deliver natural gas to the Madison Corp. (Madison), formerly W. D. McBee, Jr., for resale as irrigation pump fuel. Applicant also proposes to abandon and remove its measuring station located in sec. 1, T. 28 N., R. 21 W., Washington County, Minn. Applicant states that this station, which also consists of a 500B meter and appurtenances, has been used to deliver natural gas to its Peoples Natural Gas Division (Peoples) for resale to the Durox Management Co. (Durox), formerly Durox of Minnesota.

The application states that Madison has submitted to Applicant a written notice of cancellation advising that its Yoakum County Distribution System will no longer be operated and that Applicant has been advised by Peoples that Durox is no longer operating its plant with no plans for reopening the plant in the future.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5842; Filed, May 26, 1966;  
8:46 a.m.]

[Docket No. RI66-388]

## SOHIO PETROLEUM CO.

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

MAY 20, 1966.

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

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

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

The Commission orders:

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

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

## APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI66-388	Sohio Petroleum Co., 970 First National Bank Office Bldg., Oklahoma City, Okla., 73102.	110	8	Phillips Petroleum Co. <sup>1</sup> (Panhandle Field, Moore County, Tex.) (R.R. District No. 10).	\$12,121	4-25-66	<sup>2</sup> 5-26-66	<sup>3</sup> 5-27-66	* 11.0704	** 13.8320	G-10494.

<sup>1</sup> It cannot be determined to which plant the acreage is dedicated. Phillips resells the gas in the area from its Sherman Plant under Phillips' FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co. and from its Hansford and Sneed Plants under its FPC Gas Rate Schedule No. 5 to Panhandle Eastern Pipe Line at various rates which are in effect subject to refund.

<sup>2</sup> The stated effective date is the first day after expiration of the statutory notice.

<sup>3</sup> The suspension period is limited to 1 day.

<sup>4</sup> Periodic rate increase.

<sup>5</sup> Pressure base is 14.65 p.s.i.a.

<sup>6</sup> Includes 0.4466 cent deduction by buyer for sour gas.

Sohio Petroleum Co. (Sohio) requests an effective date of May 24, 1966, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sohio's rate filing and such request is denied.

Sohio's proposed rate increase is for a wellhead sale of gas to Phillips Petroleum Co. (Phillips) who gathers and processes the gas and resells the residue gas after processing to an interstate pipeline company. Phillips' resale rate is in effect subject to refund. Sohio's proposed increased rate exceeds the area increased rate ceiling even though such ceiling is applicable to Phillips' resale rate, not Sohio's rate. Since Phillips' resale rate is in effect subject to refund, we conclude that Sohio's proposed rate should be suspended for 1 day from May 26, 1966, the date of expiration of statutory notice.

[F.R. Doc. 66-5843; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-364]

### TEXAS GAS TRANSMISSION CORP.

#### Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky., 42301, filed in Docket No. CP66-364 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to render a transportation service for Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Tennessee), for a term commencing with authorization therefor and ending September 1, 1967, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to transport volumes of gas tendered by Tennessee up to and including 26,000 Mcf of gas per day. Applicant states that the gas to be transported will be received at Mitchellville, Tenn., and equivalent volumes will be delivered to Louisville Gas & Electric Co., for the account of Tennessee, in the vicinity of Louisville, Ky.

The application states that since the proposed transportation service will be rendered through a portion of Applicant's existing pipeline system and existing interconnections and delivery points, no new facilities for the proposed project are required.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5845; Filed, May 26, 1966; 8:46 a.m.]

[Docket No. CP66-363]

### UNITED GAS PIPE LINE CO.

#### Notice of Application

MAY 20, 1966.

Take notice that on May 12, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-363 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for the sale of additional quantities of natural gas to Beacon Oil & Refining Co. (Beacon), Henderson Field, Rusk County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install an orifice meter and regulator station and appurtenant facilities and to remove a temporary type orifice meter and regulator station near milepost 9.85

on Applicant's 6-inch Henderson, Tex., pipeline, located in the John Runnels Survey, Abstract 679, Rusk County, Tex.

Applicant states that it is presently delivering natural gas to Beacon for use in its lease operations in the Henderson Field, Rusk County, Tex., under authorization granted by order of the Commission issued in Docket No. CP66-52 on October 1, 1965, and pursuant to a contract between the parties which is on file with the Commission as Applicant's I.C. No. 712. Applicant further states that at the time it began serving Beacon it was estimated by Beacon that its annual consumption of natural gas would be approximately 90,000 Mcf, but that presently Beacon will require gas in amounts approximating 350,000 Mcf per year. Accordingly, Applicant proposes to sell and deliver to Beacon 350,000 Mcf of gas per year.

The total estimated cost of Applicant's proposed facilities is \$4,195, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 20, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 66-5846; Filed, May 26, 1966; 8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 578]

### ILLINOIS

#### Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Grundy County in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from a flood and accompanying conditions occurring on or about May 11, 1966.

#### OFFICE

Small Business Administration Regional Office 219 South Dearborn Street, Chicago, Ill., 60604.

2. A temporary office will be established at City Hall, Morris, Ill.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1966.

Dated: May 16, 1966.

ROSS D. DAVIS,  
Executive Administrator.

[F.R. Doc. 66-5848; Filed, May 26, 1966;  
8:46 a.m.]

## VETERANS ADMINISTRATION

### FIELD STATIONS AND AREAS OF JURISDICTION

#### Statement of Organization

The Veterans Administration statement of organization (29 F.R. 6969 and 30 F.R. 7204) is amended to read as follows:

Section 4 is revised to read as follows:

Sec. 4. *Addresses of Veterans Administration installations and jurisdictional areas of insurance centers*—(a) *Addresses of Veterans Administration installations.* This is a guide to the location of Veterans Administration field stations in each State (also Canal Zone,

Philippines, and Commonwealth of Puerto Rico) where information may be obtained by personal contact or correspondence concerning benefits to veterans and their dependents and beneficiaries. The parent regional offices, and centers having regional office activities, are listed with the VA offices (formerly subregional and contact offices) indicated thereunder.

ALABAMA	
Type of activity and location	Address
Regional Office, Montgomery, 36104	Aronov Bldg., 474 South Court St.
Hospital, Birmingham, 35233	700 South 19th St.
Hospital, Montgomery, 36109	Perry Hill Rd.
Hospital, Tuscaloosa, 35401	Veterans Administration Hospital.
Hospital, Tuskegee, 36083	Do.
ALASKA	
Regional Office, Juneau, 99801	Post Office Box 2629
VA Office, Anchorage, 99501	Post Office Box 1288, Federal Bldg., 709 West Ninth.
ARIZONA	
Regional Office, Phoenix, 85025	230 North First Ave., Federal Bldg.
Hospital, Phoenix, 85012	Seventh St. and Indian School Rd.
Hospital, Tucson, 85713	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Prescott, 86301	Veterans Administration Center.
ARKANSAS	
Regional Office, Little Rock, 72201	700 West Capitol Ave., Federal Office Bldg.
Hospital, Fayetteville, 72701	Veterans Administration Hospital.
Hospital, Little Rock, 72206	300 East Roosevelt Rd.
Little Rock Hospital Division	Mail: Little Rock.
North Little Rock Hospital Division	Do.
CALIFORNIA	
Regional Office, Los Angeles, 90073	1380 South Sepulveda Blvd.
VA Office, San Diego, 92101	2131 Third Ave., Wusaaw Medical Bldg.
Regional Office, San Francisco, 94103	49 Fourth St.
Outpatient Clinic, Los Angeles, 90015	1031 South Broadway.
Hospital, Fresno, 93703	2615 Clinton Ave.
Hospital, Livermore, 94550	Veterans Administration Hospital.
Hospital, Long Beach, 90804	5901 East Seventh St.
Center (Hospital and Domiciliary), Los Angeles, 90073.	Sawtelle and Wilshire Blvds.
Brentwood Division	Mail: Los Angeles
Wadsworth Division	Do.
Hospital, Martinez, 94553	150 Muir Rd.
Hospital, Palo Alto, 94304	Veterans Administration Hospital.
Menlo Park Division	Mail: Palo Alto
Palo Alto Division	Do.
Hospital, San Fernando, 91342	13000 Sayre St.
Hospital, San Francisco, 94121	42d Ave. and Clement St.
Hospital, Sepulveda, 91343	Veterans Administration Hospital.
CANAL ZONE	
Veterans Administration Office, Balboa	Balboa Clubhouse, Mail: Post Office Box 3672.
COLORADO	
Regional Office, Denver, 80225	Denver Federal Center.
Hospital, Denver, 80220	1055 Clermont St.
Hospital, Fort Lyon, 81038	Veterans Administration Hospital.
Hospital, Grand Junction, 81501	Do.
CONNECTICUT	
Regional Office, Hartford, 06103	450 Main St.
Hospital, Newington, 06111	555 Willard Ave.
Hospital, West Haven, 06516	West Spring St.
DELAWARE	
Regional Office, Wilmington, 19899	Post Office Box 1266, 1601 Kirkwood Highway.
Hospital Wilmington, 19805	Veterans Administration Hospital.
DISTRICT OF COLUMBIA	
Hospital, Washington, 20422	50 Irving St. NW.
Veterans Benefits Office, Washington, 20421	2033 M St. NW.
FLORIDA	
Regional Office, St. Petersburg, 33731	Post Office Box 1437.
VA Office, Jacksonville, 32201	Jacksonville Post Office and Court- house Bldg., 311 West Monroe St., Mail: Post Office Box 505.
VA Office, Miami, 33130	51 Southwest First Ave., Room 100.
Center (Hospital and Domiciliary), Bay Pines, 33504	Veterans Administration Center.
Hospital, Coral Gables, 33134	Veterans Administration Hospital.
Hospital, Lake City, 32055	Do.

State	Type of activity and location	Address	
MASSACHUSETTS	Regional Office, Boston, 02203	John Fitzgerald Kennedy Federal Bldg. Government Center, 1200 Main St.	
	VA Office, Springfield, 01103	17 Court St.	
	Outpatient Clinic, Boston, 02108	200 Springs Rd.	
	Hospital, Bedford, 01730	150 South Huntington Ave.	
	Hospital, Boston, 02130	Veterans Administration Hospital, Do.	
	Hospital, Brockton, 02401	1400 Veterans of Foreign Wars Park- way.	
	Hospital, Northampton, 01062		
	Hospital, West Roxbury, 02132		
	Regional Office, Detroit, 48231	210 Gratiot Ave. at Library.	
	Hospital, Ann Arbor, 48105	2215 Fuller Rd.	
Hospital, Battle Creek, 49016	Veterans Administration Hospital.		
Hospital, Dearborn, 48121	Do.		
Hospital, Iron Mountain, 49801	Do.		
Hospital, Saginaw, 48602	1500 Weiss St.		
MICHIGAN	Center (Regional Office and Insurance), St. Paul, 55111	Fort Snelling, Remittances: Post Of- fice Box 1820.	
	Hospital, Minneapolis, 55417	54th St. and 48th Ave. South.	
	Hospital, St. Cloud, 56301	Veterans Administration Hospital.	
	Center (Regional Office and Hospital), Jackson, 39216		
	Center (Hospital and Domiciliary), Biloxi, 39531	1500 East Woodrow Wilson Dr.	
	Biloxi Hospital and Domiciliary Division	Veterans Administration Center.	
	Gulfport Hospital Division	Mail: Biloxi.	
	Do.		
	Regional Office, St. Louis, 63103	Room 4705, Federal Bldg., 1520 Mar- ket St.	
	VA Office Kansas City, 64106	601 East 12th St., Federal Office Bldg.	
Hospital, Jefferson Barracks, St. Louis, 63125	Veterans Administration Hospital.		
Hospital, Kansas City, 64128	4801 Linwood Blvd.		
Hospital, Poplar Bluff, 63901	Veterans Administration Hospital.		
Hospital, St. Louis, 63106	915 North Grand Blvd. (John J. Cochran Veterans Hospital).		
MISSOURI	Center (Regional Office and Hospital), Fort Harrison, 59636	Veterans Administration Center.	
	Hospital, Miles City, 59301	Veterans Administration Hospital.	
NEBRASKA	Regional Office, Lincoln, 68508	220 South 17th St.	
	Hospital, Grand Island, 68801	Veterans Administration Hospital.	
	Hospital, Lincoln, 68501	600 70th St.	
	Hospital, Omaha, 68105	4101 Woolworth Ave.	
NEVADA	Center (Regional Office and Hospital), Reno, 89504	1000 Locust St.	
	Regional Office, Manchester, 03103	497 Silver St.	
NEW HAMPSHIRE	Hospital, Manchester, 03104	718 Smyth Rd.	
	Regional Office, Newark, 07102		
NEW JERSEY	Hospital, East Orange, 07019	20 Washington Pl.	
	Hospital, Lyons, 07939	Veterans Administration Hospital. Do.	
GEORGIA	Regional Office, Atlanta, 30308	441-449 West Peachtree St. NE.	
	Hospital, Atlanta, 30319	4158 Peachtree Road NE.	
	Hospital, Augusta, 30904	Veterans Administration Hospital.	
	Forest Hills Division	Mail: Augusta.	
	Lenwood Division	Do.	
	Center (Hospital and Domiciliary), Dublin, 31021	Veterans Administration Center.	
	Regional Office, Honolulu, 96801	680 Ala Moana Blvd., Post Office Box 3198.	
	HAWAII	Center (Regional Office and Hospital), Boise, 83707	Fifth and Fort Sts.
		Regional Office, Chicago, 60612	2030 West Taylor St.
	ILLINOIS	Hospital, Chicago, 60611	333 East Huron St. (Research).
Hospital, Chicago, 60612		820 South Damen Ave. (West Side).	
Hospital, Danville, 61832		Veterans Administration Hospital.	
Hospital, Downey, 60064		Do.	
Hospital, Hines, 60141		Veterans Administration Hospital (Edward Hines, Jr., Hospital).	
Hospital, Marion, 62959		Veterans Administration Hospital.	
Regional Office, Indianapolis, 46209		36 South Pennsylvania St.	
Hospital, Fort Wayne, 46805		1600 Randallia Dr.	
Hospital, Indianapolis, 46207		Veterans Administration Hospital.	
10th Street Hospital Division		Mail: 1481 West 10th St.	
Cold Spring Road Hospital Division	Do.		
Hospital, Marion, 46955	Veterans Administration Hospital.		
IOWA	Center (Regional Office and Hospital), Des Moines, 50308	Veterans Administration Center.	
	Hospital, Iowa City, 52240	Veterans Administration Hospital.	
KANSAS	Hospital, Knoxville, 50138	Do.	
	Center (Regional Office and Hospital), Wichita, 67218	5500 East Kellogg.	
KENTUCKY	Hospital, Topeka, 66622	2200 Gage Blvd.	
	Center (Hospital and Domiciliary), Wadsworth, 66089	Veterans Administration Center.	
LOUISIANA	Regional Office, Louisville, 40201	1405 West Broadway.	
	Hospital, Lexington, 40507	Veterans Administration Hospital.	
	Hospital, Louisville, 40202	Mellwood and Zorn Ave.	
LOUISIANA	Regional Office, New Orleans, 70113	701 Loyola Ave.	
	VA Office, Shreveport, 71101	510 East Stoner Ave.	
	Hospital, Alexandria, 71301	Veterans Administration Hospital.	
	Hospital, New Orleans, 70140	1601 Perdido St.	
MAINE	Hospital, Shreveport, 71101	510 East Stoner Ave.	
	Center (Regional Office and Hospital), Togus, 04330	Veterans Administration Center.	
MARYLAND	VA Office, Portland, 04111	76 Pearl St.	
	Regional Office, Baltimore, 21202	Fayette and St. Paul Sts.	
MARYLAND	Hospital, Baltimore, 21218	3900 Loch Raven Blvd.	
	Hospital, Fort Howard, 21052	Veterans Administration Hospital.	
	Hospital, Perry Point, 21902	Do.	

PENNSYLVANIA

*Type of activity and location*  
 Center (Regional and Insurance), Philadelphia, 19101.  
 VA Office, Wilkes-Barre, 18701  
 Regional Office, Pitsburgh, 15222  
 Hospital, Altoona, 16603  
 Hospital, Butler, 16001  
 Hospital, Coatesville, 19320  
 Hospital, Erie, 16504  
 Hospital, Lebanon, 17042  
 Hospital, Philadelphia, 19104  
 Hospital, Pitsburgh, 15206  
 Hospital, Pitsburgh, 15240  
 Aspinwall Hospital Division  
 Pitsburgh Hospital Division  
 Hospital, Wilkes-Barre, 18703  
 Outpatient Clinic, Philadelphia, 19102  
 PHILIPPINES  
 Regional Office, Manila, 96528  
 PUERTO RICO, COMMONWEALTH OF (INCLUDING THE VIRGIN ISLANDS)  
 Center (Regional Office and Hospital), San Juan, 00901.  
 Regional Office, Providence, 02903  
 Hospital, Providence, 02908  
 RHODE ISLAND  
 Regional Office, Columbia, 29201  
 Hospital, Columbia, 29201  
 SOUTH CAROLINA  
 Center (Regional Office and Hospital), Sioux Falls, 57101.  
 Hospital, Fort Meade, 57741  
 Center (Hospital and Domiciliary), Hot Springs, 57747.  
 Regional Office, Nashville, 37203  
 Hospital, Memphis, 38115  
 Hospital, Murfreesboro, 37130  
 Center (Hospital and Domiciliary), Mountain Home, 37684  
 Hospital, Nashville, 37208  
 TENNESSEE  
 Regional Office, Houston, 77061  
 VA Office, San Antonio, 78204  
 Regional Office, Waco, 76710  
 VA Office, Dallas, 75201  
 VA Office, Lubbock, 79401  
 Hospital, Amarillo, 79106  
 Hospital, Big Spring, 79720  
 Center (Hospital and Domiciliary), Bonham, 75418  
 Hospital, Dallas, 75216  
 Hospital, Houston, 77031  
 Hospital, Kerrville, 78028  
 Hospital, Marlin, 76661  
 Center (Hospital and Domiciliary), Temple, 76501  
 Hospital, Waco, 76703  
 Outpatient Clinic, Lubbock, 79401  
 Outpatient Clinic, San Antonio, 78204  
 TEXAS

NEW MEXICO

*Type of activity and location*  
 Regional Office, Albuquerque, 87101  
 Hospital, Albuquerque, 87101  
 NEW YORK  
 Regional Office, Buffalo, 14023  
 VA Office, Rochester, 14614  
 VA Office, Syracuse, 13202  
 Regional Office, Brooklyn-New York, 10001  
 VA Office, Albany, 12201  
 Outpatient Clinic, Brooklyn, 11205  
 Hospital, Albany, 12208  
 Hospital, Batavia, 14020  
 Center (Hospital and Domiciliary), Bath, 14810  
 Hospital, Bronx, 10468  
 Hospital, Brooklyn, 11209  
 Hospital, Buffalo, 14215  
 Hospital, Canandaigua, 14424  
 Hospital, Castle Point, 12511  
 Hospital, Montrose, 10548  
 Hospital, New York, 10010  
 Hospital, Northport, Long Island, 11768  
 Hospital, Syracuse, 13210  
 NORTH CAROLINA  
 Regional Office, Winston-Salem, 27101  
 Hospital, Durham, 27705  
 Hospital, Fayetteville, 28301  
 Hospital, Oteen, 28805  
 Hospital, Sallsbury, 28144  
 NORTH DAKOTA  
 Center (Regional Office and Hospital), Fargo, 58102  
 OHIO  
 Regional Office, Cleveland, 44114  
 VA Office, Cincinnati, 45202  
 VA Office, Columbus, 43215  
 Hospital, Brecksville, 44141  
 Hospital, Chillicothe, 45601  
 Hospital, Cincinnati, 45220  
 Hospital, Cleveland, 44106  
 Center (Hospital and Domiciliary), Dayton, 45428  
 OKLAHOMA  
 Regional Office, Muskogee, 74401  
 VA Office, Oklahoma City, 73102  
 Hospital, Muskogee, 74401  
 Hospital, Oklahoma City, 73104  
 OREGON  
 Regional Office, Portland, 97204  
 Domiciliary, White City, 97501  
 Hospital, Portland, 97207  
 Hospital, Roseburg, 97470

NORTH CAROLINA

NORTH DAKOTA

OHIO

OKLAHOMA

OREGON

Type of activity and location	Address
UTAH	
Regional Office, Salt Lake City, 84111	125 South State St.
Hospital, Salt Lake City, 84113	Veterans Administration Hospital.
VERMONT	
Center (Regional Office and Hospital), White River Junction, 05001.	Veterans Administration Center.
VIRGINIA	
Regional Office, Roanoke, 24011	211 West Campbell Ave.
Center (Hospital and Domiciliary), Kecoughtan, 23367.	Veterans Administration Center.
Hospital, Richmond, 23225	1201 Broad Rock Rd.
Hospital, Salem, 24153	Veterans Administration Hospital.
WASHINGTON	
Regional Office, Seattle, 98121	Sixth and Lenora Bldg.
Hospital, American Lake, 98493	Veterans Administration Hospital.
Hospital, Seattle, 98108	4435 Beacon Ave. South.
Hospital, Spokane, 99208	North 4815 Assembly St.
Hospital, Vancouver, 98663	Veterans Administration Hospital.
Hospital, Walla Walla, 99362	Do.
WEST VIRGINIA	
Regional Office, Huntington, 25701	502 Eighth St.
Hospital, Beckley, 25801	200 Veterans Ave.
Hospital, Clarksburg, 26302	Veterans Administration Hospital.
Hospital, Huntington, 25701	1540 Spring Valley Dr.
Center (Hospital and Domiciliary), Martinsburg, 25401.	Veterans Administration Center.
WISCONSIN	
Regional Office, Milwaukee, 53202	342 North Water St.
Hospital, Madison, 53705	2500 Overlook Terrace.
Hospital, Tomah, 54660	Veterans Administration Hospital.
Center (Hospital and Domiciliary), Wood, 53193	Veterans Administration Center.
WYOMING	
Center (Regional Office and Hospital), Cheyenne, 82001.	2360 East Pershing Blvd.
Hospital, Sheridan, 82801	Veterans Administration Hospital.

## (b) Jurisdictional areas of insurance centers.

Location and area	
PHILADELPHIA, PA., CENTER	
Alabama.	New York.
Connecticut.	North Carolina.
Delaware.	Ohio.
District of Columbia.	Pennsylvania.
Florida.	Puerto Rico (including Virgin Islands).
Georgia.	Rhode Island.
Kentucky.	South Carolina.
Maine.	Tennessee.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
New Hampshire.	
New Jersey.	
ST. PAUL, MINN., CENTER	
Alaska.	Missouri.
Arizona.	Montana.
Arkansas.	Nebraska.
California.	Nevada.
Colorado.	New Mexico.
Hawaii.	North Dakota.
Idaho.	Oklahoma.
Illinois.	Oregon.
Indiana.	South Dakota.
Iowa.	Texas.
Kansas.	Utah.
Louisiana.	Washington.
Minnesota.	Wisconsin.
Mississippi.	Wyoming.

NOTE: Records of National Service Life Insurance paid by allotment, deduction from benefit payments and payroll, and records of persons residing in the Republic of the Philippines, and all records of U.S. Government Life Insurance are located in the Philadelphia Center.

By direction of the Administrator.

[SEAL] A. H. MONK,  
Associate Deputy Administrator.

[F.R. Doc. 66-5857; Filed, May 26, 1966; 8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 24, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 40492—*Ethylene glycol to Fiberton, N.C.* Filed by Southwestern Freight Bureau, agent (No. B-8854), for interested rail carriers. Rates on ethylene glycol, in tank-car loads, from specified points in Louisiana and Texas, to Fiberton, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 375 to Southwestern Freight Bureau, agent, tariff ICC 4064.

FSA No. 40493—*Fresh meats and packinghouse products from Gooding and Roberts, Idaho.* Filed by Western Trunk Line Committee, agent (No. A-2452), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, from Gooding and Roberts, Idaho, to points in official (excluding Illinois) territory.

Grounds for relief—Market competition.

Tariff—Supplement 6 to Western Trunk Line Committee, agent, tariff ICC A-4620.

FSA No. 40494—*Lumber articles from Woodbine, Ga.* Filed by O. W. South, Jr., agent (No. A4896), for interested rail carriers. Rates on poles and piling, wooden, untreated, in carloads, subject to minimum of five carloads per shipment, from Woodbine, Ga., to Norfolk and Newport News, Va.

Grounds for relief—Private barge competition.

Tariff—Supplement 159 to Southern Freight Association, agent, tariff ICC S-86.

FSA No. 40495—*Chlorine from Wichita, Kans.* Filed by Western Trunk Line Committee, agent (No. A-2451), for interested rail carriers. Rates on chlorine, in tank-car loads, subject to minimum of 550,000 pounds per shipment, from Wichita, Kans., to Charleston and Institute, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 6 to Western Trunk Line Committee, agent, tariff ICC A-4620.

FSA No. 40496—*Joint motor-rail rates—Central States.* Filed by Central States Motor Freight Bureau, Inc., agent (No. 105), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States territory.

Grounds for relief—Motortruck competition.

Tariff—Supplement 10 to Central States Motor Freight Bureau, Inc., agent, tariff MF-ICC 1163.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-5871; Filed, May 26, 1966; 8:48 a.m.]

[Notice 1353]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 24, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68677. By order of May 20, 1966, the Transfer Board approved the transfer to Leo S. Urbanski, Brooklyn, N.Y., of the operating rights in certificate No. MC-126614, issued April 7, 1965, to Thomas A. Schweiger, Maspeth,



N.Y., authorizing the transportation, of: Homing pigeons, from New York, N.Y., to specified points in New Jersey. Morris Honig, 150 Broadway, New York 38, N.Y., attorney for applicants.

No. MC-FC-68678. By order of May 20, 1966, the Transfer Board approved the transfer to Dutch Blum Trucking, Inc., Darlington, Pa., of the operating rights in certificate No. MC-6544, issued March 31, 1964, to Lyle C. Blum, doing business as Dutch Blum Trucking Co., Darlington, Pa., authorizing the transportation of: Coal and roadbuilding materials, between points in West Virginia, Pennsylvania, and Ohio. Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222, attorney for applicants.

No. MC-FC-68683. By order of May 20, 1966, the Transfer Board approved the transfer to Don Pfaff, Worthington, Pa., of the operating rights of Ray E. Hoyt and Lester E. Hoyt, a partnership, doing business as Hoyt's Transfer, Worthington, Pa., in certificate No. MC-22672, issued November 16, 1964, authorizing the transportation, of brick and tile, from points in a described portion of Pennsylvania to points in a described portion of Ohio, and a described portion of New York. Richard S. Graff, Kittanning, Pennsylvania, Boarts Building, Kittanning, Pa., attorney for applicants.

No. MC-FC-68751. By order of May 20, 1966, the Transfer Board approved the transfer to Orlo M. Hobbs, Charles W. Hobbs, and Miles P. Nesbitt, a partnership, doing business as Hobbs Trucking Co., Anaheim, Calif., of the operating rights in the certificate in No. MC-62469 and the certificate of registration in No. MC-62469 (Sub-No. 7), issued September 6, 1961, and January 7, 1965,

respectively, to Harold Finley, Inc., Tustin, Calif., authorizing transportation, under the certificate, of: Beans, from specified points and places in California to Los Angeles, Calif., and from Los Angeles and Vernon, Calif., to Los Angeles Harbor and Long Beach, Calif., dry beans, from points within 20 miles of Santa Ana, Calif., including Santa Ana, to Los Angeles Harbor and Long Beach Harbor, Calif., newsprint paper, from Los Angeles Harbor and Long Beach Harbor, Calif., to Santa Ana, Calif., canned, bottled, and barreled juices, canned fruits, canned vegetables, canned berries, and canned and glassed jams and jellies, from Ontario, Chino, and Tustin, Calif., and points within 10 miles of Tustin, except Anaheim, Calif., to Los Angeles Harbor and Long Beach Harbor, Calif., citrus fruits, from Tustin, Calif., and points within 10 miles of Tustin, to Los Angeles Harbor, Calif., and fertilizers, from Los Angeles Harbor, Calif., to Tustin, Calif., and points within 10 miles of Tustin; and authorizing transportation under the certificate of registration corresponding to certificate of public convenience and necessity granted in decision No. 70353, dated February 15, 1966, by the Public Utilities Commission of the State of California, of: (1) General commodities, excluding specific commodities, (2) fruits, fresh or green (not cold pack or frozen), between specified cities in California on the one hand, and, on the other, specified cities in California. R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., attorney for applicants.

No. MC-FC-68753. By order of May 20, 1966, the Transfer Board approved the transfer to Tri-State Trucking, Inc.,

Henderson, Mich., of permit No. MC-125119, issued November 8, 1963, to Byron Sawyer, Henderson, Mich., authorizing the transportation of: Liquid fertilizer, in bulk and in tank vehicles, (1) from ports of entry on the United States-Canadian border near Port Huron, Mich., to points in Michigan and Indiana, (2) from ports of entry on the United States-Canadian border near Buffalo and Niagara Falls, N.Y., to points in New York, New Jersey, Pennsylvania, Massachusetts, and Vermont, and (3) from Marion, Ohio, to points in Michigan, Oklahoma, Indiana, Illinois, Pennsylvania, and Kansas. Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich., attorney for applicants.

No. MC-FC-68754. By order of May 20, 1966, the Transfer Board approved the transfer to Smith Truck Service, Inc., Perry, Okla., of certificate No. MC-76661, issued July 8, 1964, to W.M. Smith, doing business as Smith Truck Service, Perry, Okla., and authorizing the transportation of: Machinery, materials, supplies, and equipment, incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, over irregular routes, between points in Oklahoma, Kansas, and Texas, and similar operations between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana. Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City, Okla., attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-5872; Filed, May 26, 1966;  
8:48 a.m.]

### CUMULATIVE LIST OF PARTS AFFECTED—MAY

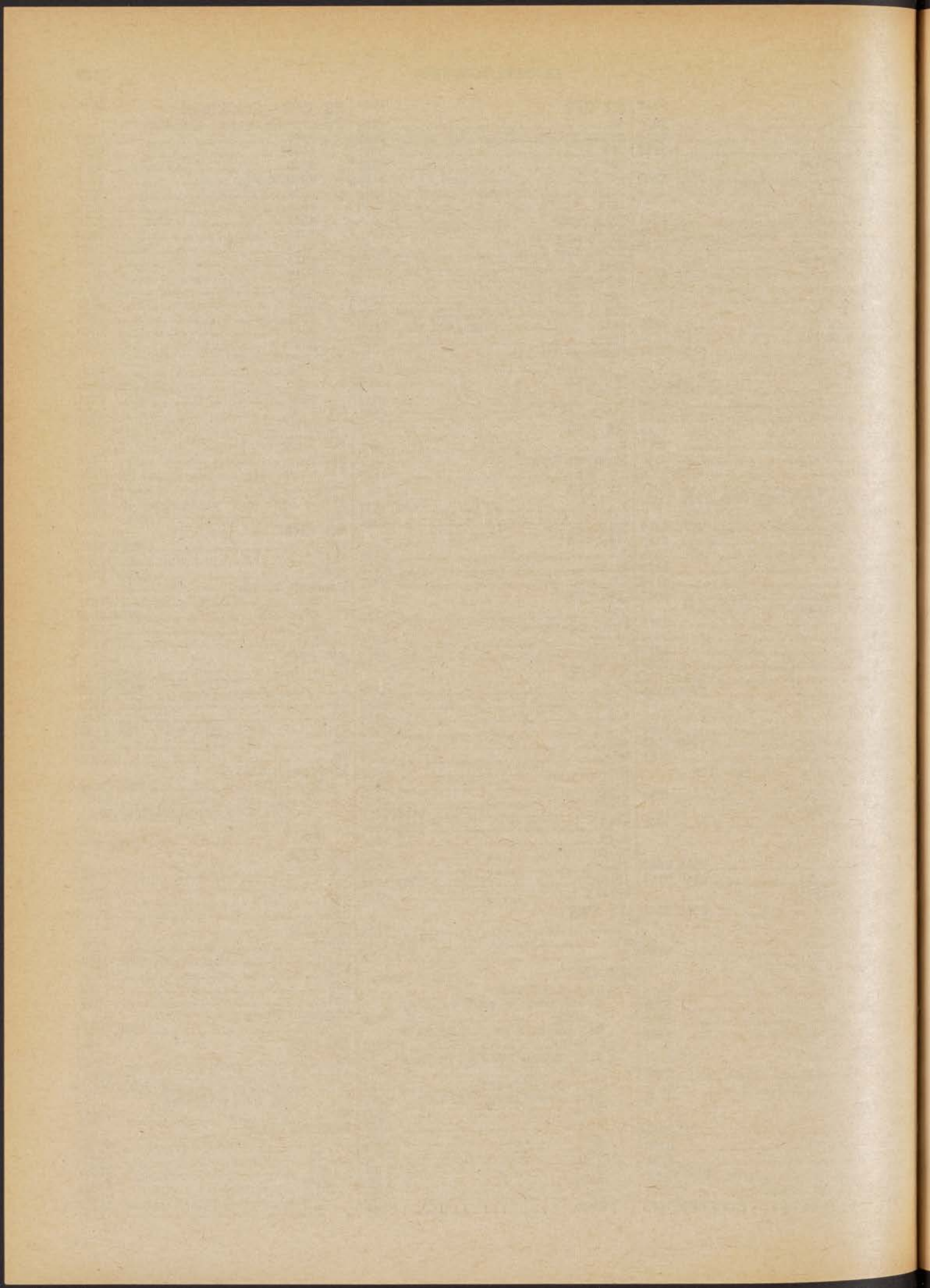
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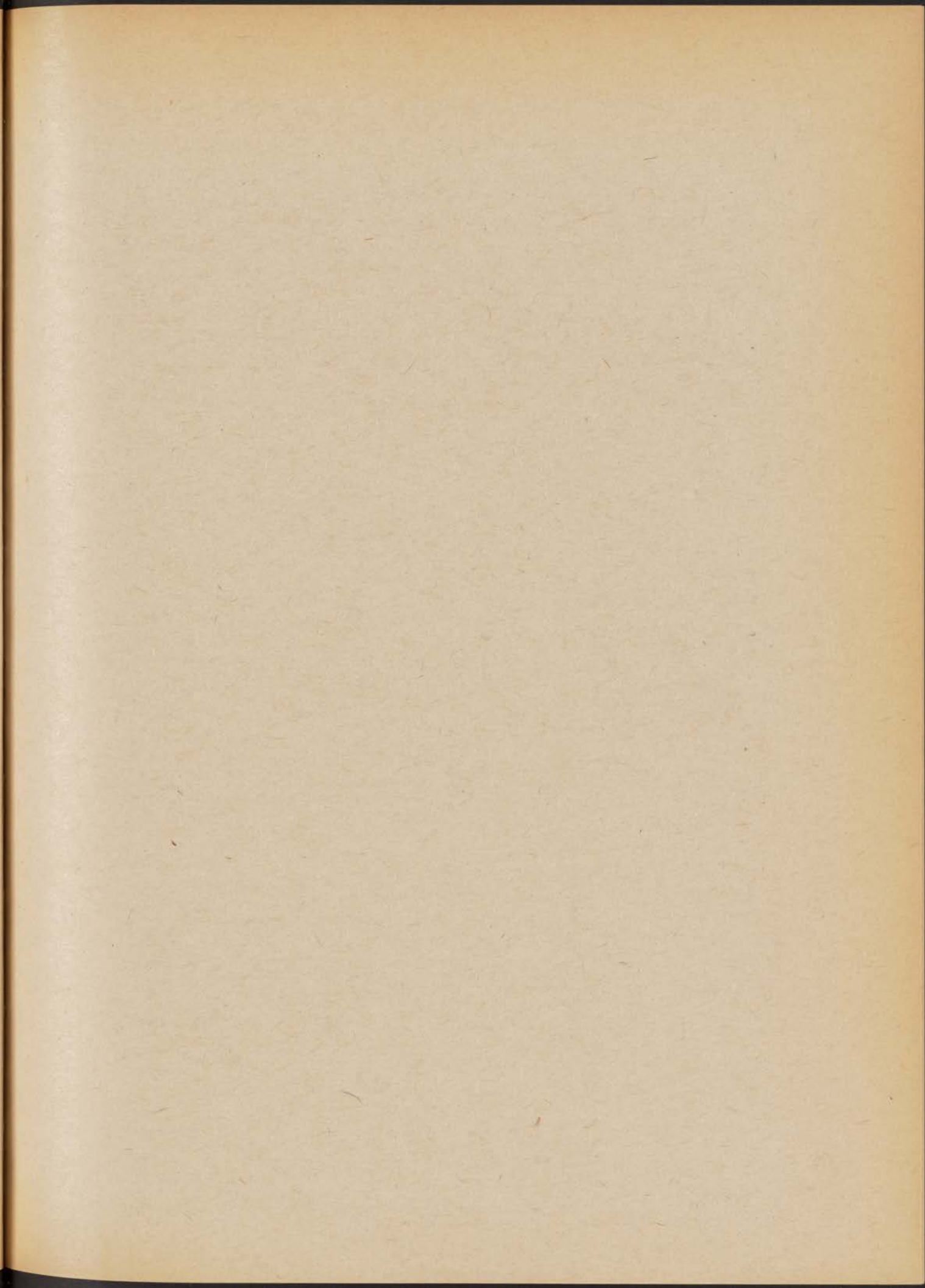
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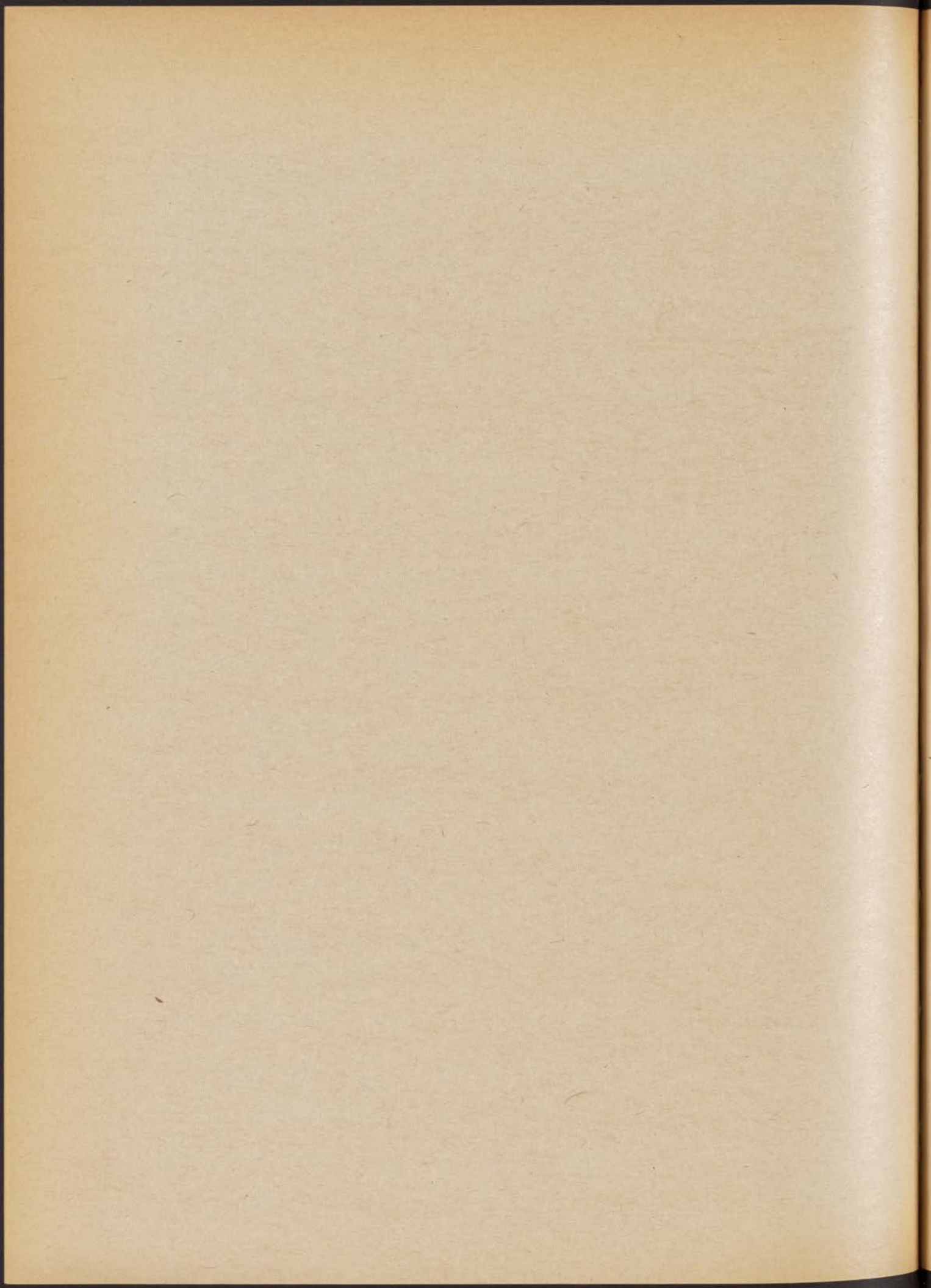
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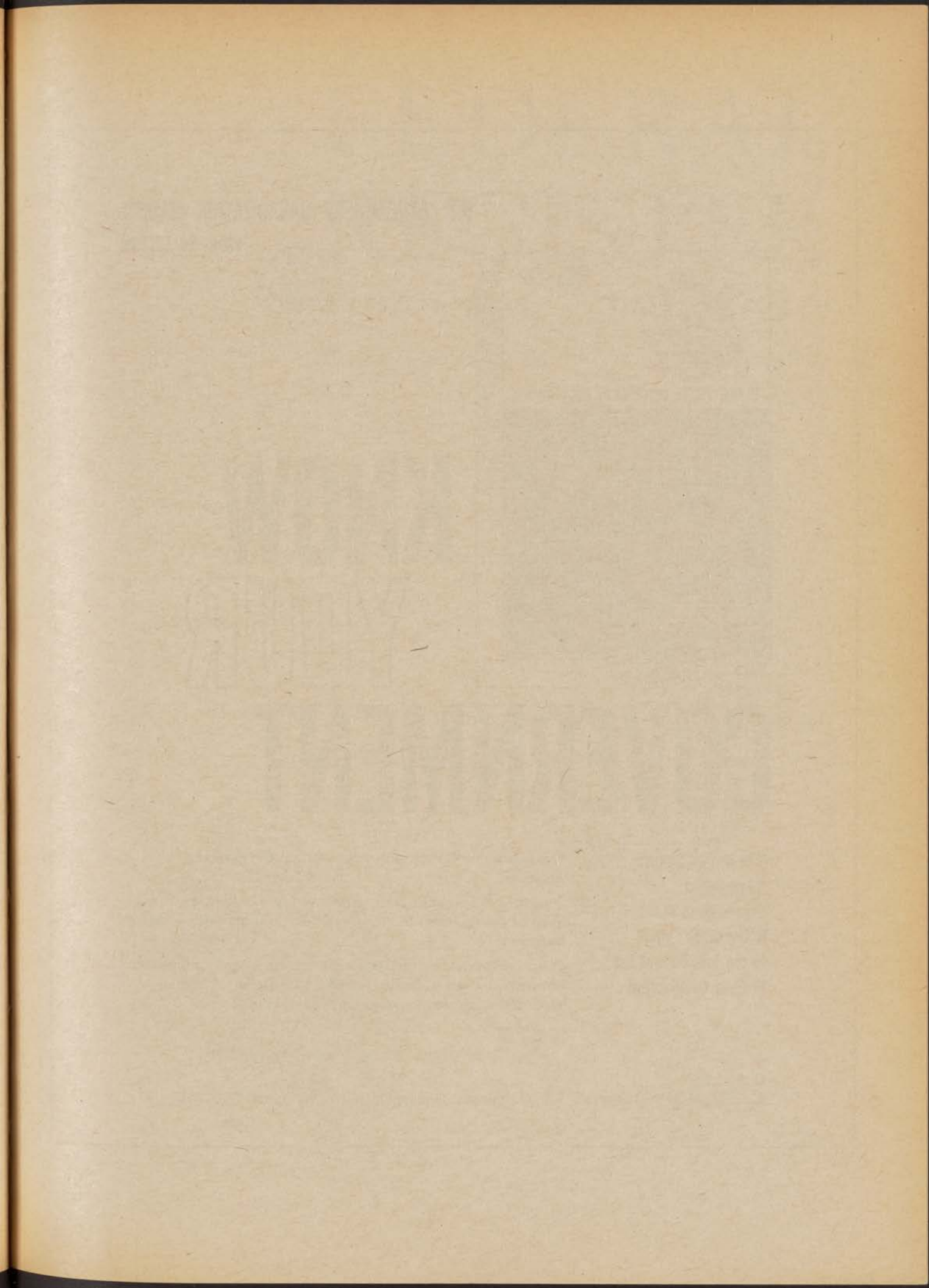
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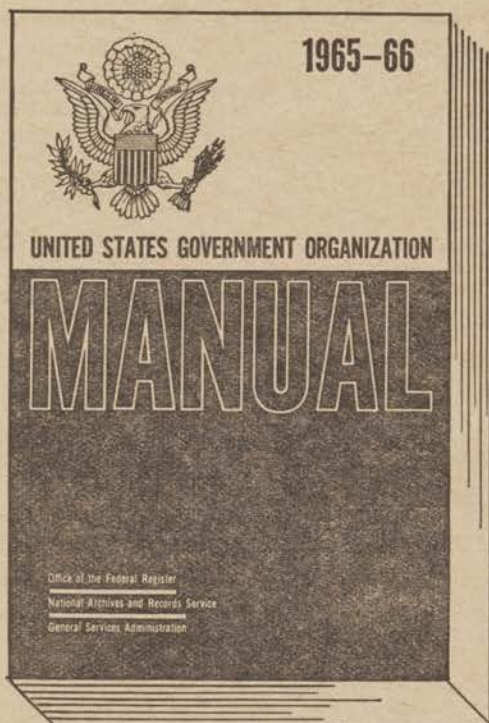






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