FEDERAL REGISTER

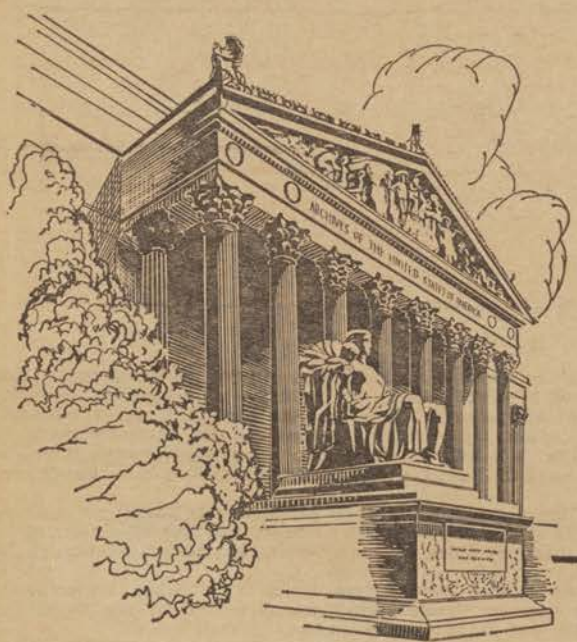
VOLUME 31 • NUMBER 127

Friday, July 1, 1966 • Washington, D.C.

Pages 9039–9097

Agencies in this issue—

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA SCRIPTA MANET
1934

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

(*Continued on next page*)

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.

5 CFR
213 9043

7 CFR
81 9043
915 9044
946 9044
1004 9045
1013 9045

14 CFR
39 (2 documents) 9046
63 9047
71 (2 documents) 9047
97 9048
103 9058

16 CFR
221 9058

18 CFR
260 9062

25 CFR
PROPOSED RULES:
255 9087

26 CFR
PROPOSED RULES:
48 9086

30 CFR
229 9062

36 CFR
1 9062
7 9062

38 CFR
3 9063
36 9063

41 CFR
9–7 9063

46 CFR
401 9064
402 9067

47 CFR
PROPOSED RULES:
73 9088

49 CFR
71–79 9067
95 (2 documents) 9084, 9085

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1966 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes and supplements of the Code of Federal Regulations issued to date during 1966. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

Order from Superintendent of Documents, Government Printing Office, Washington D.C. 20402.

CFR Unit (as of Jan. 1, 1966):	Price
3 1965 Supp.	$1.00
4 (Rev.)	.30
5 (Supp.)	.60
6 (Rev.)	1.00
7 Parts:	
1–45 (Rev.)	1.25
46–51 (Rev.)	1.00
52 (Rev.)	2.00
53–209 (Rev.)	2.00
210–399 (Rev.)	1.00
900–944 (Rev.)	1.00
945–980 (Rev.)	.70
981–999 (Rev.)	.60
1000–1029 (Rev.)	1.00
1030–1059 (Rev.)	1.00
1060–1089 (Rev.)	1.00
1090–1119 (Rev.)	.70
1120–1199 (Rev.)	.75
1200-end (Rev.)	2.00
8 (Rev.)	.70
9 (Rev.)	1.25
10–11 (Supp.)	.60
12 (Supp.)	1.25
13 (Supp.)	.60
14 Parts:	
1–39 (Rev.)	1.50
40–199 (Rev.)	1.50
200-end (Rev.)	1.50
15 (Rev.)	1.25
16 (Supp.)	1.00
17 (Supp.)	1.00
18 (Supp.)	.75
19 (Rev.)	1.75
20 (Rev.)	1.75
21 Parts:	
1–129 (Rev.)	2.00
130-end (Rev.)	2.50
22 (Rev.)	1.00
23 (Rev.)	.25
24 (Rev.)	1.25
26 Parts:	
1 (§§ 1.0–1—1.300) (Rev.)	1.75
1 (§§ 1.301–1.400) (Rev.)	.65
1 (§§ 1.401–1.500) (Rev.)	.65
1 (§§ 1.501–1.640) (Rev.)	.70
1 (§§ 1.641–1.850) (Rev.)	1.00
1 (§§ 1.851–1.1200) (Rev.)	1.25
1 (§§ 1.1201–1.6000) (Rev.)	1.25
1 (§§ 1.6001–end) to Part 19 (Rev.)	.65
20–29 (Supp.)	.40
30–39 (Supp.)	.50
40–169 (Rev.)	1.75
170–299 (Supp.)	1.00
300–499 (Supp.)	.50
500–599	(*)
600–end (Supp.)	.40
27 (Supp.)	.30
28 (Rev.)	.50
29 Parts:	
1–499 (Rev.)	.65
500–899 (Rev.)	1.75
900–end (Rev.)	.65
30 (Rev.)	1.25
31 (Rev.)	1.25
32 Parts:	
1–39 (Rev.)	2.50
40–399 (Rev.)	1.00
400–589 (Supp.)	.65
590–699 (Rev.)	4.25
800–999 (Rev.)	1.00
1000–1099 (Rev.)	1.50
1100-end (Supp.)	1.00
32A (Rev.)	1.00
33–34 (Supp.)	.75
35	(*)
36 (Supp.)	.60
37 (Supp.)	.45
38 (Rev.)	2.00
39–40 (Rev.)	2.00
41 Chapters:	
1 (Rev.)	1.75
2–4 (Rev.)	.70
5–5D (Rev.)	.50
18 (Rev.)	1.75
19–100 (Rev.)	.50
101-end (Rev.)	1.25
42 (Supp.)	1.00
43 (Rev.)	2.50
44 (Supp.)	.40
45 (Supp.)	1.50
46 Parts:	
1–145 (Rev.)	2.75
146–149 (Rev.)	2.50
150–199 (Rev.)	1.25
200-end (Rev.)	1.75
47 Parts:	
0–19 (Rev.)	1.00
20–69 (Rev.)	1.50
70–79 (Rev.)	1.00
80-end (Rev.)	1.50
48 (Rev.)	.40
49 Parts:	
0–70 (Supp.)	.40
71–90 (Rev.)	2.25
91–164 (Rev.)	1.50
165-end (Supp.)	.60
50 (Supp.)	.60
List of Sections Affected, 1949–1963 (Compilation)	6.75

*NOTE: No amendments to these volumes were promulgated during 1965. The cumulative pocket supplements issued as of January 1, 1965, should be retained.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Aeronautics and Space Administration

Section 213.3348 is amended to show that the position of Special Assistant (Policy Analyst) to the Assistant Administrator for Policy Analysis is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (n) is added to § 213.3348 as set out below.

§ 213.3348 National Aeronautics and Space Administration.

* * * * *

(n) One Special Assistant (Policy Analyst) to the Assistant Administrator for Policy Analysis.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66-7251; Filed, June 30, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER D—REGULATIONS UNDER THE POULTRY PRODUCTS INSPECTION ACT

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Poultry Soups; Postponement of Effective Date of Certain Amendments

On July 7, 1964, there were published in the FEDERAL REGISTER (29 F.R. 8456) certain amendments of §§ 81.134 and 81.208 of the regulations under the Poultry Products Inspection Act, as amended (21 U.S.C. 451 et seq.) to become effective on January 1, 1965.

In a lawsuit instituted in the U.S. District Court for the District of New Jersey challenging the validity of the amendments with respect to soups containing poultry ingredients, on behalf of one processor of dehydrated soups, a preliminary injunction was issued restraining enforcement of such amendments against that processor with respect

to dehydrated soup mixes. In order to afford equitable treatment to all poultry soup processors in view of this preliminary injunction, the effective date of the amendments insofar as they relate to all types of soups containing poultry ingredients, has been postponed on a month-to-month basis until July 1, 1966 (31 F.R. 7553).

The U.S. District Court on June 10, 1966, issued an opinion upholding the validity of the amendments but no final order has been entered by the Court.

It is contemplated by this Department that the amendments will ultimately be made effective with respect to such soups on January 1, 1967. Such a postponement in the effective date is necessary in order to afford affected processors reasonable time in which to obtain labels for their products or otherwise adjust their operations in compliance with the amendments. Meanwhile, pending action by the District Court, it is necessary, in order to avoid disruption of orderly operations in the affected industry, to postpone temporarily the effective date of the amendments with respect to soups containing poultry ingredients beyond July 1, 1966, the date on which the amendments otherwise would become effective. Therefore, the effective date of the amendments with respect to such soups is hereby postponed until August 1, 1966. In order to accomplish its purpose this action must be made effective on July 1, 1966, when the prior order of postponement of effective date expires.

Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found for good cause that notice of rule making and other public procedure with respect to this action are impracticable and good cause is found for making it effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Sec. 14, 71 Stat. 447, 21 U.S.C. 463; 29 F.R. 16210, as amended; 30 F.R. 1260, as amended; 30 F.R. 2160)

This action shall become effective on July 1, 1966.

Done at Washington, D.C., this 28th day of June 1966.

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

[F.R. Doc. 66-7237; Filed, June 30, 1966; 8:48 a.m.]

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

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Expenses and Rate of Assessment

On June 10, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 8181), regarding proposed expenses and the related rate of assessment for the period beginning April 1, 1966, and ending March 31, 1967, pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Avocado Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 915.206 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Avocado Administrative Committee during the period April 1, 1966, through March 31, 1967, will amount to $10,816.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with §915.41, is fixed at $0.05 per bushel of avocados.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable avocados handled during the aforesaid period, and (2) such period began on April 1, 1966, and said rate of assessment will automatically apply to all such avocados beginning with such date.

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

Dated: June 27, 1966.

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

[F.R. Doc. 66-7222; Filed, June 30, 1966; 8:46 a.m.]

PART 946—IRISH POTATOES GROWN IN WASHINGTON

Limitation of Shipments

Findings: (a) Pursuant to Marketing Agreement No. 113, and Order No. 946 (7 CFR Part 946), regulating the handling of Irish potatoes grown in the State of Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the State of Washington Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the limitation of shipments regulation as hereinafter established, limiting the grade, size, and quality of such potatoes will maintain orderly marketing conditions tending to increase returns to producers of such potatoes.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) shipments of 1966 crop potatoes grown in the production area will begin in early July, (2) to maximize benefits to growers, this regulation should apply to all shipments during the 1966 season, (3) producers and handlers have operated under the marketing order since 1949 so special preparation on the part of handlers is not required, and (4) information regarding the committee's recommendation containing the same requirements and effective period as herein prescribed has been disseminated to producers and handlers in the production area.

§ 946.321 Limitation of shipments.

During the period July 5, 1966, through June 30, 1967, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), (e), (f), and (g) of this section.

(a) *Minimum quality requirements*—(1) *Grade.* All varieties—U.S. No. 2, or better grade.

(2) *Size*—(i) *Round varieties.* 1⅞ inches minimum diameter.

(ii) *Long varieties.* 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness.* All varieties—at least "fairly clean."

(b) *Minimum maturity requirements*—(1) *Round and long white (White Rose) varieties.* "Moderately skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-half of the skin missing or "feathered."

(2) *Other long varieties (including but not limited to Russet Burbank, Norgold, and Early Gems).* "Slightly skinned" which means that not more than 10 percent of the potatoes in the lot have more than one-fourth of the skin missing or "feathered."

(c) *Special purpose shipments.* The minimum grade, size, cleanliness and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(1) Certified seed;
(2) Livestock feed;
(3) Charity;
(4) Starch;
(5) Canning or freezing;
(6) Dehydration;
(7) Export;
(8) Potato chipping; or
(9) Prepeeling: *Provided,* That they are of the Kennebec variety and meet at least 75 percent U.S. No. 2 grade.

(d) *Safeguards.* Each handler making shipments of potatoes for canning, freezing, dehydration, export, potato chipping, or prepeeling pursuant to paragraph (c) of this section unless such

potatoes are handled in accordance with paragraph (e) of this section shall:

(1) Notify the committee of intent to ship potatoes pursuant to paragraph (c) of this section by applying on forms furnished by the committee for a certificate applicable to such special purpose shipments;

(2) Obtain a Washington State Shipping Permit as issued by the Washington State Department of Agriculture in lieu of a Federal-State Inspection Certificate, except shipments for export.

(3) Prepare on forms furnished by the committee a special purpose shipment report on each individual shipment diverted from fresh market channels to outlets specified in subparagraph (2) of this paragraph. The handler shall forward copies of such special purpose shipment report to the committee office and to the receiver with instructions to the receiver that he sign and return a copy to the committee office. Failure of handlers or receivers to report such shipments by promptly signing and returning the applicable special purpose shipment report to the committee office shall be cause for cancellation of such handler's certificate applicable to such special purpose shipments and/or the receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of such certificate, the handler may appeal to the committee for reconsideration. Such appeal shall be in writing.

(4) Before diverting any shipment from the receiver of record as previously furnished to the committee by the handler of potatoes under paragraph (c) of this section, each such handler shall submit to the committee a revised Special Purpose Shipment Report.

(e) *Special purpose shipments exempt from safeguards.* In the case of shipments of potatoes: (1) To freezers or dehydrators in the counties of Grant, Adams, Franklin, Benton, and Yakima in the State of Washington, and Nez Perce County in the State of Idaho, and (2) for canning, freezing, dehydration, potato chipping or prepeeling within the district where grown, the handler of such potatoes shall be exempt from safeguard requirements of paragraph (d) of this section whenever the processor of such potatoes has signed an agreement with the committee to meet the reporting and other marketing order requirements specified by the committee.

(f) *Potatoes for regrading, resorting or repacking.* Pursuant to § 946.50, the inspection requirements of § 946.53 applicable to the handling of regraded, resorted, or repacked potatoes are suspended during the effective time of this section with respect to any such potatoes which prior to regrading, resorting, or repacking thereof, were inspected pursuant to § 946.53(a).

(g) *Minimum quantity exception.* Each handler may ship up to, but not to exceed 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment over 5 hundredweight of potatoes.

(h) *Definitions.* (1) The terms "U.S. No. 2," "fairly clean," "slightly skinned" and "moderately skinned" shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540–51.1556 of this title), including the tolerances set forth therein.

(2) The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in the prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (U.S. Standards for Grades of Peeled Potatoes §§ 52.2421–52.2433 of this title). Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 113 and this part (Order No. 946).

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

Dated June 28, 1966, to become effective July 5, 1966.

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

[F.R. Doc. 66-7238; Filed, June 30, 1966; 8:48 a.m.]

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

[Milk Order No. 4]

PART 1004—MILK IN THE DELAWARE VALLEY MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Delaware Valley marketing area (7 CFR Part 1004), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the period from the effective date hereof through March 31, 1967:

In § 1004.50(a), all of the figures contained in the third and fourth columns of the Class I price schedule in subparagraph (2) except the figure "6.20" and all of subparagraph (3).

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) A public hearing was held at Washington, D.C., on June 9–10, 1966, at which the price levels of the Delaware Valley and seven other Federal order markets were reviewed in response to representations of milk shortages or potential milk shortages in Federal order markets, and also to determine whether emergency price action is required under existing marketing conditions.

Action applicable to the price levels under the Federal orders considered at the hearing is being taken by emergency amendment procedure in the other markets. Because of the particular characteristics of the Class I price formula for the Delaware Valley order, it is appropriate to suspend a portion of the pricing formula to provide, as nearly as practicable, a commensurate adjustment in this order.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the period beginning with the effective date of this order through March 31, 1967.

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

Effective date: July 1, 1966.

Signed at Washington, D.C., on June 29, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-7308; Filed, June 30, 1966; 9:51 a.m.]

[Milk Order 13]

PART 1013—MILK IN SOUTHEASTERN FLORIDA MARKETING AREA

Order Amending Order

§ 1013.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southeastern Florida marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the

price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulated the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than July 1, 1966. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued May 27, 1966, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued June 24, 1966. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1966, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) or more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Southeastern Florida marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. In § 1013.50, paragraphs (b) and (c) are revoked and paragraph (a) is revised to read as follows:

§ 1013.50 Class prices.

* * * * *

(a) *Class I price.* From the effective date of this paragraph through June 1967, the Class I price shall be the basic formula price for the preceding month plus $3.20.

(b) [Revoked]

(c) [Revoked]

* * * * *

2. Add a new § 1013.50–a to read as follows:

§ 1013.50–a Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) at the rate of the Chicago butter price times 0.12 and rounded to the nearest cent.

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

Effective date. July 1, 1966.

Signed at Washington, D.C., on June 28, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66–7239; Filed, June 30, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7314; Amdt. 39–255]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. (BAC) Model 1–11 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive imposing a service life limit of 3,000 hours' time in service for the aluminum alloy rocking lever on the rudder feel simulator unit on British Aircraft Corp. (BAC) Model 1–11 Series airplanes was published in 31 F.R. 6427.

Interested persons have been afforded an opportunity to participate in the making of the amendment. A comment noted that paragraphs (a) and (b) applied to the same airplanes but had different compliance times. Paragraph (a) should apply to levers with 2,900 or more hours' time in service, but due to a printing error, paragraph (a) of the notice was directed to levers with less than 2,900 hours' time in service.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to BAC Model 1–11 Series airplanes equipped with aluminum alloy rocking lever, P/N CH504–008, in the rudder feel simulator unit.

Compliance required as indicated.

To prevent fatigue failure of the rocking lever in the rudder feel simulator unit, accomplish the following:

(a) Replace aluminum alloy rocking levers, P/N CH504–008, with 2,900 or more hours' time in service on the effective date of this AD with an unused part of the same part number or with steel rocking lever, P/N CH504–020 or CH504–021, within the next 100 hours' time in service.

(b) Replace aluminum alloy rocking levers, P/N CH504–008, with less than 2,900 hours' time in service on the effective date of this AD with an unused part of the same part number or with steel rocking lever, P/N CH504–020 or CH504–021, before the accumulation of 3,000 hours' time in service.

British Aircraft Corp. (BAC) One-Eleven Alert Service Bulletin 27–A–PM 1248 pertains to this subject.)

This amendment becomes effective July 31, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 27, 1966.

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

[F.R. Doc. 66–7207; Filed, June 30, 1966; 8:45 a.m.]

[Docket No. 7315; Amdt. 39–254]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1–11 200 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the headliner and inspection and modification of the fuselage frame as necessary on British Aircraft Model BAC 1–11 200 Series airplanes was published in 31 F.R. 6428.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Model BAC 1-11 200 Series airplanes.

Compliance required before the accumulation of 3,000 hours' time in service for airplanes with less than 2,900 hours' time in service on the effective date of this AD and within the next 100 hours' time in service after the effective date of this AD for airplanes with 2,900 or more hours' time in service on the effective date of this AD, unless already accomplished.

To prevent chafing of the fuselage frame forward flange by the aft end of the headliner, rework the headliner, P/N AB77 A1605, and inspect the flange of fuselage frame, P/N AB29 A501, and rework as necessary in accordance with British Aircraft Corp. (BAC) One-Eleven Alert Service Bulletin 53-A-PM 2107, dated February 1, 1966, or later ARB-approved issue.

This amendment becomes effective July 31, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 24, 1966.

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

[F.R. Doc. 66-7208; Filed, June 30, 1966; 8:45 a.m.]

SUBCHAPTER D—AIRMEN

[Docket No. 6458; Amdt. 63-5]

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

Aeronautical Experience Requirements

Under Amendment 63-3 of the Federal Aviation Regulations (30 F.R. 14558) § 63.37 requires that flight time in the capacity of pilot in command or second in command used to satisfy the aeronautical experience requirement for a flight engineer certificate must have been obtained on a transport category airplane. Prior to the adoption of Amendment 63-3, § 63.35 permitted an applicant for a flight engineer certificate to meet the prerequisite experience requirements by obtaining "at least 200 hours of flight time as pilot in command, of aircraft with four or more engines rated at least at 800 horsepower each or the equivalent power in turbine-powered aircraft".

Notice of proposed rule making 65-3 (30 F.R. 1196) proposed to expand this authorization to include, in addition to pilot in command time, second in command time when performing the functions of a pilot in command under the supervision of a pilot in command in any airplane—

(1) On which a flight engineer is required by Part 121 * * *;

(2) On which a flight engineer is required by the airplane type certification; or

(3) Having at least three engines that are rated at least 800 horsepower each, or the equivalent in turbine-powered engines.

As stated in the preamble to Amendment 63-3 as a result of comments received in response to the notice, the Agency agreed that "flight time as pilot in command or second in command (performing the functions of a pilot in command, under the supervision of a pilot in command), in a transport category airplane is relevant to a flight engineer's duties," and § 63.37 was amended accordingly.

It has now been called to the Agency's attention that the transport category limitation excludes pilot in command or second in command time obtained in large military aircraft that was allowed under the rule before amendment and that would have been allowed under the proposed amendment. The Agency did not intend by this amendment to exclude military experience obtained on aircraft comparable to civilian transport category aircraft. Therefore, § 63.37 is being amended to include pilot in command and second in command time (performing the functions of a pilot in command, under the supervision of a pilot in command) obtained in military aircraft, with at least two engines, that are equivalent in weight and horsepower to aircraft type certificated in the transport category.

Since this amendment imposes no additional burden on any person and merely corrects a limitation inadvertently included in a final rule that was not contained in the notice, I find that notice and public procedure hereon are unnecessary and good cause exists for making it effective within less than 30 days.

In consideration of the foregoing, paragraphs (a) and (b)(4) of § 63.37 of the Federal Aviation Regulations are amended, effective July 1, 1966, to read as follows:

§ 63.37 Aeronautical experience requirements.

(a) Except as otherwise specified therein, the flight time used to satisfy the aeronautical experience requirements of paragraph (b) of this section must have been obtained on an airplane—

(1) On which a flight engineer is required by this chapter; or

(2) That has at least three engines that are rated at least 800 horsepower each or the equivalent in turbine-powered engines.

(b) * * *

(4) At least 200 hours of flight time in a transport category airplane (or in a military airplane with at least two engines and at least equivalent weight and horsepower) as pilot in command or second in command performing the functions of a pilot in command under the supervision of a pilot in command.

* * * * *

(Sec. 313(a), 601, 602, Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1422))

Issued in Washington, D.C., on June 27, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7209; Filed, June 30, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-WE-29]

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

Designation of Transition Area

On May 7, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6837) stating that the Federal Aviation Agency proposed to designate a transition area in the Prosser, Wash., area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., September 15, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

PROSSER, WASH.

That airspace extending upward from 1,200 feet above the surface within 7 miles NE and 5 miles SW of the Pendleton, Oreg., VORTAC 311° radial, extending from 40 miles to 60 miles NW of the VORTAC.

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

Issued in Los Angeles, Calif., on June 24, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-7210; Filed, June 30, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-31]

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

Designation of Transition Area

On May 7, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 6838) stating that the Federal Aviation Agency proposed to designate a transition area in the Beverly, Wash., area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., September 15, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the following transition area is added:

BEVERLY, WASH.

That airspace extending upward from 5,500 feet MSL within 7 miles NW and 11 miles SE of the Ephrata, Wash., VOR 221° radial, extending from 32 miles to 62 miles SW of the VOR.

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

Issued in Los Angeles, Calif., on June 24, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-7211; Filed, June 30, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7444; Amdt. 488]

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 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	
RID VOR	CEV RBn	Direct	2600	T-dn	300-1	300-1	200-½
				C-dn	700-1	700-1	700-1½
				S-dn	700-1	70-1	700-1
				A-dn	NA	NA	NA

Procedure turn W side of crs, 015° Outbnd, 195° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 1567′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of RBn make left turn and climb to 2600′ on RBn, 015° bearing within 10 miles, left turn and return to RBn.
NOTE: Use Dayton altimeter setting.
MSA within 25 miles of facility: 000°–360°—2500′.

City, Connersville; State, Ind.; Airport name, Connersville Mettel; Elev., 867′; Fac. Class., MHW; Ident., CEV; Procedure No. 1, Amdt. Orig.; Eff. date, 21 July 66

DAL VOR	DDA RBn	Direct	2000	T-dn	300-1	300-1	200-½
ADS VOR	DDA RBn	Direct	2000	C-dn	400-1	500-1	500-1½
Trinity Fork Int	DDA RBn	Direct	2000	S-dn-31R	400-1	400-1	400-1
Fair Park Int	DDA RBn	Direct	2000	A-dn	800-2	800-2	800-2
Fair Park Int	Ross Ave Int (final)	Direct	1600				
Ross Ave Int	DDA RBn (final)	Direct	1000				

Radar available.
Procedure turn S side of crs, 128° Outbnd, 308° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′. If Ross Ave Int received, cross DDA RBn at 1000′.
Crs and distance, facility to airport, 308°—1.5 miles; Ross Ave Int to airport, 308°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing Tank RBn, climb to 2200′ on crs, 308° within 20 miles.
NOTE: Dual VOR and ADF equipment required for this approach.
CAUTION: 1049′ building, 4.2 miles SSE; 695′ water tank, 1.5 miles SE of airport.
MSA within 25 miles of facility: 160°–250°—3400′; 250°–160°—2200′.

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485′; Fac. Class., MHW; Ident., DDA; Procedure No. 3, Amdt. 4; Eff. date, 23 July 66; Sup. Amdt No. 3; Dated, 5 June 65

GSW VOR	Stadium Int	Direct	2700	T-dn	300-1	300-1	*200-½
Justin Int	FT LOM	Direct	2700	C-dn	500-1	600-1	600-1½
FT LOM	Stadium Int	Direct	2700	S-dn-35	500-1	500-1	550-1
Joshua Int	Stadium Int (final)	Direct	2000	A-dn	800-2	800-2	800-2
Stadium Int	Caddy Int (final)	Direct	1400				

Procedure turn E side of crs, 174° Outbnd, 354° Inbnd, 2500′ within 10 miles of Stadium Int. Beyond 10 miles not authorized.
Minimum altitude over Stadium Int on final approach crs, 2000′; over Caddy Int, 1400′.
Crs and distance, Stadium Int to airport 354°—5 miles; Caddy Int to airport, 354°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing Caddy Int, climb to 2000′ on crs, 354° from FT LOM, within 20 miles.
CAUTION: 956′ grain elevator, 1.5 miles N and 990′ grain elevator, 1.9 miles N of airport.
NOTE: Radar vectoring may be used to position aircraft for final approach S of Stadium Int with elimination of procedure turn.
*300-1 required for takeoff Runways 9-27 and 13-31.
MSA within 25 miles of facility: 000°–090°—2300′; 090°–180°—3400′; 180°–270°—2500′; 270°–360°—2500′.

City, Fort Worth; State, Tex.; Airport name, Meacham Field; Elev., 692′; Fac. Class., LOM; Ident., FT; Procedure No. 2, Amdt. 1; Eff. date, 23 July 66; Sup. Amdt. No. Orig.; Dated, 7 Aug. 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	
Keene VOR	Keene RBn	Direct	2300	T-dn*	300–1	900–1	900–1
				C-dn	1300–1½	1300–1½	1300–2
				S-dn	NA	NA	NA
				A-dn#	NA	NA	NA

Procedure turn W side of crs 198° Outbnd 018° Inbnd 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport 018°—1.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1 mile of EEN RBn, climb on 018° bearing from EEN RBn to 2000′, then make left-climbing turn to 2900′ direct, EEN RBn. Hold S of EEN RBn, 018° Inbnd, 1-minute left turns.
NOTE: Use Concord altimeter setting.
IFR Departure: Climb VFR and enter ceiling over the airport, across the EEN RBn at or above 1700′. Climb in the holding pattern to MSA or airway MEA.
*Night takeoffs Runway 14 not authorized. All takeoffs Runways 20 and 14, make right-climbing turn to enter ceiling over airport.
#Alternate minimums of 1700–2 authorized only for those air carriers who have an approved arrangement for weather service at the airport.
MSA within 25 miles of facility: 000°–090°—3500′; 090°180°—4500′; 180°–270°—3500′; 270°–360°—4000′.

City, Keene; State, N.H.; Airport name, Dillant-Hopkins; Elev., 482′; Fac. Class., MHW; Ident., EEN; Procedure No. 2, Amdt. Orig.; Eff. date, 23 July 66

Boston VOR	LWM RBn	Direct	2000	T-dn	300–1	300–1	300–1
Manchester VOR	LWM RBn	Direct	2000	C-dn	600–1	600–1	600–1½
Bedford RBn	LWM RBn	Direct	2000	S-dn	NA	NA	NA
Hollis Int	LWM RBn	Direct	2000	A-dn	NA	NA	NA
Rye RBn	LWM RBn	Direct	2000				

Radar available.
Procedure turn S side of crs, 231° Outbnd, 051° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1300′.
Crs and distance, facility to airport, 051°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 miles after passing LWM RBn, climb on the 051° magnetic bearing from LWM RBn to 800′ within 5 miles, then right-climbing turn to 2000′, direct LWM RBn. Hold SW, 051° Inbnd, 1-minute right turns.
NOTE: Facility operated by city. Must be monitored aurally during approach.
MSA within 25 miles of facility: 000°–090°—2500′; 090°–180°—2000′; 180°–270°—2500′; 270°–360°—2500′.

City, Lawrence; State, Mass.; Airport name, Lawrence Municipal; Elev., 147′; Fac. Class., MHW; Ident., LWM; Procedure No. 1, Amdt. 7; Eff. date, 23 July 66; Sup. Amdt. No. 9; Dated 9 Jan. 65

STJ VOR	LOM	Direct	2300	T-dn	300–1	300–1	*200–½
				C-dn	600–1	600–1	600–1½
				S-dn–35	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 172° Outbnd, 352° Inbnd, 2300′ within 10 miles.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 352°—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 LOM, climb to 2700′ on bearing, 349° from LOM and proceed to STJ VOR. Hold N on R 347°, 167° Inbnd, right turns: or when directed by ATC, make left turn, climbing to 2300′ and return to LOM.
CAUTION: 300′ bluffs W, NW, and E of airport.
*300–1 required on Runway 31.
MSA within 25 miles of facility: 000°–090°—2800′; 090°–360°—2500′.

City, St. Joseph; State, Mo.; Airport name, Rosecrams Memorial; Elev., 826′; Fac. Class., LOM; Ident., ST; Procedure No. 1, Amdt. 15; Eff. date, 23 July 66; Sup Amdt. No. 14; Dated, 24 Aug. 63

SAT VOR	LOM	Direct	2200	T-dn	300–1	300–1	200–½
Wetmore Int	LOM	Direct	2200	C-dn	400–1	500–1	500–1½
Losoya Int	LOM	Direct	2200	S-dn–3	400–1	400–1	400–1
Collins Int	LOM (Final)	Direct	2200	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2200′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 032°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing LOM, turn left to 330°, climb to 3300′, intercept and proceed N on 360° crs from "SA" LOM within 15 miles, or when directed by ATC, climb to 3000′ on crs of 032° within 15 miles of "SA" LOM.
MSA within 25 miles of facility: 000°–360°—3100′.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., LOM; Ident., SA; Procedure No. 1, Amdt. 23; Eff. date, 23 July 66; Sup. Amdt. No. 22; Dated, 4 Sept. 65

SAT VOR	LOM	Direct	3000	T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn–12*	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of NW crs, 303° Outbnd, 123° Inbnd, 3000′ within 10 miles.
Minimum altitude over LOM on final approach crs, 2600′.
Crs and distance, facility to airport, 123°—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 LOM, turn right to 180°, climb to 3000′, intercept and proceed SE on 150° crs from "AN" LOM within 15 miles, or when directed by ATC, turn right, climb to 3000′ on SAT VOR, R 158° within 20 miles.
*Reduction of landing visibility below ¾ mile not authorized.
MSA within 25 miles of facility: 000°–360°—3100′.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., LOM; Ident., AN; Procedure No. 3, Amdt. 9; Eff. date, 23 July 66; Sup. Amdt. No. 8; Dated, 4 Sept. 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	
CTB VOR	SBX RBn	Direct	5800	T-dn	300-1	300-1	200-½
				C-d	800-1	800-1	800-1½
				C-n	800-1½	800-1½	800-1½
				S-dn-23	800-1	800-1	800-1
				A-dn	NA	NA	NA

Procedure turn N side of crs, 039° Outbnd, 219° Inbnd, 5400' within 10 miles.
Minimum altitude over facility on final approach crs, 4225'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of SBX RBn, make right-climbing turn to 5400' on 039° magnetic bearing from SBX RBn. Hold NE on 039° magnetic bearing from RBn.
NOTE: Use Cut Bank, Mont., altimeter setting.
MSA within 25 miles of facility: 000°-090°—7300'; 090°-180°—4900'; 180°-270°—5300'; 270°-360°—6500'.

City, Shelby; State, Mont.; Airport name, Shelby Airport; Elev., 3425'; Fac. Class., MH; Ident. SBX; Procedure No. 1, Amdt. Orig.; Eff. date, 21 July 66

Stonewall Int	LOM (final)	Direct	1600	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-1R	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 186° Outbnd, 006° Inbnd, 1600' within 10 miles. Beyond 10 miles not authorized.
Procedure turn must be authorized by ATC.
Minimum altitude over facility on final approach crs, 1600'.
Crs and distance, facility to airport, 006°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing DI LOM, proceed direct to Poolesville RBn. Hold N 006° bearing, 186° Inbnd, 2800', 1-minute right turns.
MSA within 25 miles of facility: 000°-090°—2100'; 090°-180°—1700'; 180°-360°—2500'.

City, Washington, D.C.; Airport name, Dulles International; Elev., 313'; Fac. Class., LOM; Ident., DI; Procedure No. 1, Amdt. 4; Eff. date, 23 July 66; Sup. Amdt. No. 3; Dated, 2 July 66

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	
				T-dn	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 357° Outbnd, 177° Inbnd, 2700' within 10 miles.
Minimum altitude over facility on final approach crs, 2200'.
Crs and distance, facility to airport, 180°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing VOR, make an immediate right-climbing turn, proceed direct to ETX VOR at 2700'. Hold W, R 292°, 1-minute right turns.
MSA within 25 miles of facility: 090°-180°—2300'; 180°-270°—2700'; 270°-090°—3500'.

City, Allentown; State, Pa.; Airport name, Allentown-Bethlehem-Easton; Elev., 388'; Fac. Class., BVORTAC; Ident., ABE; Procedure No. 1, Amdt. 4; Eff. date, 23 July 1966; Sup. Amdt. No. 3; Dated, 14 Aug. 65

				T-dn	300-1	300-1	200-½
				C-d	400-1	500-1½	500-1½
				C-n	400-2	500-2	500-2
				S-dn-17	400-1	400-1	400-1
				A-dn	*NA	*NA	*NA

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3600' within 10 miles.
Minimum altitude over facility on final approach crs, 3000'.
Crs and distance, facility to airport, 170°—5.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing the BWD VOR, turn left, climb to 3200' on BWD VOR, R 150° within 20 miles.
*Weather service not available to general public.
*AIR CARRIER NOTE: 800-2 authorized for carriers having approval of their arrangements for weather service at this airport.
MSA within 25 miles of facility: 000°-360°—3100'.

City, Brownwood; State, Tex.; Airport name, Brownwood Municipal; Elev., 1384'; Fac. Class., L-BVOR; Ident., BWD; Procedure No. 1, Amdt. 3; Eff. date, 23 July 66; Sup. Amdt. No. 2; Dated, 14 Mar. 64

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	
GSW VORTAC	Lancaster Int	Direct	2100	T-dn	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
				A-dn	800-2	800-2	800-2
				DME minimums—*DME equipment required:			
				C-dn*	500-1	500-1	500-1½

Procedure turn N side of crs, 125° Outbnd, 305° Inbnd, 2100′ within 10 miles of Lancaster Int.
Minimum altitude over Lancaster Int, or 4-mile Radar Fix, 2100′; over 13.6-mile DME Fix, R 125°, 1259′.
Crs and distance, Lancaster Int or 4-mile Radar Fix to airport, 305°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing Lancaster Int, or 4-mile Radar Fix, turn right, climb to 2100′ on the GSW VOR, R 125° within 20 miles.
NOTES: (1) Radar vectoring authorized in accordance with Dallas approach control radar approved patterns. Radar site located on Love Field. (2) Dual VOR receivers required when radar vectoring is not available.
CAUTION: Two 1000′ towers located 2 miles S of airport.
MSA within 25 miles of facility: 090°-180°—3400′; 180°-270°—2800′; 270°-090°—2200′.

City, Dallas; State, Tex.; Airport name, Redbird; Elev., 659′; Fac. Class., L-BVORTAC; Ident., GSW; Procedure No. 1, Amdt. 1; Eff. date, 23 July 66; Sup. Amdt. No. Orig.; Dated, 21 Aug. 65

PROCEDURE CANCELED EFFECTIVE 21 JULY 1966.

City, Dublin; State, Va.; Airport name, New River Valley; Elev., 2105′; Fac. Class., H-VORW; Ident., PSK; Procedure No. 1, Amdt. Orig.; Eff. date, 21 Aug. 65

				T-dn	*500-1	*500-1	*500-1
				C-dn	800-2	800-2	800-2
				A-dn#	NA	NA	NA

Procedure turn E side of crs, 211° Outbnd, 031° Inbnd, 5000′ within 10 miles of PSK VOR.
Minimum altitude over facility on final approach crs, 3900′.
Crs and distance, facility to airport, 031°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing PSK VOR, make right-climbing turn to 5000′ on R 080 within 20 miles. Reverse crs to PSK VOR, hold SW on PSK VOR, R 211°, 031° Inbnd, 1-minute right turns.
*CAUTION: Mountainous terrain 1500′ higher than airport elevation S, W and N at 5 to 8 miles. Higher terrain at greater distances.
#Alternate weather minimums of 800-2 authorized for those having approved arrangement for weather service at the airport.
MSA within 25 miles of facility: 000°-090°—5400′; 090°-180°—4600′; 180°-270°—5000′; 270°-360°—5100′.

City, Dublin; State, Va.; Airport name, New River Valley; Elev., 2105′; Fac. Class., BVORTAC; Ident., PSK; Procedure No. 2, Amdt. Orig.; Eff. date, 21 July 66

				T-d	300-1	300-1	NA
				C-d	1000-1	1000-1	NA
				A-d	NA	NA	NA

Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 2800′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 2300′.
Crs and distance, facility to airport, 260°—6.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing FLP VOR, climb to 2800′ and return to FLP VOR.
CAUTION: 1300′ unlighted hill, 1 mile W of airport.
MSA within 25 miles of facility: 000°-360°—2500′.

City, Flippin; State, Ark.; Airport name, Flippin Municipal; Elev. 721′; Fac. Class., BVOR; Ident., FLP; Procedure No. 1, Amdt. 2; Eff. date, 23 July 66; Sup. Amdt. No. 1; Dated, 9 Jan. 65

Jordan Int	GLR VOR	Direct	2800	T-dn	300-1	300-1	200-½
				C-d	800-1	800-1	800-1½
				C-n	800-2	800-2	800-2
				A-dn	NA	NA	NA

Procedure turn N side of crs, 090° Outbnd, 270° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2135′.
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 2900′ on GLR, R 270° within 10 miles, turn right, and return to the VOR.
NOTE: Use Pellston altimeter setting.
MSA within 25 miles of facility: 000°-090°—2700′; 090°-180°—2300′; 180°-270°—2800′; 270°-360°—2700′.

City, Gaylord; State, Mich.; Airport name, Otsego County; Elev., 1335′; Fac. Class., VOR; Ident., GLR; Procedure No. 1, Amdt. Orig.; Eff date, 21 July 66

				T-d	300-1	300-1	300-1
				C-d	600-1	600-1	600-1½
				A-d	NA	NA	NA

Procedure turn S side of crs, 226° Outbnd, 046° Inbnd, 1500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 046°—9.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing GNI VOR, turn left, climbing to 1500′, and return to the VOR.
NOTES: (1) Seaplanes only (no runways available). (2) No weather service available.
CAUTION: 324′ radio tower located on NE end of Grande Isle, 049°—9.1 miles from GNI VOR.
MSA within 25 miles of facility: 000°-360°—1400′.

City, Grande Isle; State, La.; Airport name, Grande Isle Seaplane Base; Elev., 0′; Fac. Class., L-BVOR; Ident., GNI; Procedure No. 1, Amdt. 1; Eff. date, 23 July 66; Sup. Amdt. No. Orig.; Dated, 21 Aug. 65

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	
				T-dn* C-dn A-dn#	900–1 1200–1½ NA	900–1 1200–1½ NA	900–1 1200–2 NA

Procedure turn W side of crs, 203° Outbnd, 023° Inbnd, 2900′ within 10 miles.
Minimum altitude over facility on final approach crs, 2600′.
Crs and distance, facility to airport, 023°—5.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles of EEN VOR, or over EEN RBn, make left-climbing turn to 2900′ direct, EEN VOR. Hold SW of EEN VOR, 1-minute left turns, 023° Inbnd.
NOTE: Use Concord or Keene altimeter setting.
*Night takeoffs Runway 14 not authorized. All takeoff Runways 20 and 14, make right-climbing turn to enter ceiling over airport.
#Alternate weather minimums of 1700–2 authorized only for those air carriers who have an approved arrangement for weather service at the airport.
IFR Departure: Climb VFR and enter ceiling over the airport, climbing to 3000′ direct, EEN VOR. Depart EEN VOR at 3000′ or above on airways.
MSA within 25 miles of facility: 000°–090°—4500′; 090°–180°—3500′; 180°–270°—3000′; 270°–360°—4000′.

City, Keene; State, N.H.; Airport name, Dillant-Hopkins; Elev., 482′; Fac. Class., L-BVOR; Ident., EEN; Procedure No. 1, Amdt. 2; Eff. date, 23 July 66; Sup. Amdt. No. 1; Dated, 2 Nov. 63

Boston VOR Manchester VOR Bedford RBn Hollis Int Rye RBn	Lawrence VOR Lawrence VOR Lawrence VOR Lawrence VOR Lawrence VOR	Direct Direct Direct Direct Direct	2000 2200 2000 2000 2000	T-dn C-dn S-dn-23* A-dn	300–1 600–1 600–1 NA	300–1 600–1 600–1 NA	300–1 600–1½ 600–1 NA

Radar available.
Procedure turn N side of crs, 057° Outbnd, 237° Inbnd, 2000′ within 10 miles.
Minimum altitude over Merrimac Int on final approach crs, 1000′.
Crs and distance, facility to airport, 237°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing LWM VOR, climb on R 237° to 800′ within 5 miles, then right-climbing turn to 2000′ direct LWM VOR. Hold NE of LWM VOR, 1-minute right turns, 237° Inbnd.
NOTES: (1) Use Bedford/Hanscom altimeter setting. (2) Approach from a holding pattern not authorized, procedure turn required.
*If Merrimac Int not received, straight-in minimums not authorized.
MSA within 25 miles of facility: 000°–270°—2000′; 270°–360°—2500′.

City, Lawrence; State, Mass.; Airport name, Lawrence Municipal; Elev., 147′; Fac. Class., T-BVOR; Ident., LWM; Procedure No. 1, Amdt. Orig.; Eff. date, 23 July 66

15-mile DME Fix (R 348)	10-mile DME/Radar Fix or Central Int (final).	Direct	1300	T-dn* C-dn S-dn-17# A-dn	300–1 500–1 400–1 800–2	300–1 500–1 400–1 800–2	200–½ 500–1½ 400–1 800–2

Radar available.
Procedure turn W side of crs, 348° Outbnd, 168° Inbnd, 1800′ within 10 miles of Central Int/Radar Fix or 10-mile DME.
Minimum altitude over 10-mile DME/Radar Fix or Central Int on final approach crs, 1300′.
Crs and distance, 10-mile DME/Radar Fix or Central Int to airport, 168°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing 10-mile DME/Radar Fix or Central Int, climb to 1900′ on R 185 within 15 miles or, when directed by ATC, turn left and climb to 1900′ on R 109 within 15 miles.
NOTES: (1) TDZ–35, CL 35/17, VASI 27. (2) when authorized by ATC, DME may be used from R 270 through R 357 within 25 miles at 1800′ to position aircraft for a straight-in approach with the elimination of the procedure turn.
*AIR CARRIER NOTE: Takeoff with less than 200–½ not authorized on Runway 14–32.
#400–¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–090°—2400′; 090°–180°—1700′; 180°–270°—1600′; 270°–360°—1800′.

City, Memphis; State, Tenn.; Airport name, Memphis Metropolitan; Elev., 331′; Fac. Class., BVORTAC; Ident., MEM; Procedure No. 2, Amdt. 1; Eff. date, 23 July 66; Sup. Amdt. No. Orig.; Dated, 9 Dec. 65

				T-dn%* C-dn S-dn-6** A-dn#	300–1 900–1 500–1 800–2	300–1 900–1 500–1 800–2	200–½ 900–1½ 500–1 800–2

Radar required. Radar vector to final approach required.
Procedure turn not authorized.
Minimum altitude on approach radial, 3-mile Radar Fix, R 230°, 1700′, over facility on final approach, 1200′.
Crs and distance, facility to airport, 050°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing APC VOR, make left turn, climb direct to APC VOR, shuttle climb to 3000′ on APC VOR R 347°, 167° Inbnd, 1-minute pattern, left turn.
NOTE: Napa County tower hours of operation 0700–2300 local. Weather service available only during periods of tower operation.
CAUTION: 500′ terrain 1.7 nautical miles NE of airport rising to 1100′, 3.5 miles NE.
%Takeoff all directions climb via APC VOR R 050° (230° Inbnd) to Napa VORTAC. Southbound V–87 climb on crs satisfactory after crossing APC VORTAC. Northbound cross APC VORTAC 1000′ thence climb on crs V–87; minimum climb rate 230′ per mile.
*700′ ceiling required for takeoff Runways 36 and 6.
#Alternate minimums authorized only when Napa County tower in operation.
**700′ ceiling required during periods when Napa County tower is not operational.
MSA within 25 miles of facility: 000°–090°—4100′; 090°–180°—4100′; 180°–270°—3600′; 270°–360°—4400′.

City, Napa; State, Calif.; Airport name, Napa County; Elev., 37′; Fac. Class., L-BVORTAC; Ident., APC; Procedure No. 1, Amdt. Orig.; Eff. date, 23 July 66

Solberg VOR	Unionville Int (final)	Direct	1260	T-dn C-d# C-n# A-dn	300–1 1100–1 1100–2 NA	300–1 1100–1 1100–2 NA	NA NA NA NA

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′; Unionville Int, 8-mile DME Fix SBJ R 171°, 1260′.
Crs and distance, facility to airport, 171°—11.7 miles; Unionville Int to airport, 171°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 11.7 miles after passing Solberg VOR or 3.7 miles after passing Unionville Int, make right-climbing turn, proceed direct to Solberg VOR climbing to 2600′. Hold N R 351°, 1-minute right turns.
#Maintain 1260′ until passing Unionville Int 8-mile DME Fix. If Unionville Int identified ceiling minimums of 800′ are authorized for landing.
MSA within 25 miles of the facility: 270°–090°—2500′; 090°–180°—1600′; 180°–270°—2000′.

City, Princeton; State, N.J.; Airport name, Princeton; Elev., 160′; Fac. Class., L-BVORTAC; Ident., SBJ; Procedure No. 1, Amdt. Orig.; Eff. date, 23 July 66

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	
R 276° STJ VOR clockwise	R 347°, STJ VOR	Via 6-mile DME Arc.	2700	T-dn	300-1	300-1	*200-½
				C-dn	1000-2	1000-2	1000-2
R 072°, STJ VOR counterclockwise	R 347°, STJ VOR	Via 6-mile DME Arc.	2700	A-dn	1000-2	1000-2	1000-2
				DME minimums:			
6-mile DME Fix, R 347°, STJ VOR	STJ VOR (final)	Direct	2700	C-dn	600-1	600-1	600-1½
				S-dn-17@	600-1	600-1	600-1

Procedure turn W side of crs, 347° Outbnd, 167° Inbnd, 2700′ within 10 miles.
Minimum altitude over facility on final approach crs, 2700′; 1826′ over 6-mile DME Fix, R 167°.
Crs and distance, facility to airport, 167°—10.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10.7 miles after passing STJ VOR make right turn, climbing to 2700′ and return to STJ VOR.
CAUTION: 300′ bluffs, W, NW, and E of airport.
*300-1 required on Runway 31.
@ Reductions not authorized.
MSA within 25 miles of facility: 180°-090°—2600′; 090°-180°—2800′.

City, St. Joseph; State, Mo.; Airport name, Rosecrans Memorial; Elev., 822′; Fac. Class., L-BVORTAC; Ident., STJ; Procedure No. 1, Amdt. 5; Eff. date, 23 July 66; Sup. Amdt. No. 4; Dated, 24 Aug. 63

				T-dn*	300-1	300-1	200-½
				C-dn*	500-1	500-1	500-1½
				S-d-26	400-1	400-1	400-1
				S-n	NA	NA	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 081° Outbnd, 261° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 261°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing ENE VOR, make a left-climbing turn to 2000′ direct, ENE VOR. Hold E of ENE VOR 1-minute right turns 261° Inbnd.
NOTES: (1) Final approach from holding pattern not authorized. Procedure turn required. (2) Use Portland altimeter setting.
CAUTION: 868′ terrain, 3.5 miles W of airport; 928′ tower, 4 miles NW of airport.
*Night operations authorized for Runways 14-32 only.
MSA within 25 miles of facility: 000°-090°—3000′; 090°-180°—1500′; 180°-270°—2500′; 270°-360°—3000′.

City, Sanford; State, Maine; Airport name, Sanford Municipal; Elev., 243′; Fac. Class., H-BVORTAC; Ident., ENE; Procedure No. 1, Amdt. 4; Eff. date, 23 July 66; Sup. Amdt. No. 3; Dated, 31 July 65

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	
Hallsville VOR	CBI TVOR	Direct	2600	T-dn	300-1	300-1	200-½
Wilton Int	CBI TVOR	Direct	2600	C-d	500-1	500-1	500-1½
Wooldridge Int	CBI TVOR	Direct	2600	C-n	500-1½	500-1½	500-1½
Harrisburg Int	Brown Int (final)	Direct	1300	S-d-17	500-1	500-1	500-1
				S-n-17	500-1½	500-1½	500-1½
				A-dn	800-2	800-2	800-2
				Dual VOR minimums—Dual VOR receivers required:			
				S-d-17	400-1	400-1	400-1
				S-n-17	400-1½	400-1½	400-1½

Procedure turn W side of crs, 357° Outbnd, 177° Inbnd, 2000′ within 10 miles.
Minimum altitude over Brown Int on final approach crs 1278′.
Facility on airport. Crs and distance, Brown Int to VOR 177°—4.3 miles; breakoff point to Runway 17, 171°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing CBI VOR, make right turn, climbing to 2600′ on CBI VOR, R 240° within 10 miles, make left turn and return to CBI VOR.
AIR CARRIER NOTE: Sliding scale not authorized.
CAUTION: (1) 1068′ tower, 2 miles E of airport. (2) Threshold and boundary lights only. Boundary lights 200′ from runway edge.
MSA within 25 miles of facility: 000°-090°—2200′; 090°-180°—2800′; 180°-360°—2200′.

City, Columbia; State, Mo.; Airport name, Columbia Municipal; Elev., 778′; Fac. Class., T-BVOR; Ident., CBI; Procedure No. Ter VOR-17, Amdt. 5; Eff. Date, 23 July 66; Sup. Amdt. No. 4; Dated, 5 Feb. 66

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	
Hallsville VOR	CBI TVOR	Direct	2600	T-dn	300-1	300-1	200-½
Wooldridge Int	CBI TVOR	Direct	2600	C-d	500-1	500-1	500-1½
Wilton Int	CBI VOR	Direct	2600	C-n	500-1½	500-1½	500-1½
JEF VOR	Scott Int	Direct	2600	S-d-35	400-1	400-1	400-1
Scott Int	Stadium Int (final)	Direct	1900	S-n-35	400-1½	400-1½	400-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 170° Outbnd, 350° Inbnd, 2600′ within 10 miles of Stadium Int.
Minimum altitude over Stadium Int, on final approach crs, 1900′.
Crs and distance, Stadium Int to VOR, 350°—4.0 miles, breakoff point to Runway 35, 351°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing CBI VOR, climb to 2600′ on the CBI, R 357°, within 10 miles, make left turn and return to CBI VOR, hold N on CBI VOR R 357°, or when directed by ATC, climb to 2600′ on the CBI VOR, R 357° within 10 miles, proceed direct to HLV VOR.
CAUTION: 1068′ tower 2 miles E of airport.
NOTE: Procedure authorized for dual VOR equipped aircraft only.
AIR CARRIER NOTE: Sliding scale not authorized.
Threshold and boundary lights only. Boundary lights 200′ from runway edge.
MSA within 25 miles of facility: 000°-090°—2200′; 090°-180°—2800′; 180°-360°—2200′.

City, Columbia; State, Mo.; Airport name, Columbia Municipal; Elev., 778′; Fac. Class., T-BVOR; Ident., CBI; Procedure No. TerVOR-35, Amdt. 3; Eff. date, 23 July 66; Sup. Amdt. No. 2; Dated, 5 Feb. 66

Steele Int	Clair Int/5.8-mile DME Fix (final)	Direct	2200	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-6*	400-1	400-1	400-1
				A-dn#	800-2	800-2	800-2

Procedure turn S side of crs, 231° Outbnd, 051° Inbnd, 3000′ within 10 miles of Clair Int/5.8-mile DME Fix.
Minimum altitude on final approach crs until passing Clair Int/5.8-mile DME Fix, 2200′.
Crs and distance, Clair Int/5.8-mile DME Fix to VORTAC, 051°—5.8 miles; breakoff point to Runway 6, 060°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished with 0 mile, climb to 3000′ on R 040° of GAD VORTAC within 10 miles.
*Reduction not authorized.
#Alternate minimums authorized for air carriers only, provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.
MSA within 25 miles of facility: 000°-090°—3000′; 090°-180°—3200′; 180°-270°—2600′; 270°-360°—2600′.

City, Gadsden; State, Ala.; Airport name, Gadsden Municipal; Elev., 564′; Fac. Class., BVORTAC; Ident., GAD; Procedure No. Ter VOR-6, Amdt. 3; Eff. date, 23 July 66; Sup. Amdt. No. 2; Dated, 30 Oct. 65

PROCEDURE CANCELED EFFECTIVE 21 JULY 1966.

City, Iron Mountain; State, Mich.; Airport name, Ford; Elev., 1147′; Fac. Class., BVOR; Ident., IMT; Procedure No. TerVOR-1, Amdt. Orig.; Eff. date, 3 Mar. 66

PROCEDURE CANCELED EFFECTIVE 21 JULY 1966.

City, Iron Mountain; State, Mich.; Airport name, Ford; Elev., 1147′; Fac. Class., BVOR; Ident., IMT; Procedure No. TerVOR-31, Amdt. Orig.; Eff. date, 3 Mar. 66

				T-d*	500-1	500-1	500-1
				T-n*	500-2	500-2	500-2
				C-d**@#	600-1	600-1½	600-1½
				C-n**@#	600-2	600-2	600-2
				S-d-31@#	600-1	600-1	600-1
				S-n-31@#	600-2	600-2	600-2
				A-dn@#	800-2	800-2	800-2

Procedure turn S side of crs, 140° Outbnd, 320° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, authorized minimums.
Facility on airport. Crs, and distance, breakoff point to Runway 31, 312°—0.4 mile.
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 R 320° of IMT VOR and return to VOR.
NOTES: (1) Airport situated in hilly terrain. Prominent hill and 1676′ tower, 1.4 miles NNE; 1400′ terrain, 1 mile S; 1305′ trees, 0.5 mile; and 1330′ stacks, 1.3 miles; approach end Runway 31. (2) Use Marquette, Mich. altimeter setting when control zone not effective.
AIR CARRIER NOTE: Sliding scale not authorized.
**Circling NE of airport not authorized.
*Takeoff restriction before proceeding on course: Runway 1—Immediately after takeoff, make left-climbing turn to 2200′ on IMT VOR R 315°. Runway 13—Immediately after takeoff, make right-climbing turn to 2200′ on IMT VOR R 150°. Runway 31—Right turn not authorized until reaching 2200′.
@Circling and straight-in ceiling minimums are raised 200′ and alternate minimums not authorized when control zone not effective.
#These minimums apply at all times for air carriers with approved weather reporting service.
MSA within 25 miles of facility: 000°-360°—2800′.

City, Iron Mountain; State, Mich.; Airport name, Ford; Elev., 1147′; Fac. Class., BVOR; Ident., IMT; Procedure No. Ter VOR-31, Amdt. Orig.; Eff. date, 21 July 66

Columbus RBn	LCK TVOR	Direct	2700	T-dn	300-1	300-1	NA
Hanover Int	LCK TVOR	Direct	2700	C-dn	800-1	800-1	NA
				A-dn	NA	NA	NA

Radar available from Columbus APC.
Procedure turn N side of crs, 090° Outbnd, 270° Inbnd, 2700′ within 10 miles.
Minimum altitude over facility on final approach crs, 1650′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing LCK TVOR, turn right, climbing to 2700′ on crs of 090°, within 10 miles. Return to LCK TVOR, hold E of LCK TVOR at 2700′, 1-minute right turns, 270° Inbnd.
CAUTION: 1220′ Twr, 3 miles ESE of LCK TVOR. 1312′ Twr, 4 miles WNW of LCK TVOR.
MSA within 25 miles of facility: 000°-360°—3000′.

City, Lancaster; State, Ohio; Airport name, Anchor Hocking; Elev., 850′; Fac. Class., T-VORW; Ident., LCK; Procedure No. TerVOR (R-090), Amdt. 1; Eff. date, 23 July 66 Sup. Amdt. No. Orig.; Dated, 10 July 65

PROCEDURE CANCELED EFFECTIVE 23 JULY 1966.

City, Lawrence; State, Mass.; Airport name, Lawrence Municipal; Elev., 153′; Fac. Class., BVOR; Ident., LWM; Procedure No. TerVOR-23, Amdt. 1; Eff. date, 18 Apr. 64; Sup. Amdt. No. TerVOR No. 1, Orig.; Dated, 13 July 63

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	
FLO VOR	Clare 11-mile DME Fix (final) R 320°	Direct	1900	T-dn*	300–1	300–1	NA
				C-dn	500–1	500–1	NA
				A-dn	NA	NA	NA

Procedure turn E# side of crs, 140° Outbnd, 320° Inbnd, 1900′ within 10 miles of Clare 11-mile DME Fix.
Minimum altitude over Clare 11-mile DME Fix, 1900′.
Crs and distance, facility to airport, 320°—17.2 miles. Breakoff point, Clare 11-mile DME Fix to airport, 320°—6.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.2 miles after passing Clare 11-mile DME Fix (FLO 17.2 miles), climb to 1900′, make left turn, proceeding direct to FLO VORTAC.
*Night takeoffs and landings authorized Runways 5–23 only. Lighted for 3000′.
#When authorized by ATC, DME may be used within 15 miles at 1900′ altitude to position aircraft for a straight-in approach with the elimination of the procedure turn.
MSA within 25 miles of facility: 000°–090°—1500′; 090°–180°—1400′; 180°–270°—1800′; 270°–360°—2000′.

City, Darlington; State, S.C.; Airport name, Darlington County; Elev., 190′; Fac. Class., H–BVORTAC; Ident., FLO; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 21 July 66

12-mile DME Fix, R 244°	12-mile DME Fix, R 211°	Via 12-mile DME counterclockwise arc.	5100	T-dn	*500–1	*500–1	*500–1
				C-dn	600–1	600–1	600–1½
Sawmill Int	18-mile DME Fix, R 211°	Via 18-mile DME clockwise arc.	5100	A-dn#	NA	NA	NA

When authorized by ATC, DME may be used from R 244° counterclockwise to R 211° at 12 miles and from R 188° clockwise to R 211° at 18 miles, to position aircraft on final approach, R 211° with elimination of procedure turn.
Procedure turn E side of crs, 211° Outbnd, 031° Inbnd, 5100′ between 2.5 and 12.5 miles.
Minimum altitude over 2.5-mile DME Fix, R 211°, 3900′. Descend to authorized minimums after passing 2.5-mile DME Fix, R 211°.
Crs and distance, facility to airport, 031°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing PSK VOR, make right-climbing turn to 5100′ on R 080° within 20 miles. Reverse crs to PSK VOR hold SW on PSK VOR, R 211°, 031° Inbnd, 1-minute right turns.
#Alternate weather minimums of 800–2 authorized for those having approved arrangement for weather service at the airport.
*CAUTION: Mountainous terrain 1500′ higher than airport elevation S, W, and N at 5 to 8 miles. Higher terrain at greater distances.
MSA within 25 miles of the facility 000°–090°—5400′; 090°–180°—4600′; 180°–270°—5000′; 270°–360°—5100′.

City, Dublin; State, Va.; Airport name, New River Valley; Elev., 2105′; Fac. Class., BVORTAC; Ident., PSK; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 21 July 66

LAS VOR	7.6-mile DME Fix, R 079°	Direct	6000	T-dn%	300–1	300–1	200–½
30-mile DME Fix, R 079°	20.7-mile DME Fix, R 079°	Direct	6500	C-dn	500–1	500–1	500–1½
Mead Int	20.7-mile DME Fix, R 079°	Direct	6500	S-dn-25*	400–1	400–1	400–1
20.7-mile DME Fix, R 079°	13.6-mile DME Fix, R 079°	Direct	5000	A-dn	800–2	800–2	800–2
13.6-mile DME Fix, R–079°	7.6-mile DME Fix, R 079° (final)	Direct	4300				
BLD VOR	13.6-mile DME Fix, R 079°	Direct	5000				

Radar available.
Procedure turn not authorized.
Minimum altitude over 20.7-mile DME Fix LAS, R 079°, 6500′; over 13.6-mile DME Fix LAS, R 079°, 5000′; over 7.6-mile DME Fix LAS, R 079°, 4300′.
Facility on airport. Breakoff point to runway, 1.1 miles—256°.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.6-mile DME Fix, R 079°, turn right, climb to 5000′ via LAS VOR, R 066° to Kids Int.
NOTE: When authorized by ATC, DME may be used at 15 miles at 8000′ altitude from LAS, R 030° clockwise to LAS, R 211° to position aircraft for a straight-in approach.
%Takeoff all runways—IFR departures must comply with published LAS SID's, or as directed by ATC.
*400–¾ authorized, except for 4-engine turbojet aircraft with operative high-intensity runway lights.
MSA within 25 miles of facility: 030°–120°—6000′; 120°–210°—7300′; 210°–300°—12,100′; 300°–030°—9700′.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., H–BVORTAC; Ident., LAS; Procedure No. VOR/DME No. 4, Amdt. 2; Eff. date, 23 July 66; Sup. Amdt. No. 1; Dated, 2 July 66

				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-31*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn N side of crs, 125° Outbnd, 305° Inbnd, 1900′ within 10 miles of 8-mile DME Fix, R 125.
Minimum altitude over 8-mile DME Fix on final approach crs, 1400′.
Crs and distance, 8-mile DME, R 125° to airport, 305°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished at 3.1-mile DME Fix, R 125°, climb to 1900′ proceed direct to GGG VOR. Hold NW on R 305°.
NOTE: When authorized by ATC, orbit at 20 miles between GGG, R 021° and R 174° clockwise at 2100′ to position aircraft on final and eliminate procedure turn.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–360°—1900′.

City, Longview; State, Tex.; Airport name, Gregg County; Elev., 365′; Fac. Class., L–BVORTAC; Ident., GGG; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 23 July 66; Sup. Amdt. No. Orig.; Dated, 9 Oct. 65

VOR/DME 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	
				T-dn	300–1	300–1	200–½
				C-dn	800–2	800–2	800–2
				A-dn	NA	NA	NA

Radar available.
Procedure turn S side of crs, 227° Outbnd, 047° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′; over 6-mile DME Fix, 1600′.
Crs and distance, facility to airport, 026°—8.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 9-mile DME Fix, make left turn, climbing to 2000′ and return to MCN VOR via R 026°.
NOTES: (1) 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 the procedure turn. (2) Aircraft will not take off under IFR conditions without prior ATC approval. IFR flight plans must be closed with ATC upon reaching contact at authorized minimums.
MSA within 25 miles of facility: 000°–090°—2200′; 090°–270°—2300′; 270°–360°—2200′.

City, Macon; State, Ga.; Airport name, Herbert Smart; Elev., 463′; Fac. Class., BVORTAC; Ident., MCN; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 21 July 66

PROCEDURE CANCELED EFFECTIVE 23 JULY 1966.

City, St. Joseph; State, Mo.; Airport name, Rosecrans Memorial; Elev., 822′; Fac. Class., BVORTAC; Ident., STJ; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 2 Nov. 63

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	
ABI VOR	University Int	Direct	3300	T-dn	300–1	300–1	200–½
Dyess VOR	ABI LOM	Direct	3800	C-dn	400–1	500–1	500–1½
ABI LOM	University Int	Direct	3300	S-dn–17*	400–1	400–1	400–1
Nugent Int	Fort Int	Direct	3100	A-dn	800–2	800–2	800–2
Fort Int	University (final)	Direct	2800				

Radar available.
Procedure turn E side of crs, 350° Outbnd, 170° Inbnd, 3300′ within 10 miles of University Int.
Minimum altitude over University Int on final approach crs, 2800′; over Fort Int, 3100′.
Crs and distance, University Int to airport, 170°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles after passing University Int, climb to 3900′ on S crs of ILS within 20 miles, or, when directed by ATC, turn left and climb to 3900′ on R 110° of ABI VOR within 20 miles.
Radar may be used to position aircraft over Fort Int at 3100′, with elimination of procedure turn.
CAUTION: Towers, 2032′, 2.6 miles WNW; 2115′, 5.2 miles NW; 2067′, 6.8 miles NW.
*400–¾ authorized, except for 4-engine turbojet, with operative high-intensity runway lights.

City, Abilene; State, Tex.; Airport name, Abilene Municipal; Elev., 1778′; Fac. Class., ILS; Ident., I-ABI; Procedure No. ILS–17 (back crs), Amdt. 5; Eff. date, 23 July 66; Sup. Amdt. No. 4; Dated, 22 May 65

Holston Mountain VORTAC	Int BLA, R 200° and 310° bearing to LOM.	Direct	6000	T-dn	300–1	300–1	**200–½
Int BLA, R 200° and 310° bearing to LOM	LOM MHW	Direct	3600	C-dn	800–1	800–1½	800–2
Telford Int	LOM MHW	Direct	3600	S-dn–22%#	500–¾	500–¾	500–¾
Yuma 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′—6 miles; at MM, 1742′—0.5 mile.
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 Yuma, Int.
CAUTION: Abrupt changes in terrain elevations adjacent to procedure areas NW. Due high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a tract of 044° from Boone RBn, or 224° from LOM to 4000′ before continuing climb on crs.
**Runways 4 and 22 only.
%600–1 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.
#Reduction not authorized.
##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. 11; Eff. date, 23 July 66; Sup. Amdt. No. 10; Dated, 7 May 66

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	
Silver Crown VHF Int	LOM	Direct	7800	T-dn	300-1	300-1	200-½
CYS VOR	LOM	Direct	7600	C-dn	500-1	500-1	500-1½
Divide Int	LOM	Direct	7600	S-dn-26	200-½	200-½	200-½
Egbert VHF Int	LOM	Direct	7600	A-dn	600-2	600-2	600-2
Carpenter Int	LOM	Direct	7600				
Hillsdale VHF/DME Int#	LOM (final)	Direct	7500				

Procedure turn S side of crs, 082° Outbnd, 262° Inbnd, 7600′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 7500′.
Altitude of glide slope and distance to approach end of runway at OM, 7500′—5.1 miles, at MM, 6312′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile after passing MM, turn left, climb to 8000′ on R 166° of GYS VOR within 10 miles, or when directed by ATC, turn right, climb to 8000′ on R 349° CYS VOR within 10 miles.
NOTE: When authorized by ATC, DME may be used from 15 miles to 10 miles at 8000′ between CYS radial 349° clockwise to radial 166° to position aircraft over Hillsdale DME Fix for final approach with elimination of the procedure turn.
#Aircraft westbound on localizer determine Hillsdale Int by intersection of localizer E crs and GLL, R 343°.

City, Cheyenne; State, Wyo.; Airport name, Cheyenne Municipal; Elev., 6156′; Fac. Class., ILS.; Ident., I-CYS; Procedure No. ILS-26, Amdt. 20; Eff. date, 21 July 66; Sup. Amdt. No. 19; Dated, 26 June 65

Mission Int/DME Fix	Irvington Int/DME Fix	Direct	3500	T-dn%#	300-1	300-1	200-½
Sunol Int/DME Fix	Irvington Int/DME Fix	Direct	4000	C-dn**	500-1	500-1	500-1½
Irvington Int/DME Fix	Center Int	Direct	3500	S-dn-29##*	200-½	200-½	200-½
Center Int	LOM (final)	Direct	1600	A-dn	600-2	600-2	600-2

Radar available.
Procedure turn not authorized. Aircraft must: (1) Proceed via an approved transition, or (2) descent in the Irvington Int holding pattern, 229° Inbnd, 1-minute pattern, right turns, minimum altitude 4000′, or (3) be radar vectored to final approach crs.
Final approach crs Inbnd, 293°.
Minimum altitude at glide slope interception Inbnd, 3500′.
Altitude of glide slope and distance to approach end of runway from Center Int, 3854′—13 miles; LOM, 1557′—5.2 miles; MM, 218′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead to 1000′ on the NW localizer crs, then turn right to intercept the OAK VOR, R 313°, climbing to 3000′ to Richmond Int, or when directed by ATC, climb straight ahead to 1000′ on the NW localizer crs, then make a right-climbing turn, continuing climb to 2500′ in a 1-minute holding pattern NW of LOM, 120° Inbnd, left turns.
CAUTION: In vicinity of LOM, heavy VFR traffic in Hayward traffic pattern.
%RVR, 1800′, authorized Runway 29. IFR departures must comply with published Oakland SID's, or be radar vectored.
##RVR, 2000′, 4-engine turbojets; RVR, 1800′, other aircraft. Descent below 206′ not authorized unless approach lights are visible.
**700′ ceiling required for circling to Runway 15 due to 362′ tank, 1.6 miles N or Runways 15/33.
#300-1 required for takeoff on Runway 33.
*400-¾ required if glide slope not utilized and aircraft must not descend below 2900′ until passing the OSI, R 025°. 400-½ authorized, except for 4-engine turbojets, with operative ALS.

City, Oakland; State, Calif.; Airport name, Metropolitan Oakland International; Elev., 6′; Fac. Class., ILS; Ident., I-INB; Procedure No. ILS-29, Amdt. 7; Eff. date, 23 July 66; Sup. Amdt. No. 6; Dated, 23 Oct. 65

St. Joseph VOR	LOM	Direct	2300	T-dn	300-1	300-1	*200-½
				C-dn	600-1	600-1	600-1½
				S-dn-35#	300-¾	300-¾	300-¾
				A-dn	600-2	600-2	600-2

Procedure turn W side S crs, 172° Outbnd, 352° Inbnd, 2300′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2300′.
Altitude of glide slope and distance to approach end of runway at OM, 2261′—5 miles; at MM, 1066′—0.8 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing ST LOM, climb to 2700′ on N crs, ILS and proceed to STJ VOR. Hold on R 347°, 167° Inbnd, right turns.
CAUTION: 300′ bluffs, W, NW, and E of airport.
*300-1 required on Runway 31.
#400-1 when glide slope not utilized. 400-¾ with operative HIRL, except for 4-engine turbojets. Reduction below ¾ mile not authorized.

City, St. Joseph; State, Mo.; Airport name, Rosecrans Memorial; Elev., 820′; Fac. Class., ILS; Ident., I-STJ; Procedure No. ILS-35, Amdt. 16; Eff. date, 23 July 66; Sup. Amdt. No. 15; Dated, 24 Aug. 63

San Antonio VOR	LOM	Direct	2200	T-dn	300-1	300-1	200-½
Wetmore Int	LOM	Direct	2200	C-dn	400-1	500-1	500-1½
Losova Int	LOM	Direct	2200	S-dn-3#	200-½	200-½	200-½
Collins Int	LOM (final)	Direct	2100	A-dn	600-2	600-2	600-2

Radar available.
Procedure turn E side of SW crs, 212° Outbnd, 032° Inbnd, 2200′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2100′.
Altitude of glide slope and distance to approach end of runway on OM, 2050′—3.9 miles, at MM, 1000′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, proceed direct to SAT VOR, climbing to 3300′ on R 353° within 20 miles of SAT VOR, or when directed by ATC, turn right and climb to 3000′ on R 158° within 20 miles of SAT VOR, or climb to 3000′ on NE crs of SAT ILS within 20 miles of SA LOM.
#400-¾ required when glide slope not utilized.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808′; Fac. Class., ILS; Ident., I-SAT; Procedure No. ILS-3, Amdt. 23; Eff. date, 23 July 66; Sup. Amdt. No. 22; Dated, 4 Sept. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, 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 June 16, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-6808; Filed, June 30, 1966; 8:45 a.m.]

[Docket No. 6973; Amdt. 103-2]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Quantity Limitations and Cargo Locations

The purpose of this amendment is to exclude small arms ammunition from the limitation to 50 pounds net weight for each outside container in § 103.7(b); to make the quantity limitations in § 103.19 (a) and (c) applicable only to inaccessible cargo pits or bins; and to clarify § 103.31(c), that prohibits placing yellow labeled and white labeled material side by side anywhere in an aircraft.

This amendment is based on a notice of proposed rule making (Notice No. 65-29) issued on October 14, 1965, and published in the FEDERAL REGISTER on October 21, 1965 (30 F.R. 13381). Before the notice was issued, the Air Transport Association (ATA) submitted a proposal to relax the quantity and storage limitations. Among other things, ATA based its proposal on the fact that these limitations were unnecessary as a matter of safety, and impractical as a matter of cargo handling.

The Agency is adopting the amendments proposed in the notice for the reasons stated therein. Small arms ammunition is being excluded from that part of § 103.7(b) limiting the net weight packed in one outside container to a maximum of 50 pounds to accord with the weight limitations established by the Interstate Commerce Commission in 49 CFR Parts 72 and 73. The quantity limitations in § 103.19 (a) and (c) are being changed so as to apply only to inaccessible cargo pits or bins, thus allowing the carriage of any quantity of properly packed, marked, and labeled articles, that are subject to those paragraphs, in accessible cargo pits or bins. Finally, § 103.31(c) is being clarified to avoid its further misinterpretation. However, for the reasons also stated in the notice, the Agency adheres to its belief that further relaxation of these, and other provisions in Part 103, proposed by ATA, are not justified at this time.

All but one of the comments received in response to the notice agreed with the amendments proposed, but urged the Agency to adopt other proposals rejected in the notice, and to further relax or delete entirely the sections affected by the notice. However, these comments presented no new or additional facts that justified further relaxation of Part 103 at this time. One comment opposed any relaxation of Part 103, and requested a hearing, but presented no written data to support its position. Since no similar requests were received, it was determined that a public hearing was not appropriate. Although the Agency offered to discuss the views of the objector on an informal basis, no meeting was held.

In addition to the amendments proposed in the notice, the reference in § 103.5(b) to obsolete Form ACA-400 is corrected to current Form FAA-400. Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all relevant matters presented.

In consideration of the foregoing, effective July 31, 1966, Part 103 of the Federal Aviation Regulations is amended as follows:

§ 103.5 [Amended]

1. Section 103.5(b) is amended by striking out the words "Form FAA——— (Form ACA-400)" and inserting the words "Form FAA-400" in place thereof.

2. Section 103.7(b) is amended to read as follows:

§ 103.7 Passenger-carrying aircraft.

* * * * *

(b) Class C explosives that are packed, marked, and labeled in accordance with the requirements of Parts 72 and 73 of the ICC regulations (49 CFR Parts 72 and 73) for shipment by rail express, except that the maximum for other than small-arms ammunition that may be packed in one outside container is 50 pounds net weight;

* * * * *

3. Paragraphs (a) and (c) of § 103.19 are amended to read as follows:

§ 103.19 Quantity limitations.

(a) No person may carry more than 150 pounds net weight of nonflammable compressed gas in any inaccessible cargo pit or bin on any aircraft.

* * * * *

(c) No person may carry more than 50 pounds net weight of any article that is subject to this part (other than an article specified in paragraph (a) or (b) of this section) in any inaccessible cargo pit or bin on any aircraft.

4. Section 103.31(c) is amended to read as follows:

§ 103.31 Cargo location.

* * * * *

(c) No person may place a container of yellow label material next to, or in a position to allow contact with, a container of white label material in any aircraft.

* * * * *

(Secs. 307, 313(a), 601, 902, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1421, 1472))

Issued in Washington, D.C., on June 27, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7212; Filed, June 30, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 221—COSMETIC AND TOILET PREPARATIONS INDUSTRY

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of June 30, 1966.

Statement by the Commission. Revised trade practice rules for the Cosmetic and Toilet Preparations Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission. The rules constitute a revision of, and supersede, the rules promulgated for this Industry on September 10, 1954.

The Industry is composed of the persons, firms, corporations, and organizations engaged in the business of manufacturing, importing, selling or distributing cosmetics or toilet preparations, or devices or accessories sold in combination therewith.

Proposed revised rules for the industry were published by the Commission and made available to all industry members and other interested parties upon public notice whereby they were afforded opportunity to present to the Commission their views, suggestions, or objections, or other information concerning the rules. Upon full consideration of the entire matter final action was taken by the Commission whereby it approved the rules hereinafter set forth.

Such rules, with the exception of provisions of Rule 3 become operative thirty (30) days after the date of promulgation. The disclosure requirements of Rule 3, to the extent same are applicable to containers and packaging of industry products, become operative January 1, 1967, and the other provisions of Rule 3 become operative ninety (90) days after date of promulgation. The operative dates of the rules will afford industry members opportunity to bring their practices into conformity therewith.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

The unfair trade practices embraced in the rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission, and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.

AUTHORITY: The provisions of this Part 221 issued under sec. 2, 49 Stat. 1526; 15 U.S.C. 13; sec. 3, 38 Stat. 731; 15 U.S.C. 14; sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45.

§ 221.1 Prohibited discrimination.

(a) *Prohibited discriminatory prices, rebates, discounts, etc.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchasers involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however,*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use;

(2) That nothing contained in this paragraph (a) shall prevent differentials which make only due allowance for differences in the cost of production, sale, or delivery resulting from the differing methods or quantities in which industry products are sold or delivered to different purchasers;

NOTE: Cost justification under the above proviso depends upon net savings in cost based on all facts relevant to the transactions under the terms of proviso (a) (2). For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this section shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor.

NOTE 1: Section 2(b) of the Clayton Act, as amended, reads as follows: "Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor."

NOTE 2: In complaint proceedings, justification of price differentials under subparagraphs (2), (4), and (5) of paragraph (a) of this section is a matter of affirmative defense to be established by the person or concern charged with price discrimination.

NOTE 3: Nothing in this section should be construed as prohibiting the granting of different prices which are not otherwise violative of the foregoing provisions of this section, to customers in different functional categories. For example, a seller may grant a lower price to wholesalers than to retailers to the extent that such wholesalers resell to retailers. If such wholesalers also sell at retail they may not properly be granted a price lower than the prices granted to competing retailers on that portion of the goods they sell at retail.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the beenfit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is made known to and is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

NOTE: Section 2(b) of the Clayton Act, as amended, which is set forth in Note 1 following paragraph (a) (5) of this section, is applicable to paragraph (c).

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

NOTE: Section 2(b) of the Clayton Act, as amended, which is set forth in Note 1 following paragraph (a) (5) of this section, is applicable to paragraph (d).

(e) *Inducing or receiving an illegal discrimination in price, advertising or promotional allowances, or services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price, advertising or promotional allowances, or services or facilities, prohibited by the foregoing provisions of this § 221.1.

(f) *Proportional equality of treatment of competing customers.* (1) The following is presented for the purpose of clarifying the requirements of paragraphs (c) and (d) of this § 221.1 with respect to the supplying of marketing services, facilities or allowances by industry members to their customers, but it is not intended to imply by such presentation that other methods which assure of proportional equality of treatment of competing customers may not also be used.

(2) An industry member may simultaneously offer to each of his customers competing in the resale of his products the same kind of promotional service, facility or allowance of a cost value equal to a uniform percentage of the sales (or purchases) of the industry member's products by each customer during a specified and identical period of time: *Provided, however,* That when the service, facility, or allowance offered is of a type which under reasonable terms and con-

ditions is not usable or suitable to the facilities and business of all customers, and is offered to any one customer, the member offer each of those customers to whom the service, facility, or allowance is not usable or suitable an alternate type of promotional service, facility or allowance which is of equivalent measurable cost, is usable by the customer, and is suitable to his facilities and business, and promptly inform all competing customers of the kind and amount of services, facilities or allowances which he has offered to each and the respective terms and conditions under which such services, facilities or allowances are to be furnished by the industry member: *And provided, further,* That when the offer of any service, facility, or allowance to any customer is conditioned on such customer supplying some reciprocal service, facility, or payment, a reciprocal service, facility, or payment be required in the offers to all other customers and there be an equality of ratio among all customers as to the measurable cost of that which is supplied by the industry member and the recriprocal service, facility, or payment required of any customer. The industry member must take every reasonable precaution to see that services, facilities, or allowances which he furnishes to customers are used in accord with the terms of his offer; and upon failure of the customer to perform any obligation on his part the industry member must cease supplying the customer any further service, facility, or allowance.

Explanatory analysis. In other words, one, but not the only, method of complying with paragraphs (c) and (d) of this § 221.1, is as follows:

The industry member may offer, simultaneously, to each competing resale customer, the same kind of—

1. Promotional service, or
2. Facility, or
3. Allowance,

The value of which must be equal to a uniform percentage of dollar volume.

1. Of the sales or purchases by each customer of the industry member's products,
2. Computed for an identical, specified period of time. However, if the same kind is not usable and suitable under reasonable terms and conditions to all such customers, and is offered to one,

The others must be offered an alternate type of—

1. Promotional service, or
2. Facility, or
3. Allowance, and

The alternate type must be—

1. Of equivalent measurable cost, and
2. Usable by the customer and suitable with respect to his facilities and character of business; and

All such customers must be promptly informed of—

1. The kind,
2. The amount, and
3. Terms and conditions of the offer.

Also. When the offer is conditioned upon something reciprocal to be furnished by the customer, the member—

1. Must require of all customers the same proportionate reciprocity (equality of ratio as to the measurable cost of that supplied by the customer to that supplied by the member);
2. Must take every reasonable precaution to see that what he pays or furnishes is used in accordance with the terms of his offer; and
3. Must cease furnishing or paying it to the customer when the industry member knows, or has reason to believe, it is not so used. (Rule 1.)

§ 221.2 Misrepresentation in general.

It is an unfair trade practice to use, or cause or promote the use of, any false, untrue, or deceptive statement, representation, guarantee, warranty, testimonial, or endorsement, by way of advertising (through newspapers, magazines, circulars, booklets, or by radio, or any other medium), oral representation, or otherwise, which has the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public with respect to the efficacy, permanency of the effects, medicinal or curative properties, grade, quality, quantity, substance, character, origin, size, preparation, manufacture, or distribution of any product of the industry, or concerning the purported approval or endorsement of such product by State, Federal, medical, or other authority, or in any other material respect.

NOTE: Among the prohibitions of this section is "false advertisement," as defined in section 15 of the Federal Trade Commission Act, of any "cosmetic" as such term is defined in the same section. Furthermore, nothing in this Part 221 is to be construed as relieving anyone of the necessity of complying with the cosmetic labeling requirements of the "Federal Food, Drug and Cosmetic Act" and the general regulations thereunder. (Rule 2.)

§ 221.3 Deception as to origin.

(a) In connection with the sale or offering for sale of cosmetic and toilet preparations, it is an unfair trade practice to misrepresent, through any means or device, the country of origin thereof.

(b) In connection with the sale or offering for sale of any cosmetic or toilet preparation product not wholly made (i.e., in form for distribution to the public except for bottling and/or packaging) in a foreign country or countries, it is an unfair trade practice to:

(1) Represent directly that such product was made in a foreign country, or

(2) Use any foreign word, term or phrase in the brand or product name, or any depiction or other device, which may tend to convey the erroneous impression that the product is of foreign origin, unless clear and conspicuous disclosure is made in close connection and conjunction therewith of the fact that such product was made, compounded, mixed, blended, or diluted in the United States. ("Brand or product name" as used in this section shall refer to any name including company or trade name, when used to designate products.)

Notes on application of the section.

1. Provision (b) (1) of the section is intended to prevent the use of such statements as "Made in France," "Imported from Italy," etc., in connection with products not wholly made in the foreign country referred to.

2. When a bottle or other immediate container used in connection with any such product bears terminology or depictions referred to in provision (b) (2) of the section, the disclosure required by the section must be placed clearly and conspicuously on at least one face (or the top) of the bottle or other immediate container

3. When a package, box, or other wrapping encasing the bottle or other inner container, used in connection with any such product, has a distinct front face, on which terminology or depictions referred to in provision (b) (2) of the section appear, the disclosure required by the section must be placed clearly and conspicuously on such front face of each such package, box and other wrapping. When such disclosure has been made, it will not be necessary to repeat the disclosure although terminology or depictions referred to in provision (b) (2) of the section may also appear on other parts of said package, box, or other wrapping.

4. When a package, box or other wrapping does not have a distinct front face, or has such a face upon which no terminology or depictions referred to in provision (b) (2) of the section appear, the disclosure required by the section must be placed clearly and conspicuously on the package, the box and other wrapping, in close connection and conjunction with any such terminology or depiction wherever used.

5. When any terminology or depiction referred to in provision (b) (2) of the section is used in promotional material, including, but not limited to, display or sampler bottles, display cards or display packages, or in other advertising, to refer to such products, disclosure required by the section shall appear clearly and conspicuously in close connection and conjunction with such terminology or depiction.

Nothing in above notes 2, 3, 4, or 5 shall be deemed to permit any representation prohibited by provision (b) (1) of the section.

The section does not require disclosure of domestic bottling and/or packaging of products wholly made in a foreign country, imported in bulk, and bottled or otherwise packaged in the United States.

Provisions of outstanding Cease and Desist Orders pertaining to subject matter covered by this § 221.3 shall not be construed by the Commission as prohibiting or requiring more than the section. (Rule 3.)

§ 221.4 Deceptive imitation of trademarks, trade names, etc.

The imitation of trademarks, trade names, or other exclusively owned marks of identification of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade protection. (Rule 4.)

§ 221.5 Misrepresentation as to character of business.

It is an unfair trade practice for any concern, in the course of or in connection with the distribution of industry products, to represent, directly or indirectly, that it is a manufacturer of industry products, or that it owns or controls a factory making such products, when such is not the fact, or in any other manner to misrepresent the character, extent, or type of its business. (Rule 5.)

§ 221.6 Use of the word "free."

In connection with the sale, offering for sale, or distribution of industry prod-

ucts, it is an unfair trade practice to use the word "free," or any other word or words of similar import, in advertisements or in other offers to the public, as descriptive of an article of merchandise, or service, which is not an unconditional gift, under the following circumstances:

(a) When all the conditions, obligations, or other prerequisites to the receipt and retention of the "free" article of merchandise or service offered are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the offer will be misunderstood; and, regardless of such disclosure;

(b) When, with respect to any article of merchandise required to be purchased in order to obtain the "free" article or service, the offerer (1) increases the ordinary and usual price of such article of merchandise, or (2) reduces its quality, or (3) reduces the quantity or size thereof.

NOTE: The disclosure required by paragraph (a) of this section shall appear in close conjunction with the word "free" (or other word or words of similar import) wherever such word first appears in each advertisement or offer. A disclosure in the form of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the word "free," will not be regarded as compliance. (Rule 6.)

§ 221.7 Deceptive pricing.

Members of the industry shall not represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

NOTE: The Commission promulgated Guides Against Deceptive Pricing effective January 8, 1964, superseding the Guides adopted October 2, 1958. The 1964 Guides are appended to these rules for additional guidance with respect to price savings representations. (Rule 7.)

§ 221.8 Passing off an industry product as and for the product of a competitor.

The passing off, or causing to be passed off, of any industry product as and for the product of a competitor through appropriation or simulation of such competitor's trademarks, labels, or by any other means or device, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. (Rule 8.)

§ 221.9 Defamation of competitors or false disparagement of their products.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade or quality of the goods of competitors, their credit terms, values, policies, services, the nature or form of the business conducted, or in any other material respect, is an unfair trade practice. (Rule 9.)

§ 221.10 Commercial bribery.

It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. (Rule 10.)

§ 221.11 Procurement of competitor's confidential information by unfair means and wrongful use thereof.

It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained so as substantially to injure competition or unreasonably restrain trade. (Rule 11.)

§ 221.12 Inducing breach of contract.

(a) Knowingly inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or between competitors and their suppliers, or interfering with or obstructing the performance of any such contractual duties or services, under any circumstance having the capacity and tendency or effect of substantially injuring or lessening competition, is an unfair trade practice.

(b) Nothing in this section is intended to imply that it is improper for any industry member to solicit the business of a customer of a competing industry member; nor is the section to be construed as in anywise authorizing any agreement, understanding, or planned common course of action by two or more industry members not to solicit business from, or to sell to, the customers of either of them, or customers of any other industry member. (Rule 12.)

§ 221.13 Use of lottery schemes, etc.

It is an unfair trade practice to sell, distribute, or promote the sale or distribution of any industry product or other merchandise by means of a gift enterprise or lottery scheme. (Rule 13.)

§ 221.14 Prohibited forms of trade restraints (unlawful price fixing, etc.).[1]

It is an unfair trade practice for any member of the industry, either directly or indirectly, to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any goods or otherwise unlawfully to restrain trade; or to use any form of threat, intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. (Rule 14.)

§ 221.15 Unfair threats of infringement suits.

The circulation of threats of suit for infringement of patents or trademarks among customers or prospective customers of competitors, not made in good faith but for the purpose or with the effect of harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. (Rule 15.)

§ 221.16 Exclusive deals.

It is an unfair trade practice for any member of the industry to contract to sell or sell any industry product, or fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such sale or contract for sale, or of such condition, agreement, or understanding, may be substantially to lessen competition or tend to create a monopoly in any line of commerce. (Rule 16.)

§ 221.17 Push money.

It is an unfair trade practice for an industry member to pay or contract to

[1] The prohibitions of this section are subject to Public Law 542, approved July 14, 1952, 66 Stat. 632 (the McGuire Act, commonly referred to as the Fair Trade Amendment), which provides that with respect to a commodity which bears, or the label or container of which bears, the trademark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

pay anything of value to a salesperson employed by a customer of the industry member as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the salesperson in promoting the resale of products supplied by the industry member to the customer—

(a) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the salesperson's employer; or

(b) When the terms and conditions of the agreement or understanding are such that any benefit to the salesperson or customer is dependent on lottery; or

(c) When any provision of the agreement or understanding requires or contemplates practices or a course of conduct unduly and intentionally hampering sales of products of competitors of an industry member; or

(d) When, because of the terms and conditions of the understanding or agreement, including its duration, or the attendant circumstances, the effect may be to substantially lessen competition or tend to create a monopoly; or

(e) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms in compliance with section 2 (d) and (e) of the Clayton Act.

NOTE: Payments made by an industry member to a salesperson of a customer under any agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this § 221.17, but are to be considered as subject to the requirements and provisions of section 2(a) of the Clayton Act. (Rule 17.)

Approved: June 23, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7233; Filed, June 30, 1966; 8:47 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER G—APPROVED FORMS, NATURAL GAS ACT

[Docket No. R-283; Order 310-A]

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Annual Reports of Classes A, B, C, and D Natural Gas Companies

JUNE 24, 1966.

Order No. 310, issued in this proceeding on December 8, 1965 (34 FPC ———, 30 F.R. 15465), amended the Annual Report FPC Forms Nos. 2 and 2-A by, among other things, deleting certain schedules and changing the "Verification" page to an "Attestation." The lists of schedules contained in the forms which appear in paragraph (c) of both §§ 260.1 and 260.2 of the regulations should have been amended so as to correctly list the current contents of the report forms. We are here supplying the inadvertent omission.

The Commission finds: Notice of these amendments prior to adoption is unnecessary and good cause exists for making them effective immediately.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (52 Stat. 826, 830; 15 U.S.C. 717i, 717o), orders:

(A) Part 260, Subchapter G, Chapter I of Title 18 of the Code of Federal Regulations, is amended by revising §§ 260.1 and 260.2 as follows:

(1) In paragraph (c) of § 260.1, the four schedule titles "Special Funds," "Special Deposits," "Notes Receivable," and "Accounts Receivable" are deleted and the last title, "Verification," is changed to "Attestation."

(2) In paragraph (c) of § 260.2, the last title, "Verification," is changed to "Attestation."

(B) The amendments here adopted shall be effective upon the issuance of this order.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66-7216; Filed, June 30, 1966; 8:46 a.m.]

Title 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 229—REGULATIONS FOR OBTAINING FEDERAL ASSISTANCE IN FINANCING EXPLORATION FOR MINERAL RESERVES, EXCLUDING ORGANIC FUELS, IN THE UNITED STATES, ITS TERRITORIES, AND POSSESSIONS

Eligible Minerals or Mineral Products

JUNE 24, 1966.

Section 229.3 of Part 229 is amended to add copper to the list of eligible minerals or mineral products.

The amendment as set forth below is effective upon the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL, *Secretary of the Interior.*

Section 229.3 is amended by adding copper to read as follows:

§ 229.3 Eligible minerals or mineral products.

The following are eligible for Government financial assistance:

Antimony.	Mercury.
Asbestos.	Mica (strategic).
Bauxite.	Molybdenum.
Beryllium.	Monazite.
Bismuth.	Nickel.
Cadmium.	Platinum Group Metals.
Chromite.	Quartz Crystal (piezoelectric).
Cobalt.	Rare Earths.
Columbium.	Rutile.
Copper.	Selenium.
Corundum.	Silver.
Diamond (industrial).	Sulphur.
Fluorspar.	Talc (block steatite).
Gold.	Tantalum.
Graphite (crucible flake).	Tellurium.
Iron Ore.	Thorium.
Kyanite (strategic).	Tin.
Manganese.	Uranium.

[F.R. Doc. 66-7220; Filed, June 30, 1966; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 1—GENERAL RULES AND REGULATIONS

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Miscellaneous Amendments

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), Parts 1 and 7 of Chapter I, Title 36 of the Code of Federal Regulations are amended as set forth below. The purpose of this amendment is to delete Mount Rainier National Park from the general listing of parks in which the commercial transportation of passengers by motor vehicles, except as authorized under a contract or permit from the Secretary or his authorized representative, is prohibited; and to delete the special condition under which commercial passenger-carrying motor vehicles are permitted to enter Mount Rainier National Park. Since the changes constitute a relaxation of the present regulations, they are exempt from the requirements of the Administrative Procedure Act and shall become effective upon publication in the FEDERAL REGISTER.

1. Paragraph (a) of § 1.36 is amended by deletion of the following: "Mount Rainier (except Highway No. 5, U.S. 410),".

2. Paragraph (e) of § 7.5 is deleted in its entirety.

STEWART L. UDALL, *Secretary of the Interior.*

JUNE 24, 1966.

[F.R. Doc. 66-7219; Filed, June 30, 1966; 8:46 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

DISCHARGE TO CHANGE STATUS

In § 3.13, paragraph (b) is amended to read as follows:

§ 3.13 Discharge to change status.

* * * * *

(b) The entire period of service under the circumstances stated in paragraph (a) of this section constitutes one period of service and entitlement will be determined by the character of the final termination of active service.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective date of approval.

Approved: June 27, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-7223; Filed, June 30, 1966; 8:46 a.m.]

PART 36—LOAN GUARANTY

Definitions

In § 36.4301, paragraph (jj) is added to read as follows:

§ 36.4301 Definitions.

* * * * *

(jj) "Discharge or release": For purposes of basic eligibility a person will be considered discharged or released if he was issued a discharge certificate under conditions other than dishonorable (38 U.S.C. 1802(c)). In the absence of such discharge certificate his discharge or release must be (1) issued under conditions other than dishonorable and (2) accompanied by an actual break in service, except that for purposes of basic eligibility under section 1818 of Title 38, United States Code, a break in service shall not be required if at the time the discharge or release was issued the individual was eligible for complete separation from active duty.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective date of approval.

Approved: June 27, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-7224; Filed, June 30, 1966; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-7—CONTRACT CLAUSES

Subpart 9-7.50—Use of Standard Clauses

MISCELLANEOUS AMENDMENTS

1. In § 9-7.5003, *Deviations,* paragraphs (a) and (c) are revised to read as follows:

§ 9-7.5003 Deviations.

* * * * *

(a) *Standard AEC clauses which are mandatory as to text.* These clauses are set forth or are referred to in § 9-7.5004 and, where they are appropriate for use in a contract, deviations from these clauses shall not be made unless approved by the Director, Division of Contracts, Headquarters, after coordination with the Controller, General Counsel, and any other appropriate Headquarters office. Requests for Headquarters approval shall be submitted in triplicate and shall be accompanied by a detailed supporting statement and a draft of the proposed clause, as amended. If Headquarters approval of the contract is required, requests for approval of deviations and approval of the contract may be combined. (Minor changes in wording which may become necessary in negotiations are not considered deviations, provided counsel determines that the change is not prohibited by statute executive order, or administrative regulation and does not alter the meaning, intent, or basic principles expressed in these clauses.)

* * * * *

(c) *Standard AEC clauses not included in (a) or (b).* These clauses are set forth in § 9-7.5006 and, in addition to those referred to in paragraphs (a) and (b) of this section, constitute standard provisions for use in AEC contracts. Deviations shall not be made merely because of personal preferences. Except as provided in other subparts of the AECPR, deviations, in addition to those specifically authorized by this subpart, may be made only with the approval of the Manager of Operations, after consultation with counsel; except that deviations which make allowable any of the costs specifically listed as unallowable in the cost clauses set forth in § 9-7.5006, or which would conflict with the policy and principles expressed in Subpart 915.50 of Part 9-15 of this chapter of the AECPR or other applicable directives, shall be made in prime contracts or in subcontracts only with the approval of the Director, Division of Contracts, Headquarters, after consultation with the Controller, General Counsel, and any other appropriate Headquarters office. The contract file shall contain a statement explaining any substantial deviation unless the reason for such deviation is obvious because of the unusual nature of the contract. Changes which become necessary as a matter of standard practice shall be reported to the Director, Division of Contracts, Headquarters, with a recommendation, in triplicate, as to the need for modifying the text of the standard clause.

* * * * * *

2. In § 9-7.5004-11, *Security,* paragraph (e), *Criminal liability,* is revised to read as follows:

§ 9-7.5004-11 Security.

* * * * *

(e) *Criminal liability.* It is understood that disclosure of information relating to the work or services ordered hereunder to any person not entitled to receive it, or failure to safeguard any Restricted Data or any Top Secret, Secret, or Confidential matter that may come to the contractor or any person under the contractor's control in connection with work under this contract, may subject the contractor, its agents, employees, and subcontractors to criminal liability under the laws of the United States (see the Atomic Energy Act of 1954, 68 Stat. 919) (see also Executive Order 10104 of February 1, 1950, 15 F.R. 597).

* * * * *

3. Section 9-7.5004-13, *Contract Work Hours Standards Act—Overtime Compensation,* is revised to read as follows:

§ 9-7.5004-13 Contract Work Hours Standards Act—Overtime Compensation.

See FPR 1-12.303.

4. In § 9-7.5004-16, *Buy American Act,* paragraph (b) is revised to read as follows:

§ 9-7.5004-16 Buy American Act.

* * * * *

NOTE A: * * *
(2) * * *
(b) Insert a parenthetical, "(by the contractor, subcontractors, materialmen, and suppliers)", after the word "contract" in the second line of (b).

5. Section 9-7.5005-11, *Federal, State, and local taxes,* is revised to read as follows:

§ 9-7.5005-11 Federal, State, and local taxes.

See FPR 1-11.401 (fixed-price). See AECPR 9-11.452 (cost-type).

6. Section 9-7.5005-15, *Small Business Subcontracting Program,* is revised to read as follows:

§ 9-7.5005-15 Small Business Subcontracting Program.

See FPR 1-7.101-26.

7. Sections 9-7.5005-18, *Price reduction for defective cost or pricing data;* 9-7.5005-19, *Audit and records—fixed-price supply and fixed-price construction contracts;* and 9-7.5005-20, *Subcontractor cost and pricing data;* are revised to read as follows:

§ 9-7.5005-18 Price reduction for defective cost or pricing data.

See FPR 1-3.814-1.

§ 9-7.5005-19 Audit and records—fixed-price supply and fixed-price construction contracts.

See AECPR 9-3.814-2.

§ 9-7.5005-20 Subcontractor cost and pricing data.

See FPR 1-3.814-3.

8. In § 9-7.5006-9, *Allowable costs and fixed fee (CPFF operating and construction contracts)*, paragraph (a), *Compensation for contractor's services;* subparagraphs (1), (7), and subdivision (vii) of subparagraph (8), under paragraph (d), *Examples of items of allowable costs;* and subparagraph (12) under paragraph (e), *Examples of items of unallowable costs;* are revised to read as follows:

§ 9-7.5006-9 Allowable costs and fixed fee (CPFF operating and construction contracts).

(a) *Compensation for contractor's services.* Payment for the allowable cost as hereinafter defined, and of the fixed fee, if any, as hereinafter provided, shall constitute full and complete compensation for the performance of the work under this contract.

* * * * *

(d) *Examples of items of allowable cost.* * * *

(1) Bonds and insurance including self-insurance, as provided in the clause entitled "Required bonds and insurance—exclusive of Government property."

* * * * *

(7) Patents, purchased design, and royalty payments to the extent expressly provided for under other provisions in this contract or as approved by the Contracting Officer; and preparation of invention disclosures, reports and related documents, and searching the art to the extent necessary to make such invention disclosures in accordance with the Patent Clause of this contract.

(8) *Personnel costs and related expenses.* * * *

(vii) Net cost of operating plant-site cafeterias, dining rooms, and canteens attributable to the performance of the contract. Appendix A may be modified from time to time, in writing, without execution of an amendment to this contract, for the purposes of effecting any changes in or additions to Appendix A as may be agreed upon by the parties.

* * * * *

(e) *Examples of items of unallowable costs.* * * *

(12) *Fines and penalties* including assessed interest, resulting from violations of, or failure of the contractor to comply with Federal, State, or local laws or regulations, except when incurred in accordance with the written approval of the Contracting Officer or as a result of compliance with the provisions of this contract.

* * * * *

9. In § 9-7.5006-23, *Payments and advances (cost type contracts where funds are advanced by AEC)*, paragraph (e), *Review and approval of costs incurred,* is revised to read as follows:

§ 9-7.5006-23 Payments and advances (cost type contracts where funds are advanced by AEC).

* * * * *

(e) *Review and approval of costs incurred.* The contractor shall prepare and submit annually as of June 30 a voucher, for the total of net expenditures accrued (i.e., net costs incurred) for the period covered by the voucher, and the Commission, after audit and appropriate adjustment, will approve such voucher. This approval by the Commission will constitute an acknowledgment by the Commission that the net costs incurred are allowable under the contract and that they have been recorded in the accounts maintained by the contractor in accordance with the Commission accounting policies, but will not relieve the contractor of responsibility for the Commission's assets in its care, for appropriate subsequent adjustments, or for errors later becoming known to the Commission.

* * * * *

10. In § 9-7.5006-29, *Subcontracts and purchase orders,* paragraph (a) is revised to read as follows:

§ 9-7.5006-29 Subcontracts and purchase orders.

(a) *When subcontracts are authorized—Requirements applicable to subcontracts and purchase orders.* The contractor shall, when ordered by the Contracting Officer, and may, but only when authorized by the Contracting Officer, enter into subcontracts in writing for the performance of any part of the work described in the clause entitled "Statement of Work" under this contract. Purchase orders shall not be entered into by the contractor for items whose purchase is expressly prohibited by the written directions of the Contracting Officer. All subcontracts for the performance of the work described in the clause entitled "Statement of Work" shall be submitted to the Contracting Officer for approval. The Government reserves the right at any time to require that the contractor submit any or all other contractual arrangements, including but not limited to purchase orders or classes of purchase orders, for approval and provide information concerning methods, practices and procedures used or proposed to be used in subcontracting and purchasing. The contractor shall use methods, practices, or procedures in subcontracting and purchasing which are acceptable to the Commission. Subcontracts and purchase orders (Note A) shall be made in the name of the contractor, shall not bind nor purport to bind the Government, shall not relieve the contractor of any obligation under this contract (including, among other things, the obligation properly to supervise and coordinate the work of subcontractors) and shall be in such form and contain such provisions as are required by this contract or as the Contracting Officer may prescribe.

* * * * *

11. Section 9-7.5006-52, *Priorities, allocations, and allotments,* is revised to read as follows:

§ 9-7.5006-52 Priorities, allocations, and allotments.

The contractor shall follow the provisions of DMS Regulation 1 and all other applicable regulations and orders of the Business and Defense Services Administration in obtaining controlled materials and other products and materials needed to fill this order.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

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

Dated at Germantown, Md., this 23d day of June 1966.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 66-7205; Filed, June 30, 1966; 8:45 a.m.]

Title 46—SHIPPING

Chapter III—Great Lakes Pilotage Administration, Department of Commerce

PART 401—GREAT LAKES PILOTAGE REGULATIONS

Miscellaneous Amendments

On April 6, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5450) setting forth the text of proposed amendments to the Great Lakes Pilotage Regulations.

Interested persons submitted data or views, orally and in writing at a public hearing in Buffalo, N.Y., on April 20, 1966. Interested persons also submitted written data and views within the 10 days allowed after the close of the hearings.

After consideration of all relevant matter submitted the following amendments to the Great Lakes Pilotage Regulations are hereby adopted.

These amendments to the regulations are issued under the authority contained in sections 4 and 5 of the Great Lakes Pilotage Act of 1960 (74 Stat. 259-262; 46 U.S.C. 216-216i).

Subpart A—General

In § 401.110 *Definitions,* delete paragraph (a)(4), definition for "foreign vessels," and substitute the following new paragraph (a)(4):

§ 401.110 Definitions.

* * * * *

(a) * * *

(4) "Movage" means the underway movement of a vessel in navigation from or to a dock, pier, wharf, dolphins, buoys, or anchorage other than a temporary anchorage for navigational or traffic purposes in such manner as to constitute a distinct separate movement not a substantive portion of a translake movement on arrival or departure, within the geographic confines of a harbor or port complex within such harbor.

* * * * *

Subpart B—Registration of Pilots

1. Section 401.200 is revised to read as follows:

§ 401.200 Application for registration.

An application for registration as a U.S. Registered Pilot shall be made on Form SEC-315 which shall be submitted together with a completed fingerprint chart and two full-face photographs, 1½ inches by 2 inches, signed on the face. Both forms may be obtained from the Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230. A registration

fee of five dollars ($5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany an application for registration; the registration fee will be refunded if applicant is not registered.

§ 401.210 [Amended]

2. In § 401.210, paragraph (b) is deleted and paragraph (c) is renumbered (b).

3. In § 401.211, paragraph (a)(1) and (3)(v) are revised, and (a)(3)(vi), (b), (c), and (d) are added, reading as follows:

§ 401.211 Requirements for training of applicant pilots.

(a) * * *

(1) He meets the requirements and qualifications set forth in subparagraphs (1) through (4), (6), (7), and (9) of § 401.210(a).

* * * * *

(3) * * * (v) as a member of the Armed Forces of the United States on vessels of at least 1,000 gross tons, or equivalent, in capacities as determined by the Administrator to be equivalent to those required under subdivisions (i), (ii), (iii), or (iv) of this subparagraph; or (vi) on vessels under circumstances or conditions other than provided in this subparagraph which may be accepted as qualifying experience for selection as an Applicant Pilot subject to evaluation by the Administrator. Experience of at least 1 year on vessels of at least 2,000 gross tons in capacities determined by the Administrator to be equivalent to those required shall be the minimum criteria of satisfactory service for this exception.

* * * * *

(b) An applicant who is unable to meet the experience requirements of paragraph (a)(3) of this section may substitute training experience under the auspices and supervision of a U.S. pilotage pool. Time shall be counted as master's time under paragraph (a)(3)(i) of this section for each day or part thereof actually on board a vessel in company with a U.S. or Canadian Registered Pilot. Such applicant will not be eligible to serve as a Temporary Registered Pilot under the provisions of § 401.220(e).

(c) Persons desiring to be considered as an Applicant Pilot shall file with the Administrator, Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230, Application Form SEC–315, in duplicate, together with the two full-face photographs, 1½'' x 2'', signed on the face, and a completed fingerprint chart. The $5 registration fee is not to be submitted until such time as the applicant makes application pursuant to § 401.200 after completion of the requirements of § 401.220(b).

(d) Individuals selected as Applicant Pilots by the Administrator shall be issued a Great Lakes Pilotage Administration Applicant Pilot Identification Card, which shall be valid until such time as (1) the applicant is registered as a pilot under § 401.210; (2) the applicant withdraws from the training program; or (3) upon withdrawal by the Administrator.

4. Section 401.220 (b), (c), (d), and (e) is revised to read as follows:

§ 401.220 Registration of pilots.

* * * * *

(b) Registration of pilots required for waters designated by the President pursuant to section 3 of the Great Lakes Pilotage Act of 1960 where pilotage pools have been authorized pursuant to Subpart C shall be made from among those Applicant Pilots who have (1) completed the minimum number of trips prescribed by the Administrator over the waters for which application is made on oceangoing vessels, in company with a Registered Pilot, within 1 year of date of application, (2) completed a course of instruction for Applicant Pilots prescribed by the association authorized to establish the pilotage pool, (3) satisfactorily met the requirements and qualifications for registration prescribed by § 401.210, (4) satisfactorily completed a written examination, prescribed by the Administrator, evidencing his knowledge and understanding of the Great Lakes Pilotage Act of 1960; the Great Lakes Pilotage Regulations, Rules and Orders; the Memorandum of Arrangements, Great Lakes Pilotage, between the United States and Canada; and other related matters including the working rules and operating procedures of his district, given at such time and place as the Administrator may designate within the pilotage district of the Applicant Pilot.

(c) The Pilot Association authorized to establish a pool in which an Applicant Pilot has qualified for registration under paragraph (b) of this section shall submit to the Administrator in writing its recommendations together with its reasons for the registration of the Applicant.

(d) Subject to the provisions of paragraphs (a), (b), and (c) of this section, a pilot found to be qualified under this subpart shall be issued a Certificate of Registration, valid for a term of two (2) years or until the expiration of his unlimited master's license or until the pilot reaches the age 65, whichever occurs first.

(e) Notwithstanding § 401.210(a)(5) and the provisions set forth in paragraphs (a), (b), and (c) of this section the Administrator may, when necessary to assure adequate and efficient pilotage service, (1) issue a Temporary Certificate of Registration for a period of less than one (1) year to an Applicant Pilot for service as a Registered Pilot on waters which are within the dispatching responsibility of the authorized pool of which he is a member, or (2) issue a Temporary Certificate of Registration for a period of less than one (1) year to a retired Registered Pilot for service as a Registered Pilot on the undesignated waters within the dispatching authority of the authorized pool under which he previously served, provided that such person meets all of the provisions of § 401.210(a) except subparagraphs (5) and (8) thereof.

5. Section 401.230(d) is revised to read as follows:

§ 401.230 Certificates of Registration.

* * * * *

(d) An application for a replacement of a lost, damaged, or defaced Certificate of Registration shall be made in writing to the Administrator together with two full-face photographs, 1½ inches by 2 inches, signed on the face. A replacement fee of five dollars ($5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany any such application. A Certificate issued as a replacement for a lost, damaged, or defaced Certificate shall be marked so as to indicate that it is a replacement. Upon receipt of a Certificate issued as a replacement, the damaged or defaced Certificate shall be surrendered to the Administrator.

* * * * *

6. Section 401.240(a) is revised to read as follows:

§ 401.240 Renewal of Certificates of Registration.

(a) An application for renewal of a Certificate of Registration shall be made on Form SEC–315, which shall be submitted to the Administrator together with a completed fingerprint chart, and two full-face photographs, 1½ inches by 2 inches, signed on the face, at least fifteen (15) days prior to the expiration date of the existing Certificate. Both forms may be obtained from the Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230. A renewal fee of five dollars ($5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany an application for renewal of registration, which will be refunded if registration is not renewed. Failure of a Registered Pilot to comply with these requirements or file a complete and sufficient application may constitute cause for denying renewal of the Certificate of Registration.

* * * * *

7. Section 401.250(f) is added, reading as follows:

§ 401.250 Suspension and revocation of Certificates of Registration.

* * * * *

(f) All U.S. Registered Pilots shall, whenever their license is revoked or suspended by the Coast Guard, deliver their Certificate of Registration simultaneously with their license to the Coast Guard. In the event the license is revoked, the Certificate of Registration will be forwarded by the Coast Guard to the Great Lakes Pilotage Administration. If the license is suspended, the Certificate of Registration will be held with the suspended license and returned to the holder upon expiration of the suspension period.

8. Section 401.260 is added to read as follows:

§ 401.260 Reports.

(a) A marine accident which occurs while a U.S. Registered Pilot is in the service of a vessel in U.S. or Canadian waters of the Great Lakes shall be reported by the Registered Pilot to the Administrator as soon as possible, but not later than 15 days after the accident. The report shall name and describe the vessel or vessels involved, and shall describe the accident, including type of accident, location, time, prevailing weather, damage to the vessel or vessels or property, and injury to persons or lives lost. This report does not relieve the pilot of responsibility for submitting any report required by other government agencies of the United States or Canada.

(b) Every U.S. Registered Pilot shall file with the Administrator any change of his mailing address within 15 days after the change.

(c) Every authorized pilotage pool of U.S. Registered Pilots rendering pilotage service shall submit, by the 10th day of the month following, a monthly report of availability, on a form provided by the Administration, of all U.S. Registered Pilots and Applicant Pilots of that pool. The report shall include the availability of Canadian Registered Pilots who are assigned to that pool for administrative purposes. The report shall list the name of each pilot and show his availability status for each day of the month as: available, unavailable due to illness or injury, unavailable with advance notice for personal reasons, unavailability authorized by the pool for business reasons, unavailable without advance notice or unaccounted for, unavailable for disciplinary reasons. The report shall be maintained on a daily basis by an officer or employee of the pool, who shall be responsible for the completeness and accuracy of the report.

Subpart C—Establishment of Pools by Voluntary Associations of U.S. Registered Pilots

1. Section 401.320 (b) and (d)(1) is revised to read as follows:

§ 401.320 Requirements and qualifications for authorization to establish pools.

* * * * *

(b) The stock, equity, or other financial interests coupled with voting rights or exercise of any right of control in the management of the voluntary association is held only by member Registered Pilots registered pursuant to §§ 401.200 and 401.210, excluding Applicant Pilots and Retired Pilots temporarily registered under § 401.220(e).

* * * * *

(d) The voluntary association agrees that:

(1) Pilotage services will be provided on a first-come, first-serve basis to vessels giving proper notice of arrival time or pilotage service requirements, to the pilotage station, except that pilots will not be required to board vessels which do not provide safe boarding facilities;

* * * * *

2. In § 401.340, present text is designated (a) and new paragraphs (b) and (c) are added, reading as follows:

§ 401.340 Compliance with working rules of pools.

* * * * *

(b) The voluntary associations of U.S. Registered Pilots authorized to establish a pilotage pool may require a U.S. Registered Pilot to execute a written authorization for the pool to bill for services, deduct authorized expenses, and to comply with the working rules and other rules of the pool relating to such facilities and services. Facilities and services of the pool may be denied to any U.S. Registered Pilot who fails or refuses to execute such authorizations.

(c) U.S. Registered Pilots who fail to execute such an authorization shall not be considered members of the U.S. pool, and shall not be entitled to reciprocal dispatching and related services by United States and Canadian pilotage pools as provided for by the Memorandum of Arrangements. A U.S. Registered Pilot who fails or refuses to avail himself of the established facilities and services shall be considered as not being continuously available for service pursuant to section 4(a) of the Great Lakes Pilotage Act of 1960 (46 U.S.C. 216–216i) and his agreement executed on SEC–315, Application for Registration as a U.S. Registered Pilot, and may be subject to suspension or revocation proceedings as prescribed by § 401.250.

Subpart D—Rates, Charges, and Conditions for Pilotage Services

1. Section 401.400 is revised to read as follows:

§ 401.400 Rates and charges on designated waters.

(a) Except as provided under § 401.420, the following rates and charges shall be payable for all services performed by United States or Canadian Registered Pilots in the following areas of the U.S. waters of the Great Lakes described in § 401.300, pursuant to the Memorandum of Arrangements, Great Lakes Pilotage:

(1) *District No. 1.*

(i) Between Snell Lock and Cape Vincent or Kingston, whether or not undesignated waters are traversed	$220
(ii) Between Snell Lock and Cardinal, Prescott or Ogdensburg	110
(iii) Between Cardinal, Prescott, or Ogdensburg and Cape Vincent or Kingston, whether or not undesignated waters are traversed	160
(iv) For pilotage commencing or terminating at any point above Snell Lock other than those named in items (i) to (iii), $2.20 per mile but with a minimum charge therefore of	50
(v) For a moveage in any harbor	50

(2) *District No. 2.*

(i) Passage through the Welland Canal or any part thereof, $5 for each mile plus $15 for each lock transited but with a minimum charge therefore of	50
and a maximum charge therefore of	200
(ii) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District	150
(iii) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River	95
(iv) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River	95
(v) Between points on Lake Erie west of Southeast Shoal	50
(vi) Between points on the Detroit River	50
(vii) Between any point on the Detroit River and any point on the St. Clair River or its approaches as far as the northerly limit of the District	95
(viii) Between points on the St. Clair River including the approaches thereto as far as the northerly limit of the District	75

(3) *District No. 3.*

(i) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corp. Wharf at Sault Ste. Marie, Ontario	$200
(ii) Between the southerly limit of the District and Sault Ste. Marie, Mich., or any point in Sault Ste. Marie, Ontario, other than the Algoma Steel Corp. Wharf	165
(iii) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corp. Wharf, or Sault Ste. Marie, Mich	75
(iv) For a movage in any Harbor	50

(b) When the passage of a ship through a District is interrupted for the purpose of loading or discharging cargo or for any other reason and the services of the Registered Pilot are retained during such interruption, for the convenience of the ship, the ship shall be required to pay an additional charge of $5 for each hour or part of an hour during which each interruption lasts, but with a maximum of $75 for each 24-hour period of such interruption. However, no charge shall be payable for any interruption caused by ice, weather, or traffic except during the period from the 1st day of December to the 8th day of April next following.

2. Section 401.410 is revised to read as follows:

§ 401.410 Rates and charges on undesignated waters.

(a) Except as provided under § 401.420 and subject to paragraph (b) of this section, the charges to be paid by a ship that has a Registered Pilot on board in the undesignated waters shall be $50 for each 24-hour period or part thereof that the pilot is on board, plus (1) $25 for each time the pilot performs the docking or undocking of the ship on entering or leaving the harbor or performs a moveage of the ship within a harbor, and (2) the travel expenses reasonably incurred by a pilot in joining the ship and returning to his base.

(b) When a Registered Pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the charges referred to in paragraph (a) of

this section are not payable unless, (1) the ship is required by law to have a Registered Pilot on board in those waters, or (2) services are performed by the pilot in those waters at the request of the master.

3. Section 401.420 is revised to read as follows:

§ 401.420 Cancellation or delay in rendition of services.

(a) When in designated or undesignated waters the departure or the moveage of a ship for which a Registered Pilot has been ordered is delayed for the convenience of the ship for more than 1 hour after the pilot reports for duty or after the time for which he is ordered, whichever is the later, or when a pilot is detained on board a ship for the convenience of the ship for more than 1 hour after the end of the assignment for which he was ordered, there shall be payable an additional charge of $5 per hour after the first hour of such delay; but the aggregate amount of such further charges shall not exceed $75 for any 24-hour period.

(b) When in designated or undesignated waters a Registered Pilot reports for duty as ordered and the order is cancelled, the charges to be paid by the ship shall be (1) a cancellation charge of $25, (2) if the cancellation is more than 1 hour after the pilot was ordered for, a further charge of $5 for every hour or part of an hour after the first hour, except that the aggregate cancellation fee payable in any 24-hour period shall not exceed $75, and (3) if the ship is in the undesignated waters, the travel expenses reasonably incurred by the pilot in joining the ship and returning to his base.

Subpart F—Procedure Governing Revocation or Suspension of Registration and Refusal To Renew Registration

Section 401.615 is revised to read as follows:

§ 401.615 Representation.

The Great Lakes Pilotage Administration shall be represented by the Office of the General Counsel of the U.S. Department of Commerce. The U.S. Registered Pilot, designated "respondent" in a suspension or revocation hearing, or "applicant" in a refusal-to-renew-registration hearing, may be represented before the Examiner by any person who is a member in good standing of the bar of the highest court of any State, possession, territory, commonwealth, or the District of Columbia upon filing with the Great Lakes Pilotage Administration a written declaration that he is currently qualified and is authorized to represent the particular party in whose behalf he acts. Whenever a person acting in a representation capacity appears in person or signs a paper in practice before the Examiner of the Administration or the Office of the General Counsel of the U.S. Department of Commerce, his personal appearance or signature shall constitute a representation that under the provisions of this subpart and applicable law he is authorized and qualified to represent the particular person in whose behalf he acts. When any U.S. Registered Pilot is represented by an attorney at law, any notice or other written communication required or permitted to be given to or by such a U.S. Registered Pilot shall be given to or by such attorney. If a U.S. Registered Pilot is represented by more than one attorney, service by or upon any one of such attorneys shall be sufficient.

Effective date. July 1, 1966.

A. T. MESCHTER,
Administrator,
Great Lakes Pilotage Administration.

[F.R. Doc. 66-7293; Filed, June 30, 1966; 8:48 a.m.]

PART 402—GREAT LAKES PILOTAGE RULES AND ORDERS

Miscellaneous Amendments

On April 6, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5450) setting forth the text of proposed amendments to the Great Lakes Pilotage Regulations. These proposed amendments, excepting the obsolete § 402.211 (a) and (c), included certain rules and orders found to be of a stable continuing nature and considered more properly regulatory in character. These regulations were adopted effective July 1, 1966. Accordingly, the rules and orders listed below are revoked.

Subpart B—Registration of Pilots

Subpart B is amended as follows:

§ 402.200 Application for registration. [Revoked]

§ 402.211 Applicant pilots. [Revoked]

§ 402.220 Registration of pilots.

* * * * *

(c) [Revoked]

* * * * *

§ 402.240 Renewal of Certificate of Registration. [Revoked]

§ 402.250 Suspension and revocation of Certificate of Registration. [Revoked]

§ 402.260 Reports. [Revoked]

Subpart C—Establishment of Pools by Voluntary Association of U.S. Registered Pilots

§ 402.340 Compliance with working rules of pools. [Revoked]

Effective date. July 1, 1966.

A. T. MESCHTER,
Administrator,
Great Lakes Pilotage Administration.

[F.R. Doc. 66-7294; Filed, June 30, 1966; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Docket No. 3666; Order No. 71]

PARTS 71–79—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Miscellaneous Amendments

At a session of the Interstate Commerce Commission, Explosives and Other Dangerous Articles Board, held at Washington, D.C., on the 8th day of June 1966.

The matter of certain regulations governing the transportation of explosives and other dangerous articles, formulated and published by the Commission, being under consideration, and

It appearing, that Notice No. 71, dated February 11, 1966, setting forth certain proposed amendments to the said regulations, and the reasons therefor, and stating that consideration was to be given thereto, was published in the FEDERAL REGISTER on March 4, 1966 (31 F.R. 3408), pursuant to the provisions of section 4 of the Administrative Procedure Act; that pursuant to said notice interested parties were given an opportunity to be heard with respect to said proposed amendments; that written views or arguments were submitted to the Commission with respect to the proposed amendments;

And it further appearing, that said views and arguments with respect to the proposed amendments are such as to warrant revision at this time of certain of the proposed amendments, and that in all other respects the proposed amendments set forth in the above referred-to Notice No. 71 are deemed justified and necessary;

It is ordered, That the aforesaid regulations governing the transportation of explosives and other dangerous articles be, and they are hereby, amended in the manner and to the extent set forth as follows:

PART 71—GENERAL INFORMATION AND REGULATIONS

In Part 71 Index, amend § 71.4 (29 F.R. 18652, Dec. 29, 1964) to read as follows:

71.4 Changes in specifications for tank cars.

In § 71.4 amend the heading and paragraph (a) (29 F.R. 18652, Dec. 29, 1964) to read as follows:

§ 71.4 Changes in specifications for tank cars.

(a) See § 79.4 of this chapter.

Revise entire § 71.5 (29 F.R. 18652, Dec. 29, 1964) to read as follows:

§ 71.5 Procedure covering tank car construction.

(a) See § 79.3 of this chapter.

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71–79 OF THIS CHAPTER

Amend § 72.5 paragraph (a) Commodity List (29 F.R. 18655, 18658, 18663, 18665, Dec. 29, 1964) as follows:

§ 72.5 List of explosives and other dangerous articles.

(a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Change				
Compressed gases, n.o.s.	Nonf. G.	73.306, 73.305, 73.304, 73.302	Green	300 pounds.
Compressed gases, n.o.s.	F. G.	73.306, 73.305, 73.304, 73.302	Red Gas	300 pounds.
Perchloric acid *not in excess of 72 percent.*	Cor. L.	73.244, 73.269	White	5 pints.
Sodium chlorite solution (not exceeding 42 percent sodium chlorite).	Cor. L.	73.244, 73.263	White	4 gallons.
Add				
Aerosol products. See Compressed gases, n.o.s.				
Ammunition for small arms with incendiary projectiles.	Expl. A.	No exemption, 73.58		Not accepted.
Pressurized products. See Compressed gases, n.o.s.				
Cancel				
Ammunition for small arms with explosive bullets.	Expl. A.	No exemption, 73.58		Not accepted.

PART 73—SHIPPERS

In Part 73 Index, amend § 73.263 (29 F.R. 18669, Dec. 29, 1964) as follows:

73.263 Hydrochloric (muriatic) acid, hydrochloric (muriatic) acid mixtures, hydrochloric (muriatic) acid solution inhibited, sodium chlorite solution (not exceeding 42 percent sodium chlorite), and cleaning compounds, liquid, containing hydrochloric (muriatic) acid.

Subpart A—Preparation of Articles for Transportation by Carriers by Rail Freight, Rail Express, Highway, or Water

In § 73.22 amend the introductory text of paragraph (a); add paragraph (l) (29 F.R. 18672, Dec. 29, 1964) to read as follows:

§ 73.22 Specification containers prescribed.

(a) The shipper shall be responsible to determine that shipments of explosives and other dangerous articles are made in containers which, unless otherwise provided in this part (see § 73.9(c)), have been made, assembled with all parts or fittings in their proper place, and marked in compliance with applicable specifications prescribed in Parts 78 and 79 of this chapter or with specifications of the Commission in effect at date of manufacture of container. The shipper may accept the manufacturer's certification as evidence that the containers were manufactured in accordance with applicable specifications.

* * * * *

(l) Reusable molded polyethylene containers for use without overpack complying with spec. 34 (§ 78.19 of this chapter), manufactured prior to September 5, 1966, may be continued in service, provided they are plainly marked ICC–34, and embossed with maker's name or symbol, rated capacity, and month and year of manufacture.

* * * * *

In § 73.31 amend paragraphs (a)(4), (d)(2), (d)(7); in paragraph (d)(8) Retest Table 2 amend the 4th column heading reading, "Tank hydrostatic expansion" to read, "Tank hydrostatic expansion [d];" amend Retest Table 2 proper and add footnote [d] thereto; add paragraph (d)(9) (29 F.R. 18674, 18675, Dec. 29, 1964) (30 F.R. 5743, Apr. 23, 1965) to read as follows:

§ 73.31 Qualification, maintenance, and use of tank cars.

(a) * * *

(4) Tank cars and appurtenances may be used for the transportation of any commodity for which they are authorized. Tank cars proposed for a commodity service other than authorized, must be approved for such service by the Association of American Railroads' Committee on Tank Cars. Transfer of a tank car from one authorized service to another may be made only by the owner or owner's authorization. Classes ICC–105A–W, 109A–W, 111A–100–W–4, 112A–W, 114A–W tank cars may be used for any commodity for which they are approved by the Committee on Tank Cars and may be stenciled accordingly. When a tank car is stenciled to indicate that it is authorized for one commodity only, it must not be used for any other service.

(No change in Note 1.)

* * * * *

(d) * * *

(2) Each tank, except as provided in subparagraph (d)(9) of this section, must be subjected to the specified hydrostatic pressure and its permanent expansion determined. Pressure must be maintained for 30 seconds and as much longer as may be necessary to secure complete expansion of the tank. Pressure gauge must permit reading to an accuracy of 1 percent. Expansion gauge must permit reading of total expansion to an accuracy of 1 percent. Expansion must be recorded in cubic centimeters. Permanent volumetric expansion must not exceed 10 percent of total volumetric expansion at test pressure and tank must not leak or show evidence of distress.

* * * * *

(7) The month and year of test, followed by a "V" if visually inspected as described in subparagraph (d)(9) of this section, must be plainly and permanently stamped into the metal of one head or chime of each tank passing test; for example, 1–60 for January 1960. On ICC–107A**** tanks, the date must be stamped into the metal of the marked end; except that if all tanks mounted on a car have been tested, the date may be stamped into the metal of a plate permanently applied to the bulkhead on the "A" end of the car. Date of previous tests and all prescribed markings must be kept legible.

(8) * * *

RETEST TABLE 2

Specification	Retest interval—years		Retest pressure—p.s.i.		Safety relief valve pressure—p.s.i.	
	Tank	Safety relief devices	Tank hydrostatic expansion [4]	Tank air test	Start-to-discharge	Vapor tight
Add						
ICC-110A1000-W	5	2	1,000	100	750	600
* * *	* * *	* * *	* * *	* * *	* * *	* * *

* * * * * * *

[4] See § 73.31(d)(9).

(9) Tanks of ICC–106A and ICC–110A–W (§§ 79.300, 79.301, 79.302 of this chapter) specifications used exclusively for transporting fluorinated hydrocarbons and mixtures thereof which are free from corroding components may be given a periodic complete internal and external visual inspection in lieu of the periodic hydrostatic retest. Visual inspections shall be made only by competent persons. Acceptance or rejection of tanks shall be based upon the methods used for cylinders in Compressed Gas Association's Pamphlet C–6–1962, "Standards for Visual Inspection of Compressed Gas Cylinders"; [1] and the results shall be recorded on a suitable data sheet, the completed copies of which shall be kept by the owner as a permanent record. The points to be recorded and checked on these data sheets are: Date of inspection (month and year followed by a "V" to indicate visual inspection); ICC specification number; tank identification (registered symbol and serial number, date of manufacture and ownership symbol); type of protective coating (painted, etc., and statement as to need of refinishing or recoating); conditions checked (leakage, corrosion, gouges, dents or digs, broken or damaged chime or protective ring, fire, fire damage, internal condition); disposition of tank (returned to service, returned to manufacturer for repair, or scrapped).

* * * * *

In § 73.34 amend only that portion of paragraph (e)(10) which precedes the table (29 F.R. 18680, Dec. 29, 1964) to read as follows:

§ 73.34 Qualification, maintenance and use of cylinders.

* * * * *

(e) * * *

(10) Cylinders made in compliance with the specifications listed in the table below and used exclusively in the service indicated may, in lieu of the periodic hydrostatic retest, be given a complete external visual inspection at the time such periodic retest becomes due. External visual inspection as described in the Compressed Gas Association's "Standards for Visual Inspection of Compressed Gas Cylinders" (CGA Pamphlet C–6–1962) [1] will, in addition to the following requirements prescribed herein, meet the requirements for visual inspection:

[1] Available from the Compressed Gas Association, Inc., 500 Fifth Avenue, New York, N.Y.

(Table and remainder of paragraph remain the same.)

* * * * *

Subpart B—Explosives; Definitions and Preparation

In § 73.51 amend paragraph (q) (30 F.R. 5744, Apr. 23, 1965) to read as follows:

§ 73.51 Forbidden explosives.

* * * * *

(q) New explosives and explosive devices except samples for laboratory examination (see § 73.86) and military explosives of a security classification approved by the U.S. Army Materiel Command; Chief, Bureau of Naval Weapons, Department of the Navy; or Commander, Air Force Systems Command and Commander, Air Force Logistics Command, Department of the Air Force. All other new explosives must be approved for transportation by the Bureau of Explosives.

* * * * *

In § 73.53 amend paragraph (q) (29 F.R. 18684, Dec. 29, 1964) to read as follows:

§ 73.53 Definition of class A explosives.

* * * * *

(q) *Ammunition for small arms with explosive projectiles or incendiary projectiles.* Ammunition for small arms with explosive projectiles and ammunition for small arms with incendiary projectiles is fixed ammunition of caliber 20 millimeters to be used in machine guns or cannons, and consists of a metallic cartridge case, the primer and the propelling charge, with explosive projectile or incendiary projectile with or without detonating fuze; the component parts necessary for one firing being all in one assembly. Detonating fuzes, tracer fuzes, explosive or ignition devices or fuze parts with explosives contained therein must not be assembled in ammunition or included in the same outside package unless shipped by, for or to the Departments of the Army, Navy, and Air Force of the U.S. Government or unless of a type approved by the Commission.

* * * * *

In § 73.54 amend paragraph (a) (29 F.R. 18684, Dec. 29, 1964) to read as follows:

§ 73.54 Ammunition for cannon.

(a) Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles, or shell must be packed and properly secured in strong wooden or metal containers, or in plastic containers as listed on U.S. Army Materiel Command Drawing No. A–9205248, dated December 9, 1964.

* * * * *

In § 73.56 add paragraph (e)(1) (29 F.R. 18685, Dec. 29, 1964) to read as follows:

§ 73.56 Ammunition, projectiles, grenades, bombs, mines, gas mines, and torpedoes.

* * * * *

(e) * * *

(1) Explosive bombs packed more than one in shipping containers having gross weights not in excess of 1,400 pounds may be shipped by, for or to the Departments of the Army, Navy, and Air Force of the U.S. Government.

* * * * *

Revise entire § 73.58 (29 F.R. 18685, Dec. 29, 1964) to read as follows:

§ 73.58 Ammunition for small arms.

(a) Ammunition for small arms with explosive projectiles or incendiary projectiles must be well packed and properly secured in strong metal or wooden containers. The gross weight of the outside package must not exceed 175 pounds.

(b) Each outside package must be plainly marked "AMMUNITION FOR SMALL ARMS WITH EXPLOSIVE PROJECTILES," or "AMMUNITION FOR SMALL ARMS WITH INCENDIARY PROJECTILES," as the case may be.

(c) Ammunition for small arms with explosive projectiles or incendiary projectiles must not be offered for transportation by rail express, except as provided in §§ 73.86 and 75.675 of this chapter.

In § 73.66 amend paragraph (g)(1) (29 F.R. 18690, Dec. 29, 1964) to read as follows:

§ 73.66 Blasting caps, blasting caps with safety fuse, blasting caps with metal clad mild detonating fuse, and electric blasting caps.

* * * * *

(g) * * *

(1) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes (see § 73.67(a)(1), Note 1) or spec. 12H, 23F, or 23H (§§ 78.209, 78.214, or 78.219 of this chapter), fiberboard boxes, with inside containers which must be pasteboard cartons containing not more than 100 caps each, or pasteboard tube inclosing each cap with wires or with the wires wrapped around the tube. Gross weight of 103 pounds authorized for spec. 12H boxes when constructed of 350-pound test corrugated fiberboard in accordance with § 78.209–8(a)(3) of this chapter. Gross weight of wooden boxes containing pasteboard cartons or caps with wires 30 feet or more in length in pasteboard tubes must not exceed 150 pounds, except for export shipment. Gross weight of wooden boxes containing caps with wires

less than 30 feet in length in pasteboard tubes must not exceed 75 pounds.

* * * * *

In § 73.91 add paragraph (a)(6) (29 F.R. 18695, Dec. 29, 1964) to read as follows:

§ 73.91 Special fireworks.

(a) * * *

(6) Illuminating projectiles, incendiary projectiles, and smoke projectiles exceeding 90 pounds in weight each, or of not less than 4½ inches in diameter, may be shipped without being boxed only by, for, or to the Departments of the Army, Navy, and Air Force of the U.S. Government when securely blocked and braced in accordance with methods prescribed by the cognizant military departments and approved by the Commission.

(i) Illuminating projectiles, incendiary projectiles, and smoke projectiles less than 4½ inches in diameter may be shipped without being boxed, when palletized, only by, for, or to the Departments of the Army, Navy, and Air Force of the U.S. Government when securely blocked and braced in accordance with methods prescribed by the cognizant military departments and approved by the Commission.

* * * * *

In § 73.100 amend the introductory text of paragraph (b); amend paragraph (b)(2); add paragraph (b)(4) (29 F.R. 18697, Dec. 29, 1964) to read as follows:

§ 73.100 Definition of class C explosives.

* * * * *

(b) Small arms ammunition is fixed ammunition consisting of a metallic, plastic composition, or paper cartridge case, a primer, and a propelling charge, with or without bullet, projectile, shot, tear gas material, tracer components, or incendiary compositions, or mixtures, and is further limited to the following:

* * * * *

(2) Ammunition of caliber less than 20 millimeters with incendiary solid, inert or empty projectiles (with or without tracers), designed to be fired from machine guns or cannons.

(4) Twenty millimeter ammunition other than specified in § 73.53(q).

* * * * *

Subpart C—Flammable Liquids; Definition and Preparation

In § 73.119 amend paragraph (b)(9) (29 F.R. 18703, Dec. 29, 1964) to read as follows:

§ 73.119 Flammable liquids not specifically provided for.

* * * * *

(b) * * *

(9) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2S or 2SL (§ 78.35 or 78.35a of this chapter) polyethylene container. Authorized only for materials that will not react with polyethylene and result in container failure.

* * * * *

In § 73.126 amend paragraph (a) (29 F.R. 18706, Dec. 29, 1964) to read as follows:

§ 73.126 Nickel carbonyl.

(a) Nickel carbonyl must be packed in specification cylinders as prescribed for any compressed gas, except acetylene. Cylinders used exclusively for nickel carbonyl may be given a complete external visual inspection at the time periodic retest becomes due in lieu of the interior hydrostatic pressure test required by § 73.34(e). Visual inspection shall be in accordance with Compressed Gas Association's "Standards for Visual Inspection of Compressed Gas Cylinders" (CGA Pamphlet C–6–1962).[2]

* * * * *

In § 73.139 add paragraph (a)(5) (29 F.R. 18708, Dec. 29, 1964) to read as follows:

§ 73.139 Ethylene imine, inhibited, and propylene imine, inhibited.

(a) * * *

(5) Spec. 5A (§ 78.81 of this chapter). Metal barrels or drums not over 55-gallon capacity. Authorized for propylene imine, inhibited only.

Subpart D—Flammable Solids and Oxidizing Materials; Definition and Preparation

In § 73.154 add paragraph (a)(14) (29 F.R. 18710, Dec. 29, 1964) to read as follows:

§ 73.154 Flammable solids and oxidizing materials not specifically provided for.

(a) * * *

(14) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside polyethylene bottles not over 1-gallon capacity each. Not more than four 1-gallon polyethylene bottles shall be packed in one outside fiberboard box. Authorized only for materials which will not cause decomposition of polyethylene or container failure.

In § 73.157 cancel paragraph (a)(2) (29 F.R. 18710, Dec. 29, 1964) as follows:

§ 73.157 Benzoyl peroxide, chlorobenzoyl peroxide (para), cyclohexanone peroxide, dimethylhexane dihydroperoxide, lauroyl peroxide, or succinic acid peroxide, wet.

(a) * * *

(2) [Canceled]

* * * * *

In § 73.164 add paragraph (a)(6) (29 F.R. 18713, Dec. 29, 1964) to read as follows:

§ 73.164 Chromic acid.

(a) * * *

(6) Spec. 21C (§ 78.224 of this chapter). Fiber drums lined with a saran plastic material having a minimum thickness of 0.002 inch. Authorized net weight not over 115 pounds.

In § 73.182 amend paragraph (b)(6) (29 F.R. 18715, Dec. 29, 1964) to read as follows:

§ 73.182 Nitrates.

* * * * *

(b) * * *

(6) Spec. 44P (§ 78.241 of this chapter). All plastic bags. Authorized net weight not over 81 pounds. Authorized only for ammonium nitrate mixed fertilizer, and ammonium nitrate fertilizer containing 90 percent or more ammonium nitrate with no organic coating. (See § 74.532 and § 77.838 of this chapter for loading requirements.)

* * * * *

In § 73.239a amend paragraph (a)(2) (30 F.R. 5745, Apr. 23, 1965) to read as follows:

§ 73.239a Ammonium perchlorate.

(a) * * *

(2) Spec. 53 (§ 78.247 of this chapter). Aluminum portable tanks. (See §§ 74.534 and 77.834(g) of this chapter for loading and staying requirements.)

Subpart E—Acids and Other Corrosive Liquids; Definition and Preparation

In § 73.245 amend paragraph (a)(24); add paragraph (a)(26) (29 F.R. 18726, Dec. 29, 1964) to read as follows:

§ 73.245 Acids or other corrosive liquids not specifically provided for.

(a) * * *

(24) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2S, 2SL, or 2U (§§ 78.35, 78.35a, or 78.24 of this chapter) polyethylene container.

* * * * *

(26) Spec. 34 (§ 78.19 of this chapter). Polyethylene container without overpack, not over 30-gallons capacity.

In § 73.248 amend paragraphs (a)(4), (a)(5) (29 F.R. 18727, Dec. 29, 1964) to read as follows:

§ 73.248 Acid sludge, sludge acid, spent sulfuric acid, or spent mixed acid.

(a) * * *

(4) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200 and 79.201 of this chapter). Tank cars, provided the product is sufficiently liquid to be unloaded through the dome or manway. Tanks which do not contain products or contaminants that give off noxious or flammable vapors may be equipped with safety vents incorporating lead discs having a ⅛-inch breather hole in the center thereof.

(5) Spec. 103,[1] 103–W, 111A60–F–1, or 111A60–W–1 (§§ 79.200 and 79.201 of this chapter). Tank cars, provided the product is too viscous to be unloaded through the dome or manway. Tanks which do not contain products or contaminants that give off noxious or flammable vapors may be equipped with safety vents incorporating lead discs having a ⅛-inch breather hole in the center thereof.

* * * * *

In § 73.256 amend paragraph (a)(5) (30 F.R. 7421, June 5, 1965) to read as follows:

§ 73.256 Compounds, cleaning, liquid.

(a) * * *

(5) Spec. 6D or 21P (§ 78.102 or 78.225 of this chapter). Cylindrical steel over-

[2] (No change in Footnote 2.)

[1] (No change in Footnote 1.)

pack or fiber drum overpack with inside spec. 2U (§ 78.24 of this chapter) polyethylene container not over 15-gallons capacity.

In § 73.263 amend the Heading and paragraph (a)(22); add paragraph (a)(28) (29 F.R. 18731, 18732, Dec. 29, 1964) to read as follows:

§ 73.263 Hydrochloric (muriatic) acid, hydrochloric (muriatic) acid mixtures, hydrochloric (muriatic) acid solution, inhibited, sodium chlorite solution (not exceeding 42 percent sodium chlorite), and cleaning compounds, liquid, containing hydrochloric (muriatic) acid.

(a) * * *

(22) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2T, 2S, 2SL, or 2U (§§ 78.21, 78.35, 78.35a, or 78.24 of this chapter) polyethylene container.

* * * * *

(28) Spec. 34 (§ 78.19 of this chapter). Polyethylene container without overpack, not over 30-gallon capacity.

* * * * *

In § 73.265 amend paragraph (d)(5) (29 F.R. 18734, Dec. 29, 1964) to read as follows:

§ 73.265 Hydrofluosilicic acid.

* * * * *

(d) * * *

(5) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2S, 2SL, or 2U (§§ 78.35, 78.35a, or 78.24 of this chapter) polyethylene container.

In § 73.266 amend paragraphs (a)(2) (b)(3); add paragraph (b)(7) (29 F.R. 18734, Dec. 29, 1964) to read as follows:

§ 73.266 Hydrogen peroxide solution in water.

(a) * * *

(2) Spec. 42D (§ 78.109 of this chapter). Aluminum drums with vented closure in top head; not over 30 gallons capacity; side openings not permitted. Top head must be plainly marked "Keep This End Up" or "Keep Plug Up To Prevent Spillage."

(b) * * *

(3) Spec. 42D (§ 78.109 of this chapter). Aluminum drums with vented closure in top head; not over 55 gallons capacity. Top heads must be plainly marked "Keep This End Up" or "Keep Plug Up To Prevent Spillage."

* * * * *

(7) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2SL (§ 78.35a of this chapter) polyethylene container, not over 30 gallons capacity, or spec. 2U (§ 78.24 of this chapter) polyethylene container, not over 15 gallons capacity. The closures of the inside 2SL and 2U container must be vented to prevent accumulation of internal pressure and the head with the closure should be marked "Keep This End Up" or "Keep Plug Up To Prevent Spillage."

* * * * *

In § 73.272 amend paragraph (f)(5); add paragraph (f)(6) (29 F.R. 18738, Dec. 29, 1964) to read as follows:

§ 73.272 Sulfuric acid.

* * * * *

(f) * * *

(5) Spec. 21P (§ 78.225 of this chapter). Fiber drum overpack with inside spec. 2T or 2U (§ 78.21 or 78.24 of this chapter) polyethylene container not over 15-gallons capacity each.

(6) Spec. 34 (§ 78.19 of this chapter). Polyethylene container without overpack, not over 30-gallons capacity.

* * * * *

In § 73.277 add paragraph (a)(6) (29 F.R. 18739, Dec. 29, 1964) to read as follows:

§ 73.277 Hypochlorite solutions.

(a) * * *

(6) Spec. 34 (§ 78.19 of this chapter). Polyethylene container without overpack, not over 30-gallons capacity. Authorized for not over 16 percent sodium hypochlorite solution only.

* * * * *

Subpart F—Compressed Gases; Definition and Preparation

In § 73.301 add paragraph (d)(5); in paragraph (h) amend Table only to extent of adding "2Q" in the first column immediately following "ICC–2P" (29 F.R. 18743, 18744, Dec. 29, 1964) to read as follows:

§ 73.301 General requirements for shipment of compressed gases in cylinders.

* * * * *

(d) * * *

(5) Manifolding is authorized for cargo tanks of the following gas provided individual cargo tanks are equipped with the safety relief valves and gauging devices, as required by § 73.315 (h) and (i); and further provided, that each cargo tank is equipped with individual valve, or valves, which shall be tightly closed while in transit and that each such container must be separately charged: anhydrous ammonia.

* * * * *

In § 73.304 amend paragraph (a)(2) Table; amend paragraph (d)(3)(i) (29 F.R. 18746, Dec. 29, 1964) (30 F.R. 5747, Apr. 23, 1964) to read as follows:

§ 73.304 Charging of cylinders with liquefied compressed gas.

(a) * * *

(2) * * *

Kind of gas	Maximum permitted filling density (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 73.34(a), (b), § 73.301(j) (see notes following table)
Change	*Percent*	
Hydrogen chloride	65	ICC-3A1800; ICC-3AA1800; ICC-3AX1800; ICC-3AAX1800; ICC-3; ICC-3E1800.
Trifluorochloroethylene	115	ICC-3A300; ICC-3AA300; ICC-3B300; ICC-4A300; ICC-4B300; ICC-4BA300; ICC-3E1800.

* * * * * * * *

(d) * * *

(3) * * *

(i) Spec. 3,[1] 3A, 3AA, 3B, 3E, 4A, 4B, 4BA, 4B240ET, 4BW240, 4B240X,[1] (see Appendix A–1 to subpart C of Part 78 of this chapter), 4B240FLW, 4E, 4, 9, 25,[1] 26,[1] 38,[1] or 41 (§§ 78.36, 78.37, 78.38, 78.42, 78.49, 78.50, 78.51, 78.55, 78.61, 78.54, 78.68, 78.48, 78.63, or 78.67 of this chapter). Cylinders authorized under § 73.34 (a) and § 73.301(j) may be used.

In § 73.306 amend paragraphs (a) and (b) (29 F.R. 18747, 18748, Dec. 29, 1964) to read as follows:

§ 73.306 Exemptions from compliance with regulations for shipping compressed gas.

(a) *General exemptions.* Compressed gases, except poisonous gases as defined by § 73.326(a) and except those for which no exemptions are provided as indicated by the "No exemption" statement in § 72.5 of this chapter, when in accordance with one of the following subparagraphs are, unless otherwise provided, exempt from specification packaging, marking, and labeling requirements, except that marking name of contents on outside container is required for shipments via carrier by water. Shipments for transportation by highway carriers are exempt also from Part 77 of this chapter, except § 77.817, and Part 197 of this chapter.

(1) When in containers of not more than 4 fluid ounces water capacity (7.22 cubic inches or less).

(2) When in metal containers filled with nondangerous material to not over 90 percent capacity at 70° F. then charged with nonflammable, nonliquefied gas; each container must be tested to three times the gas pressure at 70° F., and, when refilled, each container must be retested to 3 times the gas pressure at 70° F. provided one of the following conditions is met:

(i) Container is not over 1 quart capacity charged to not over 170 p.s.i.g. at 70° F.

(ii) Container is not over 30 gallons capacity charged to not over 75 p.s.i.g. at 70° F.

(3) When in inside nonrefillable metal containers charged with a solution of materials and compressed gas or gases which is nonpoisonous, provided all of the following conditions are met:

(i) Capacity must not exceed 50 cubic inches (27.7 fluid ounces). See Note 1.

(ii) Pressure in the container must not exceed 180 p.s.i.g. at 130° F. If the

[1] (No change in Footnote 1.)

pressure exceeds 140 p.s.i.g. at 130° F., but does not exceed 160 p.s.i.g. at 130° F., a specification ICC 2P inside metal container must be used; if the pressure exceeds 160 p.s.i.g. at 130° F., a specification ICC 2Q inside metal container must be used. In any event, the metal container must be capable of withstanding without bursting a pressure of one and one-half times the equilibrium pressure of the content at 130° F.

(iii) Liquid content of the material and gas must not completely fill the container at 130° F.

(iv) If the content is flammable, the flash point must not be less than 20° F.

(v) Each completed container filled for shipment must have been heated until the pressure in the container is equivalent to the equilibrium pressure of the content at 130° F. without evidence of leakage, distortion, or other defect.

NOTE 1: Compressed gases contained in nonrefillable inside metal containers exceeding 35 cubic inches (19.3 fluid ounces) but not exceeding 50 cubic inches (27.7 fluid ounces) packaged in accordance with subparagraph (a)(3) of this section shall be packaged in outside containers marked with the name of contents and labeled as prescribed in §§ 73.401 and 73.402, respectively. Each outside shipping container shall also be plainly marked, "Inside Containers Comply With Prescribed Regulations."

(b) *Exemptions for foodstuffs, soap, cosmetics, beverages, biologicals, electronic tubes and audible fire alarm systems.* Compressed gases, except poisonous gases as defined by § 73.326(a) and except those for which no exemptions are provided as indicated by the "No exemption" statement in § 72.5 of this chapter, when in accordance with one of the following subparagraphs are, unless otherwise provided, exempt from specification packaging, marking and labeling requirements, except that marking name of contents on outside container is required for shipments via carrier by water. Shipments for transportation by highway carriers are exempt also from Part 77 of this chapter, except § 77.817, and Part 197 of this chapter.

(1) Carbonated beverages.

(2) Foodstuffs or soaps in nonrefillable metal containers not exceeding 50 cubic inch capacity (27.7 fluid ounces) (see Note 1), with soluble or emulsified compressed gas, provided the pressure in the container does not exceed 140 p.s.i.g. at 130° F. The metal container must be capable of withstanding without bursting a pressure of one and one-half times the equilibrium pressure of the content at 130° F.

NOTE 1: Compressed gases contained in nonrefillable inside metal containers exceeding 35 cubic inches (19.3 fluid ounces) but not exceeding 50 cubic inches (27.7 fluid ounces) packaged in accordance with subparagraph (b)(2) of this section shall be packaged in outside containers marked with the name of contents and labeled as prescribed in §§ 73.401 and 73.402, respectively. Each outside shipping container shall also be plainly marked, "Inside Containers Comply With Prescribed Regulations."

(3) Cream in refillable metal containers with soluble or emulsified compressed gas. Containers shall be of such design that they will hold pressure without permanent deformation up to 375 psig and shall be equipped with a device designed so as to release pressure without bursting of the container or dangerous projection of its parts at higher pressures. This exemption applies to shipments offered for transportation by refrigerated motor vehicles only.

(4) Inside nonrefillable metal containers charged with a solution containing biological products or a medical preparation which will be deteriorated by heat, and compressed gas or gases, which is nonpoisonous and nonflammable, and of capacity not to exceed 35 cubic inches (19.3 fluid ounces). Pressure in the container not to exceed 140 p.s.i.g., at 130° F., and the liquid content of the product and gas must not completely fill the containers at 130° F. One completed container out of each lot of 500 or less, filled for shipment, must be heated, until the pressure in the container is equivalent to the equilibrium pressure of the content at 130° F., without evidence of leakage, distortion, or other defect.

(5) Electronic tubes of not more than 30 cubic-inch volume charged with gas to a pressure of not more than 35 p.s.i.g.

(6) Inside metal containers of a capacity not to exceed 35 cubic inches (19.3 fluid ounces), charged with nonflammable, nonpoisonous liquefied compressed gas to be used in conjunction with audible fire alarm systems. Pressure in the container must not exceed 70 p.s.i.g. at 70° F. The completely assembled container must be capable of withstanding without bursting a pressure of 1,000 p.s.i.g. The liquid portion of the gas must not completely fill the container at 130° F.

* * * * *

In § 73.314 amend paragraph (c) Table (30 F.R. 7422, June 5, 1965) as follows:

§ 73.314 Requirements for compressed gases in tank cars.

* * * * *

(c) * * *

Kind of gas	Maximum permitted filling density, Note 1	Required tank car, see § 73.31 (a) (2) and (3)
Change	*Percent*	
Vinyl chloride; Note 9	84	ICC-106A500-X, Note 7.
	87	ICC-105A200-W, Notes 4 and 16.
	86	ICC-112A340-W, Note 4.
* * *	* * *	* * *

* * * * * * *

In § 73.315 add paragraph (b)(1); amend paragraph (k) (29 F.R. 18751, 18753, Dec. 29, 1964) to read as follows:

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

* * * * *

(b) * * *

(1) Odorization. All liquefied petroleum gas shall be effectively odorized as required in Note 2 of this paragraph to indicate positively, by a distinctive odor, the presence of gas down to a concentration in air of not over one-fifth the lower limit of combustibility: *Provided, however,* That odorization is not required if harmful in the use or further processing of the liquefied petroleum gas.

NOTE 1: The lower limits of combustibility of the more commonly used liquefied petroleum gases are: Propane, 2.15 percent: Butane, 1.55 percent. These figures represent volumetric percentages of gas-air mixtures in each case.

NOTE. 2: The use of 1.0 pound of ethyl mercaptan, 1.0 pound of thiophane, or 1.4 pounds of amyl mercaptan per 10,000 gallons of liquefied petroleum gas shall be considered sufficient to meet the requirements of § 73.315(b)(1). (This note does not exclude the use of any other odorant in sufficient quantity to meet the requirements of § 73.315(b)(1).)

* * * * *

(k) For manifolding of cargo tank containers see § 73.301(d).

Subpart G—Poisonous Articles; Definition and Preparation

In § 73.334 amend the introductory text of paragraphs (a), and (a)(1) (29 F.R. 18755, Dec. 29, 1964) to read as follows:

§ 73.334 Hexaethyl tetraphosphate, parathion, tetraethyl dithio pyrophosphate, tetraethyl pyrophosphate, or other class B poison organic phosphate mixtures, n.o.s., mixed with compressed gas.

(a) Hexaethyl tetraphosphate, parathion, tetraethyl dithio pyrophosphate, tetraethyl pyrophosphate, or other class B poison organic phosphate mixtures, n.o.s., mixed with compressed gas, containing not more than 20 percent by weight of hexaethyl tetraphosphate, parathion, tetraethyl dithio pyrophosphate, tetraethyl pyrophosphate, or other class B poison organic phosphate mixtures, n.o.s., must be packed in specification containers as follows:

(1) Spec. 3A300, 3AA300, 3B300, 4A300, 4B240, or 4BA240 (§§ 78.36, 78.37, 78.38, 78.49, 78.50, and 78.51 of this chapter). Metal cylinders, charged with not more than 10 pounds of the mixture and to a maximum filling density of 80 percent of the water capacity. Cylinders must not be equipped with eduction tubes or fusible plugs. Valves must be of a type approved by the Bureau of Explosives.

* * * * *

In § 73.369 amend paragraphs (a)(13), (a)(14), without changing footnote 1, (29 F.R. 18763, Dec. 29, 1964) to read as follows:

§ 73.369 Carbolic acid (phenol), not liquid.

(a) * * *

(13) Spec. 103[1], 103–W, 103AL–W, 103A[1], 103A–W, 103A–AL–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, 111A–100–W–2 or 111A100–W–3 (§§ 79.200, 79.201 of this chapter). Tank cars.

(i) Tank cars must not be entirely filled. Sufficient interior space must be left vacant to prevent leakage from or distortion due to the contents liquefying and expanding from increase of temperature during transit.

(ii) Solid phenol must not be loaded into domes of tank cars.

(iii) In tank cars, outage must be calculated to percentage of the total capacity of the tank, i.e., shell and dome capacity combined. If the dome of the tank car does not provide sufficient outage, then vacant space must be left in the shell to make up the required outage.

(iv) The outage for tank cars must not be less than one percent.

(14) Spec. MC 300, MC 301[1], MC 302, MC 303, MC 305, MC 310 or MC 311 (§ 78.321, 78.323, 78.324, 78.326, 78.330, or 78.331 of this chapter). Tank motor vehicles.

(i) No cargo tank or compartment thereof shall be completely filled; sufficient space shall be left vacant in every case to prevent leakage from or distortion of any such cargo tank by expansion of the contents due to rise in temperature in transit, and such free space (outage) shall be sufficient in every case so that such cargo tank shall not become entirely filled with the commodity at 130° F.

* * * * *

In § 73.370 amend paragraph (a) (12) (29 F.R. 18763, Dec. 29, 1964) to read as follows:

§ 73.370 Cyanides, or cyanide mixtures, except cyanide of calcium and mixtures thereof.

(a) * * *

(12) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes constructed of at least 275-pound test double-faced fiberboard and provided with a perimeter liner and bottom pad of at least 200-pound test fiberboard. Boxes constructed of at least 350-pound fiberboard having top and bottom pads shall not require perimeter liner. Products must be contained within a tightly closed polyethylene or other equally efficient plastic container constructed of material having minimum thickness of 0.004 inch. Not more than 25 pounds net weight of product may be packed in one outside box.

* * * * *

PART 74—CARRIERS BY RAIL FREIGHT

Subpart A—Loading, Unloading, Placarding and Handling Cars; Loading Packages Into Cars

In § 74.527 amend paragraph (a) (29 F.R. 18777, Dec. 29, 1964) to read as follows:

§ 74.527 Forbidden mixed loading and storage.

(a) Explosives class A and initiating or priming explosives must not be transported together in the same rail car. Additionally, they must not be transported, loaded or stored on carrier property with charged electric storage batteries or with any other dangerous article for which red, yellow, green, white (acid or corrosive liquid) or radioactive material labels are prescribed in these regulations.

* * * * *

Subpart B—Loading and Storage Chart of Explosives and Other Dangerous Articles

In § 74.538 paragraph (a) Chart, amend item "e" in vertical and horizontal columns (29 F.R. 18780, Dec. 29, 1964) to read as follows:

§ 74.538 Loading and storage chart of explosives and other dangerous articles.

(a) * * *

e. Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles or shell; ammunition for small arms with incendiary projectiles; ammunition for small arms with explosive projectiles; rocket ammunition with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles; boosters (explosive); bursters (explosive); and supplementary charges (explosive) without detonators [c, d].

* * * * *

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Subpart C—Loading and Storage Chart of Explosives and Other Dangerous Articles

In § 77.848 paragraph (a) Chart, amend item "e" in vertical and horizontal columns (29 F.R. 18805, Dec. 29, 1964) to read as follows:

§ 77.848 Loading and storage chart of explosives and other dangerous articles.

(a) * * *

e. Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles or shell; ammunition for small arms with incendiary projectiles; ammunition for small arms with explosive projectiles; rocket ammunition with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles; boosters (explosive); bursters (explosive); and supplementary charges (explosive) without detonators [c, d].

* * * * *

PART 78—SHIPPING CONTAINER SPECIFICATIONS

In Part 78 Index, add §§ 78.19, 78.33a, 78.61, 78.225, 78.241; amend § 78.33 and Subpart G (29 F.R. 18812, 18813, Dec. 29, 1964) to read as follows:

78.19 Specification 34; reusable molded polyethylene container for use without overpack.
78.33 Specification 2P; inside nonrefillable metal containers.
78.33a Specification 2Q; inside nonrefillable metal containers.
78.61 Specification 4BW; welded steel cylinders made of definitely prescribed steels with electric-arc welded longitudinal seam.
78.225 Specification 21P; fiber drum overpack for inside plastic container.
78.241 Specification 44P; all-plastic bags.

Subpart A—Specifications for Carboys, Jugs in Tubs, and Rubber Drums

Add § 78.19 (29 F.R. 18823, Dec. 29, 1964) to read as follows:

§ 78.19 Specification 34; reusable molded polyethylene container for use without overpack. Removable head not authorized.

§ 78.19–1 Compliance.

(a) Required in all details.

§ 78.19–2 Material.

(a) Containers shall be made of polyethylene which shall have the following properties, as determined by the American Society for Testing Materials (ASTM) methods designated. Tests shall be performed on resin with additives included:

Property	Specification	ASTM method
Melt index	1.2 maximum	D 1238 (62T).
Density range	0.941–0.965	D 1505 (63T).
Tensile strength	3,000 p.s.i. minimum.	D 638 (61T).
Percent elongation.	75 percent minimum.	D 638 (61T).

(b) Ultraviolet light protection shall be provided by impregnation of polyethylene with carbon black or other equally efficient pigments or inhibitors. These additives must be compatible with lading and must retain their effectiveness for the life of the container.

(c) Other materials may be added provided they do not adversely affect the physical properties specified in paragraph (a) of this section or the performance specified in § 78.19–7.

§ 78.19–3 Construction and capacity.

(a) Container must be constructed in accordance with the following table:

Marked (rated) capacity not over (gallons)[1]	*Minimum thickness (inches) measured on any point of container*
2½ thru 6½	0.045
15	.075
30	.125

[1] Minimum actual capacity shall not be less than rated capacity plus 4 percent. Maximum actual capacity shall not be greater than rated capacity plus 15 percent for containers up to 15 gallons and shall not be greater than rated capacity plus 10 percent for containers 15 gallons and over.

§ 78.19–4 Closure.

(a) Openings shall not exceed 2.7 inches in diameter.

[1] (No change in footnote 1.)

(b) Closures shall be of material resistant to lading and adequate to prevent leakage under tests prescribed in § 78.19–7 and under conditions incident to transportation.

(c) Vented closures where specified in Part 73 of this chapter are authorized.

§ 78.19–5 Defective containers.

(a) Containers with repaired bodies not authorized.

§ 78.19–6 Marking.

(a) Each container must be permanently marked by embossment in letters and figures at least ½ inch in size as follows:

(1) ICC–34**; stars to be replaced by the rated capacity of the container (for example, ICC–34–5). These marks shall be understood to certify that the container complies with all specification requirements.

(2) Month and year of manufacture; name of maker or maker's symbol (symbol, if used, must be registered with the Bureau of Explosives). For example, ICC–34–5–6/65 to indicate a container of 5 gallons capacity made in June 1965.

§ 78.19–7 Tests.

(a) At least three samples taken at random, filled and prepared as specified and closed as for use, shall be capable of withstanding the tests in subparagraphs (1), (2), and (3) of this paragraph without leakage. These tests shall be performed at the start of initial production and at 4-month intervals and shall be repeated on any change of type, size, materials, or process method. No single container shall be expected to withstand more than one of the following tests:

(1) The container filled to 98 percent capacity with water shall be dropped from a height of 4 feet onto solid concrete so as to drop diagonally on top edge or any part constructed to a lesser strength.

(2) The container filled to 98 percent capacity with a solution compatible with polyethylene and which remains liquid at 0° F. shall be dropped from a height of 4 feet onto solid concrete on any part of the container when container and contents are at or slightly below 0° F. Filled container shall be stored at 0° F. or lower temperature for at least 4 hours immediately preceding test.

(3) The container shall be tested by retaining for 5 minutes hydrostatic pressure of at least 15 pounds per square inch at equilibrium without showing pressure drop or evidence of leakage.

(b) At least three containers taken at random from each continuous production lot of no more than 1,000 containers of each given type and size shall withstand without leakage or failure the test prescribed in § 78.19–7(a)(2).

(c) At least three containers of each size and type taken at random at start of initial production, and upon any change in materials, design, or process method shall withstand without failure or leakage the following tests. No single container shall be expected to withstand more than one test:

(1) The container filled to 98 percent of capacity with water shall be capable of withstanding a vibration test by placing the container on the vibration table anchored in such manner that all horizontal motion shall be restricted and only vertical motion allowed. The test shall be performed for one hour using an amplitude of one inch at a frequency that causes the test container to be raised from the floor of the table to such a degree that a piece of paper or flat steel strap or tape can be passed between the table and the container.

(2) The container filled to 98 percent capacity with water shall withstand the following static compression test without buckling of the side walls sufficient to cause damage, but in no case shall the maximum top to bottom deflection be more than one inch. Compression shall be applied to the load bearing areas of the top of the container for a period of not less than 48 hours.

Marked (rated) capacity (gallons)	*Compression test (pounds)*
2½ thru 6½	600
15	1,200
30	1,800

(d) Records of test results to be maintained in current status and retained by each manufacturer at each producing plant.

In § 78.33 amend the Heading; in §78.33–2 amend paragraph (b); in § 78.33–6 amend paragraphs (b)(2), (c); in § 78.33–7 amend paragraph (a); in § 78.33–8 amend paragraphs (a) and (b), cancel paragraph (c); in § 78.33–9 amend paragraph (a) (29 F.R. 18825, Dec. 29, 1964) to read as follows:

§ 78.33 Specification 2P; inside nonrefillable metal containers.

* * * * *

§ 78.33–2 Type and size.

* * * * *

(b) The maximum capacity of containers in this class shall not exceed 50 cubic inches (27.7 fluid ounces). The maximum inside diameter shall not exceed 3 inches.

* * * * *

§ 78.33–6 Manufacture.

* * * * *

(b) * * *

(2) Side seams: By welding, brazing, or soldering.

(c) Ends: The ends shall be of pressure design.

§ 78.33–7 Wall thickness.

(a) The minimum wall thickness for any container shall be 0.007 inch.

§ 78.33–8 Tests.

(a) One out of each lot of 25,000 containers or less, successively produced per day shall be pressure tested to destruction and must not burst below 240 pounds per square inch gauge pressure. The container tested shall be complete with end assembled.

(b) Each such 25,000 containers or less, successively produced per day, shall constitute a lot and if the test container shall fail, the lot shall be rejected or ten additional containers may be selected at random and subjected to the test under which failure occurred. These containers shall be complete with ends assembled. Should any of the ten containers thus tested fail, the entire lot must be rejected. All containers constituting a lot shall be of like material, size, design, construction, finish, and quality.

(c) [Canceled]

§ 78.33–9 Marking.

(a) On each container by printing, lithographing, embossing, or stamping "ICC 2P" and manufacturer's name or symbol. If symbol is used, it must be registered with the Bureau of Explosives.

Add § 78.33a (29 F.R. 18825, Dec. 29, 1964) to read as follows:

§ 78.33a Specification 2Q, inside nonrefillable metal containers.

§ 78.33a–1 Compliance.

(a) Required in all details.

§ 78.33a–2 Type and size.

(a) Single-trip inside containers. Must be seamless, or with seams welded, soldered, brazed, double seamed, or swedged.

(b) The maximum capacity of containers in this class shall not exceed 50 cubic inches (27.7 fluid ounces). The maximum inside diameter shall not exceed 3 inches.

§ 78.33a–3 Inspection.

(a) By competent inspector.

§ 78.33a–4 Duties of inspector.

(a) To inspect material and completed containers and witness tests, and to reject defective materials or containers.

§ 78.33a–5 Material.

(a) Uniform quality steel plate such as black plate, electrotin plate, hot dipped tinplate, ternplate or other commercially accepted can making plate; or nonferrous metal of uniform drawing quality.

(b) Material with seams, cracks, laminations or other injurious defects not authorized.

§ 78.33a–6 Manufacture.

(a) By appliances and methods that will assure uniformity of completed containers; dirt and scale to be removed as necessary; no defect acceptable that is likely to weaken the finished container appreciably; reasonably smooth and uniform surface finish required.

(b) Seams when used must be as follows:

(1) Circumferential seams. By welding, swedging, brazing, soldering, or double seaming.

(2) Side seams. By welding, brazing or soldering.

(c) Ends. The ends shall be of pressure design.

§ 78.33a–7 Wall thickness.

(a) The minimum wall thickness for any container shall be 0.008 inch.

§ 78.33a–8 Tests.

(a) One out of each lot of 25,000 containers or less, successively produced per day, shall be pressure tested to destruction and must not burst below 270 pounds per square inch gauge pressure. The container tested shall be complete with end assembled.

(b) Each such 25,000 containers or less, successively produced per day, shall constitute a lot and if the test container shall fail, the lot shall be rejected or ten additional containers may be selected at random and subjected to the test under which failure occurred. These containers shall be complete with ends assembled. Should any of the ten containers thus tested fail, the entire lot must be rejected. All containers constituting a lot shall be of like material, size, design, construction, finish and quality.

§ 78.33a–9 Marking.

(a) On each container by printing, lithographing, embossing, or stamping "ICC 2Q" and manufacturer's name or symbol. If symbol is used, it must be registered with the Bureau of Explosives.

Subpart C—Specifications for Cylinders

In § 78.37–5 amend the introductory text of paragraph (a); amend Note 1 and add Note 3 to paragraph (a) Table (29 F.R. 18844, Dec. 29, 1964) to read as follows:

§ 78.37 Specification 3AA; seamless steel cylinders made of definitely prescribed steels or 3AAX; seamless steel cylinders made of definitely prescribed steels of capacity over 1,000 pounds water volume.

§ 78.37–5 Authorized steel.

(a) Open-hearth steel or at least equivalent of uniform quality (see Note 3). The following chemical analyses are authorized (see Note 1):

NOTE 1: A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

* * * * *

NOTE 3: The use of basic oxygen process steel is restricted to cylinders made by the billet piercing process of 4130X steel without welded attachments.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.02	0.03
	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
	Over 0.60 to 1.15 incl	.04	.04
	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Nickel	To 1.00 incl	.03	.03
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40	.02	.02
Zirconium	All ranges	.01	.05

[1] Rephosphorized steels not subject to check analysis for phosphorus. (No change in Note 2.)

In § 78.44–5 amend Note 1 to paragraph (a) Table (29 F.R. 18844, Dec. 29, 1964) to read as follows:

§ 78.44 Specification 3HT; inside containers, seamless steel cylinders for aircraft use made of definitely prescribed steel.

§ 78.44–5 Authorized steel.

(a) * * *

NOTE 1: A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02

[1] Rephosphorized steels not subject to check analysis for phosphorus. (No change in Note 2.)

In § 78.47–5 add Note 1 to paragraph (a) Table (29 F.R. 18847, Dec. 29, 1964) to read as follows:

§ 78.47 Specification 4DS; inside containers, welded stainless steel for aircraft use.

§ 78.47–5 Steel.

(a) * * *

NOTE 1: A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.01	0.01
Manganese	Over 1.15 to 2.50 incl	0.05	0.05
Phosphorus [1]	All ranges		0.01
Sulphur	All ranges		0.01
Silicon	Over 0.30 to 1.00 incl	0.05	0.05
Nickel	Over 5.30 to 10.00 incl	0.10	0.10
	Over 10.00 to 14.00 incl	0.15	0.15
Chromium	Over 15.00 to 20.00 incl	0.20	0.20
Titanium	All ranges	0.05	0.05
Columbium	All ranges	0.05	0.05

[1] Rephosphorized steels not subject to check analysis for phosphorus.

In § 78.48–5 amend paragraph (a) (29 F.R. 18849, Dec. 29, 1964) to read as follows:

§ 78.48 Specification 4; forge welded steel cylinders.

§ 78.48–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.25; phosphorus, 0.045; sulphur,

0.050: *Provided*, That Bessemer steel with phosphorus not over 0.11 percent is authorized when carbon content is 0.20 percent or less.

In § 78.49–5 amend paragraph (a) (29 F.R. 18851, Dec. 29, 1964) to read as follows:

§ 78.49 Specification 4A; forge welded steel cylinders.

§ 78.49–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.25; phosphorus, 0.045; sulphur, 0.050.

In § 78.51–20 amend Footnote 1 to paragraph (a) Table I (29 F.R. 18858, Dec. 29, 1964) to read as follows:

§ 78.51 Specification 4BA; welded or brazed steel cylinders made of definitely prescribed steels.

§ 78.51–20 Authorized steel.

(a) * * *

[1] A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.02	0.03
	Over 0.15 to 0.40 incl	0.03	0.04
Manganese	To 0.60 incl	0.03	0.03
	Over 0.60 to 1.15 incl	0.04	0.04
	Over 1.15 to 2.50 incl	0.05	0.05
Phosphorus [1]	All ranges		0.01
Sulphur	All ranges		0.01
Silicon	To 0.30 incl	0.02	0.03
	Over 0.30 to 1.00 incl	0.05	0.05
Copper	To 1.00 incl	0.03	0.03
	Over 1.00 to 2.00 incl	0.05	0.05
Nickel	To 1.00 incl	0.03	0.03
	Over 1.00 to 2.00 incl	0.05	0.05
Chromium	To 0.90 incl	0.03	0.03
	Over 0.90 to 2.10 incl	0.05	0.05
Molybdenum	To 0.20 incl	0.01	0.01
	Over 0.20 to 0.40 incl	0.02	0.02
Zirconium	All ranges	0.01	0.05
Columbium	To 0.04 incl	0.005	0.01
Aluminum	Over 0.10 to 0.20 incl	0.04	0.04
	Over 0.20 to 0.30 incl	0.05	0.05

[1] Rephosphorized steels not subject to check analysis for phosphorus. (No change in remaining footnotes.)

In § 78.52–5 amend paragraph (a) (29 F.R. 18859, Dec. 29, 1964) to read as follows:

§ 78.52 Specification 4C; welded and brazed steel cylinders.

§ 78.52–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.25; phosphorus, 0.045; sulphur, 0.050.

In § 78.53–5 add Note 1 to paragraph (a) Table (29 F.R. 18861, Dec. 29, 1964) to read as follows:

§ 78.53 Specification 4D; inside containers, welded steel for aircraft use.

§ 78.53–5 Steel.

(a) * * *

NOTE. 1: A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.01	0.01
	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to .00 incl	.05	.05
Nickel	Over 5.30 to 10.00 incl	.10	.10
	Over 10.00 to 14.00 incl	.15	.15
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02
	Over 1.75 to 3.00 incl	.10	.10
Titanium	All ranges	.05	.05
Columbium	All ranges	.05	.05

[1] Rephosphorized steels not subject to check analysis for phosphorus.

In § 78.55–5 amend paragraph (a) (29 F.R. 18866, Dec. 29, 1964) to read as follows:

§ 78.55 Specification 4B240ET; welded and brazed cylinders made from electric resistance welded tubing.

§ 78.55–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Plain carbon steel content percent for the following not over: Carbon, 0.25; phosphorus, 0.045; sulfur, 0.050. The addition of other elements for alloying effect is prohibited.

In § 78.56–20 amend Footnote 1 to paragraph (a) Table I (29 F.R. 18871, Dec. 29, 1964) to read as follows:

§ 78.56 Specification 4AA480; welded steel cylinders made of definitely prescribed steels.

§ 78.56–20 Authorized steel.

(a) * * *

[1] A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.02	0.03
	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
	Over 0.60 to 1.15 incl	.04	.04
	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Copper	To 1.00 incl	.03	.03
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02
Zirconium	All ranges	.01	.05

[1] Rephosphorized steels not subject to check analysis for phosphorus. (No change in remaining footnotes.)

In § 78.57–21 add Note 1 to paragraph (a) Table (29 F.R. 18874, Dec. 29, 1964) to read as follows:

§ 78.57 Specification 4L; welded cylinders insulated.

§ 78.57–21 Authorized steels.

(a) * * *

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.01	0.01
Manganese	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Nickel	Over 5.30 to 10.00 incl	.10	.10
Chromium	Over 15.00 to 20.00 incl	.20	.20

[1] Rephosphorized steels not subject to check analysis phosphorus.

In § 78.58–5 amend Note 1 to paragraph (a) (29 F.R. 18875, Dec. 29, 1964) to read as follows:

§ 78.58 Specification 4DA; inside containers, welded steel for aircraft use.

§ 78.58–5 Steel.

(a) * * *

NOTE 1: A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	Over 0.15 to 0.40 incl	0.03	0.04
Manganese	To 0.60 incl	.03	.03
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02

[1] Rephosphorized steels not subject to check analysis for phosphorus.

In § 78.60–4 amend Footnote 1 to paragraph (a) Table I (29 F.R. 18881, Dec. 29, 1964) to read as follows:

§ 78.60 Specification 8AL; steel cylinders with approved porous filling for acetylene.

§ 78.60–4 Authorized steel.

(a) * * *

[1] A heat of steel made under the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded except as approved by the Commission.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.02	0.03
	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
	Over 0.60 to 1.15 incl	.04	.04
	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 1.00 incl	.05	.05
Copper	To 1.00 incl	.03	.03
	Over 1.00 to 2.00 incl	.05	.05
Nickel	To 1.00 incl	.03	.03
	Over 1.00 to 2.00 incl	.05	.05
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02
Zirconium	All ranges	.01	.05
Columbium	To 0.04 incl	.005	.01
Aluminum	Over 0.10 to 0.20 incl	.04	.04
	Over 0.20 to 0.30 incl	.05	.05

[1] Rephosphorized steels not subject to check analysis for phosphorus. (No change in remaining footnotes.)

Add § 78.61 (29 F.R. 18884, Dec. 29, 1964) to read as follows:

§ 78.61 Specification 4BW; welded steel cylinders made of definitely prescribed steels with electric-arc welded longitudinal seam.

§ 78.61–1 Compliance.

(a) Required in all details.

§ 78.61–2 Type, size and service pressure.

(a) Must be welded type with longitudinal electric-arc welded seam not over 1,000 pounds water capacity (nominal); service pressure at least 225 and not over 500 pounds per square inch gauge. Cylinders closed in by spinning process not authorized.

§ 78.61–3 Inspection by whom and where.

(a) By competent inspector; chemical analyses and tests, as specified, to be made within limits of the United States. Interested inspectors are authorized.

§ 78.61–4 Duties of inspector.

(a) Inspect all material and reject any not complying with requirements of this specification.

(b) Verify chemical analysis of each heat of material by analysis or by obtaining certified analysis: *Provided*, That a certificate from the manufacturer thereof, giving sufficient data to indicate compliance with requirements is acceptable when verified by check analyses of samples taken from one cylinder out of each lot of 200 or less.

(c) Verify compliance of cylinders with specification requirements including: markings; condition of inside; tests; threads; heat treatment. Obtain samples for all tests, and check chemical analyses, witness all tests; report volumetric capacity, tare weight (see report form), and minimum thickness of wall noted.

(d) Render complete report (§ 78.61–21) to purchaser, cylinder maker, and the Bureau of Explosives.

§ 78.61–5 Authorized steel.

(a) Open hearth, electric or basic oxygen steel of uniform quality. The following chemical analyses are authorized except as provided in paragraph (b) of this section. (See footnote 1 of the following table.)

TABLE I—AUTHORIZED MATERIALS

[1] A heat of steel made under any of the above specifications, check chemical analysis of which is slightly out of the specified range, is acceptable, if satisfactory in all other respects, provided the tolerances shown in the following table are not exceeded, except as approved by the Commission.

Designation	Chemical analysis—limits in percent												
	1315 [2 4]	HIS [2 4]	MAY [2 4]	NAX-1 [2 4]	COR [2 4]	NAX-2 [2 4 5]	SCX [2 4]	4017 [2 4]	OTY [2 4 5]	RDT [2 4 5 6]	YOL [2 4 5 6]	DYNA [2 4 5 6]	Fine-grain high strength [2 4 5]
Carbon	0.10/0.20	0.12 max.	0.12 max.	0.20 max.	0.12 max.	0.20 max.	0.20 max.	0.13/0.20	0.15 max.	0.12 max.	0.15 max.	0.15 max.	0.24 max.
Manganese	1.10/1.65	0.50/0.90	0.50/1.00	0.45/0.75	0.20/0.50	0.50/1.00	0.60/1.00	0.75/1.10	0.90/1.40	0.50/1.00	0.30/0.60	0.60/1.00	0.50/1.00.
Phosphorus	0.045 max.	0.05/0.12	0.12 max.	0.045 max.	0.07/0.15	0.045 max.	0.045 max.	0.04 max.	0.09/0.135	0.040 max.	0.04 max.	0.05/0.100	0.04 max.
Sulfur	0.05 max.	0.05 max.	0.05 max.	0.05 max.	0.05 max.	0.045 max.	0.045 max.	0.04 max.	0.04 max.	0.050 max.	0.05 max.	0.05 max.	0.05 max.
Silicon	0.15/0.35	0.15 max.	0.10/0.50	0.50/0.90	0.25/0.75	0.50/0.90	0.15/0.30	0.25/0.35	0.10 max.			0.30 max.	0.10 max.
Chromium			0.40/1.00	0.45/0.70	0.50/1.25		0.15/0.50						
Molybdenum		0.08/0.18					0.15/0.35	0.25/0.35		0.10/0.30		0.05/0.15	
Zirconium				0.05/0.25		0.03/0.15							
Nickel		0.45/0.75	0.50/1.00		0.65 max.					0.50/1.20	1.50/2.00	0.40/0.70	
Copper	0.40 max.	0.95/1.30	0.20/0.50		0.25/0.55	0.25 max.	0.20/0.50		0.30/0.70	0.50/1.00	0.75/1.25	0.30/0.60	
Aluminum		0.12/0.27											
Columbium													0.010/0.040.
Heat treatment authorized.	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3].
Maximum stress	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000.

[2] This designation shall not be restrictive and the commercial steel is limited in analysis shown in the table.
[3] Any suitable heat treatment in excess of 1,100° F., except that liquid quenching is not permitted.
[4] Addition of other elements to obtain alloying effect is not authorized.
[5] Ferritic grain size 6 or finer, according to ASTM E-112-58T.
[6] Only fully killed steel authorized.

CHECK ANALYSIS TOLERANCES

Element	Limit or maximum specified (percent)	Tolerance (percent) over the maximum limit or under the minimum limit	
		Under minimum limit	Over maximum limit
Carbon	To 0.15 incl	0.02	0.03
	Over 0.15 to 0.40 incl	.03	.04
Manganese	To 0.60 incl	.03	.03
	Over 0.60 to 1.15 incl	.04	.04
	Over 1.15 to 2.50 incl	.05	.05
Phosphorus [1]	All ranges		.01
Sulphur	do		.01
Silicon	To 0.30 incl	.02	.03
	Over 0.30 to 0.90 incl	.05	.05
Copper	To 1.00 incl	.03	.03
	Over 1.00 to 2.00 incl	.05	.05
Nickel	To 1.00 incl	.03	.03
	Over 1.00 to 2.00 incl	.05	.05
Chromium	To 0.90 incl	.03	.03
	Over 0.90 to 2.10 incl	.05	.05
Molybdenum	To 0.20 incl	.01	.01
	Over 0.20 to 0.40 incl	.02	.02
Zirconium	All ranges	.01	.05
Columbium	To 0.04 incl	.005	.01
Aluminum	Over 0.10 to 0.20 incl	.04	.04
	Over 0.20 to 0.30 incl	.05	.05

[1] Rephosphorized steels not subject to check analysis for phosphorus.

(b) *Heads.* Material for heads shall be the same as paragraph (a) of this section or shall be open hearth, electric or basic oxygen carbon steel of uniform quality. Content percent for the following not over: Carbon 0.25, Manganese 0.60, Phosphorus 0.045, Sulfur 0.050.

(1) Heads shall be hemispherical or ellipsoidal in shape with a maximum ratio of 2.1. If low carbon steel is used thickness of such heads shall be determined by using a maximum wall stress of 24,000 p.s.i. in formula § (78.61–10(a)).

§ 78.61–6 Identification of material.

(a) Required; any suitable method.

§ 78.61–7 Defects.

(a) Material with seams, cracks, laminations or other injurious defects, not authorized.

§ 78.61–8 Manufacture.

(a) By suitable appliances and methods; dirt and scale to be removed as necessary to afford proper inspection; no defect acceptable that is likely to weaken the finished cylinder appreciably; reasonably smooth and uniform surface required. Exposed bottom welds on cylinders over 18 inches long must be protected by footrings. Minimum thickness of heads shall be not less than 90 percent of the required thickness of the sidewall. Heads shall be concave to pressure.

(b) *Circumferential seams.* By electric-arc welding. Joints shall be butt with one member offset (joggle butt) or lap with minimum overlap of at least four times nominal sheet thickness.

(c) *Longitudinal seams in shells.*

(1) Longitudinal electric-arc welded seams shall be of the butt welded butt type. Welds must be made by a machine process including automatic feed and welding guidance mechanisms. Longitudinal seams shall have complete joint penetration, and shall be free from undercuts, overlaps or abrupt ridges or valleys. Misalignment of mating butt edges shall not exceed ⅛ of nominal sheet thickness or 1/32 inch whichever is less. All joints with nominal sheet thickness up to and including ⅛ inch shall be tightly butted. When nominal sheet thickness is greater than ⅛ inch, the joint shall be gapped for maximum distance equal to one-half the nominal sheet thickness or 1/32 inch whichever is less. Joint design, preparation and fit-up shall be such that requirements of § 78.61–8(d) are satisfied.

(2) Maximum joint efficiency shall be 1.0 when each seam is radiographed completely. Maximum joint efficiency shall be 0.90 when one cylinder from each lot of 50 consecutively welded cylinders in spot radiographed. In addition, one out of the first five cylinders welded following a shut down of welding operations exceeding four hours shall be spot radiographed. Spot radiographs, when required, shall be made of a finished welded cylinder and shall include the girth weld for 2 inches in both directions from the intersection of the longitudinal and girth welds and include at least 6 inches of the longitudinal weld. Maximum joint efficiency of 0.75 shall be permissible without radiography.

(d) Welding procedure and operators must be qualified in accordance with the sections that apply in the Compressed Gas Association's "Standards for Welding and Brazing on Thin Walled Containers" (CGA Pamphlet C–3–1964).[1]

§ 78.61–9 Welding of attachments.

(a) The attachment to the tops and bottoms only of cylinders by welding of neckrings, footrings, handles, bosses, pads and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent.

§ 78.61–10 Wall thickness.

(a) For outside diameters over 6 inches the minimum wall thickness shall be 0.078 inch. In any case the minimum wall thickness shall be such that the

[1] Available from the Compressed Gas Association, Inc., 500 5th Ave., New York, N.Y.

wall stress calculated by the formula (see Note 1):

$$S=\frac{2P(1.3D^2+0.4d^2)}{E(D^2-d^2)}$$

shall not exceed the lesser value of any of the following:

(1) The value shown in Table I, § 78.61–5(a) for the particular material under consideration.

(2) One-half of the minimum tensile strength of the material determined as required in § 78.61–15.

(3) 35,000 pounds per square inch.

Note 1: In the formula above quoted
S=wall stress, p.s.i.;
P=service pressure, p.s.i.;
D=outside diameter, inches;
d=inside diameter, inches;
E=joint efficiency of the longitudinal seam (from § 78.61–8(c)(2)).

(b) In any cylinder with wall thickness less than 0.100 inch, the ratio of tangential length to outside diameter shall not exceed 4.0.

§ 78.61–11 Heat treatment.

(a) Each cylinder must be uniformly and properly heat treated prior to test by the applicable method shown in § 78.61–5(a), Table I. Heat treatment must be accomplished after all forming and welding operations.

(b) Heat treatment is not required after welding or brazing weldable low carbon parts to attachments of similar material which have been previously welded to the top or bottom of cylinders and properly heat treated, provided such subsequent welding or brazing does not produce a temperature in excess of 400° F. in any part of the top or bottom material.

§ 78.61–12 Openings in cylinders.

(a) All openings must be in the heads or bases.

(b) Openings in cylinders must be provided with adequate fittings, bosses, or pads, integral with or securely attached to the cylinder by welding.

(c) Threads must comply with the following:

(1) Threads must be clean cut and to gauge.

(2) Taper threads must be of length not less than as specified for American Standard Taper Pipe threads.

(3) Straight threads, having at least 4 engaged threads, to have tight fit and calculated shear strength at least 10 times the test pressure of the cylinder; gaskets required, adequate to prevent leakage.

(d) Closure of fittings, boss or pads must be adequate to prevent leakage.

§ 78.61–13 Safety relief devices and protection for valves, safety devices and other connections, if applied.

(a) Must be as required by the Interstate Commerce Commission's Regulations that apply. (See §§ 73.34(d) and 73.301(g) of this chapter.)

§ 78.61–14 Hydrostatic test.

(a) By water jacket, or other suitable method, operated so as to obtain accurate data. Pressure gauge must permit readings to accuracy of 1 percent. Expansion gauge must permit readings of total volumetric expansion to accuracy either of 1 percent or 0.1 cubic centimeter.

(b) Pressure must be maintained for 30 seconds and sufficiently longer to insure complete expansion. Any internal pressure applied after heat treatment and previous to the official test must not exceed 90 percent of the test pressure.

(c) Permanent volumetric expansion must not exceed 10 percent of the total volumetric expansion at test pressure.

(d) Cylinders must be tested as follows:

(1) At least 1 cylinder selected at random out of each lot of 200 or less shall be tested as outlined in paragraphs (a), (b), and (c) of this section to at least two times service pressure.

(2) All cylinders not tested as outlined in subparagraph (d)(1) of this section must be examined under pressure of at least two times service pressure and show no defect.

(e) One finished cylinder selected at random out of each lot of 500 or less successively produced shall be hydrostatically tested to 4 times service pressure without bursting.

§ 78.61–15 Physical test.

(a) To determine yield strength, tensile strength and elongation of material. Required on a specimen cut from each head and body section of a cylinder having passed the hydrostatic test.

(b) Specimens must be: Gauge length 8 inches with width not over 1½ inches; or, gauge length 2 inches with width not over 1½ inches, provided, that gauge length at least 24 times thickness with width not over 6 times thickness is authorized when cylinder wall is not over 3/16 inch thick. The specimen, exclusive of grip ends, must not be flattened. Grip ends may be flattened to within 1 inch of each end of the reduced section. When size of cylinder does not permit securing straight specimens, the specimens may be taken in any location or direction and may be straightened or flattened cold, by pressure only, not by blows; when specimens are so taken and prepared, the inspector's report must show in connection with record of physical tests detailed information in regard to such specimens. Heating of specimens for any purpose is not authorized.

(c) The yield strength in tension shall be the stress corresponding to a permanent strain of 0.2 percent of the gauge length.

(1) The yield strength shall be determined by either the "off-set" method or the "extension under load" method as prescribed in ASTM Standard E8–57T.

(2) In using the "extension under load" method, the total strain (or "extension under load"), corresponding to the stress at which the 0.2-percent permanent strain occurs may be determined with sufficient accuracy by calculating the elastic extension of the gauge length under appropriate load and adding thereto 0.2 percent of the gauge length. Elastic extension calculations shall be based on an elastic modulus of 30,000,000. In the event of controversy, the entire stress-strain diagram shall be plotted and the yield strength determined from the 0.2-percent offset.

(3) For the purpose of strain measurement, the initial strain reference shall be set while the specimen is under a stress of 12,000 pounds per square inch, the strain indicator reading being set at the calculated corresponding strain.

(4) Cross-head speed of the testing machine shall not exceed ⅛ inch per minute during yield strength determination.

§ 78.61–16 Elongation.

(a) Physical test specimens must show at least 40 percent for 2-inch gauge length or at least 20 percent in other cases, except that these elongation percentages may be reduced numerically by 2 for 2-inch specimens and by 1 in other cases for each 7,500 pounds per square inch increment of tensile strength above 50,000 pounds per square inch to a maximum of four increments.

§ 78.61–17 Tests of welds.

(a) *Tensile test.* A specimen shall be cut from one cylinder of each lot of 200 or less. The specimen shall be taken across the longitudinal seam and shall be prepared and tested in accordance with and must meet the requirements of the Compressed Gas Association's "Standards for Welding and Brazing on Thin Walled Containers." (CGA Pamphlet C–3–1964).[1] Failure must occur in the parent metal.

(b) *Guided bend test.* A "root" test specimen shall be cut from the cylinder used for the tensile test specified in § 78.61–17(a). Specimens shall be taken across the longitudinal seam and shall be prepared and tested in accordance with and shall meet the requirements of the Compressed Gas Association's "Standards for Welding and Brazing on Thin Walled Containers" (CGA Pamphlet C–3–1964).[1]

(c) *Alternate guided bend test.* This test may be used and shall be as required by the Compressed Gas Association's "Standard for Welding and Brazing on Thin Walled Containers" (CGA Pamphlet C–3–1964.[1] The specimen shall be bent until the elongation at the outer surface, adjacent to the root of the weld, between the lightly scribed gauge lines a to b, shall be at least 20 percent, except that this percentage may be reduced for steels having a tensile strength in excess of 50,000 pounds per square inch, as provided in § 78.61–16(a).

§ 78.61–18 Radiographic examination.

(a) Radiographic inspection shall conform to the techniques and acceptability criteria set forth in the Compressed Gas Association's "Standard for Welding and Brazing on Thin Walled Containers" (CGA Pamphlet C–3–1964). When fluoroscopic inspection is used, permanent film records need not be retained.

[1] Available from the Compressed Gas Association, Inc., 500 5th Ave., New York, N.Y.

(b) Should spot radiographic examination fail to meet the requirements of paragraph (a) of this section, two additional welds from the same lot of 50 cylinders or less shall be examined, and if either of these fail to meet the requirements, each cylinder shall be examined as previously outlined; only those passing are acceptable.

§ 78.61–19 Rejected cylinders.

(a) Unless otherwise stated, if a sample cylinder or specimen taken from a lot of cylinders fails the prescribed test, then two additional specimens must be selected from the same lot and subjected to the prescribed test. If either of these fail the test then the entire lot must be rejected.

(b) Reheat treatment authorized; subsequent thereto, acceptable cylinders must pass all prescribed tests. Repair of welded seams by welding is authorized provided that all defective metal be cut away and joint be rewelded as prescribed for original welded joints.

§ 78.61–20 Marking.

(a) Marking on each cylinder stamped as follows:

(1) ICC–4BW followed by the service pressure (for example, ICC–4BW240, etc.).

(2) A serial number and an identifying symbol, both to be of the purchaser, user, or maker. The symbol must be registered with the Bureau of Explosives. Duplications unauthorized.

(3) Inspector's official mark.

(4) Date of test (for example, 12–64 for December 1964).

(5) Additional markings are permitted.

(b) *Sequence of marks.* ICC specification designation, registered symbol and serial number shall be in close proximity. Inspector's official mark shall be near the serial number. Date of test shall be so placed that dates of subsequent tests can easily be added.

(c) *Location of markings.* Markings may be stamped plainly and permanently in the following locations on the cylinder:

(1) On shoulders and top heads not less than 0.087-inch thick.

(2) On neck, valve boss, valve protection sleeve, or similar part permanently attached to top end of cylinder.

(3) On a plate attached to the top of the cylinder or permanent part thereof; sufficient space must be left on the plate to provide for stamping at least six retest dates; the place must be at least 1/16-inch thick and must be attached by welding, or by brazing at a temperature of at least 1100° F. throughout all edges of the plate.

(4) Variations in location of markings when necessitated by lack of space permissible only when authorized by the Commission.

(d) *Size of marks.* Space permitting, at least 1/4-inch high.

§ 78.61–21 Inspector's report.

(a) Required to be clear, legible and in following form:

(Place) _____
(Date) _____

Steel gas cylinders

Manufactured for _____ Company
Location at _____
Manufactured by _____ Company
Location at _____
Consigned to _____ Company
Location at _____
Quantity _____
Size _____ inches outside diameter by _____ inches long
Marks stamped into the _____
(location of marking)
of the cylinder are:
Specification ICC _____
Serial numbers _____ to _____ inclusive
Inspector's mark _____
Identifying symbol (registered) _____
Test date _____
Tare weights (yes or no) _____
Other marks _____
_____
_____
These cylinders were made by process of _____
_____
The material used was type _____ authorized in table I of Spec. No. 4BW.
The material used was identified by the following _____
_____
(heat-purchase order)
numbers _____
_____
The material used was verified as to chemical analysis and record thereof is attached hereto. The heat numbers _____
(were—were not)
marked on the material.

All material was inspected and all that was accepted was found free from seams, cracks, laminations and other injurious defects.

Radiography _____
(type and amount)

The compliance of cylinders with specification requirements was verified including markings, condition of inside, tests, threads, etc. All cylinders with defects which might prove injurious were rejected. The processes of manufacture and heat treatment were supervised and found to be efficient and satisfactory.

The cylinder walls were measured and the minimum thickness noted was _____ inch. The outside diameter was determined to be _____ inches. The wall stress was calculated to be _____ pounds per square inch.

Hydrostatic tests, tensile tests of material, and other tests as prescribed in specification No. ICC–4BW _____ were made in the presence of the inspector and all cylinders accepted were found to be in compliance with the requirements of that specification. Records thereof are attached hereto.

Each cylinder _____ been
(has—has not)
equipped with safety devices as follows: _____
_____

I hereby certify that all of these cylinders proved satisfactory in every way and comply with the requirements of Interstate Commerce Commission specification No. 4BW except as follows:

Exceptions _____
_____
_____
_____
_____
(Manufacturer's name)
(Signed) _____
(Inspector)
By: _____

(Place) _____
(Date) _____

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR CYLINDERS

Numbered _____ to _____ inclusive.
Size _____ inches outside diameter by _____ inches long
Made by _____ Company
For _____ Company

Test No.	Heat No.	Check analysis No.	Cylinders represented (serial Nos.)	Chemical analysis										
				C	P	S	Si	Mn	Ni	Cr	Mo	Cu	Al	Zr

Steel was manufactured by _____ Company.
The original of the certified mill test reports are in files of the manufacturer.

NOTE: Any omission of analyses by heats, if authorized, must be accounted for by notation hereon reading "The prescribed certificate of the manufacturer of material has been secured, found satisfactory, and placed on file," or by attaching a copy of the certificate.

Chemical analyses were made by _____

(Place) _____
(Date) _____

RECORD OF PHYSICAL TESTS OF MATERIAL FOR CYLINDERS

Numbered _____ to _____ inclusive.
Size _____ inches outside diameter by _____ inches long
Made by _____ Company
For _____ Company

Test No.	Cylinders represented by test (serial Nos.)	Yield strength (pounds per square inch)	Tensile strength (pounds per square inch)	Elongation (percent in inches)	Reduction of area (percent)	Weld tensile test	Weld bend test

(Signed) _____

(Place)_____
(Date)_____

RECORD OF HYDROSTATIC TESTS ON CYLINDERS

Numbered_____to_____inclusive.
Size_____inches outside diameter by_____inches long.
Made by_____Company.
For_____Company

Serial Nos. of cylinders tested arranged numerically	Actual test pressure (pounds per square inch)	Total expansion (cubic centimeters) [1]	Permanent expansion (cubic centimeters) [1]	Permanent ratio of permanent expansion to total expansion [1]	Burst test (pounds per square inch)	Tare weight (pounds) [2]	Volumetric capacity [3]

NOTE 1: When specifications require test for only one out of each lot of 200 or less cylinders, the check on the others must be indicated by a notation hereon reading, "Each cylinder was subjected to a pressure of _____ pounds per square inch and showed no defect."

[1] If the tests are made by a method involving the measurement of the amount of liquid forced into the cylinder by the test pressure, then the basic data, on which the calculations are made, such as the pump factors, temperature of liquid, coefficient of compressibility of liquid, etc., must also be given.

[2] Do not include removable cap but state whether with or without valve. These weights must be accurate to a tolerance of one percent.

[3] Report approximate maximum and minimum volumetric capacity for the lot.

(Signed)_____

In § 78.63–5 amend paragraph (a) (29 F.R. 18884, Dec. 29, 1964) to read as follows:

§ 78.63 Specification 9; inside containers, seamless or welded or brazed steel cylinders.

§ 78.63–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.150; phosphorus, 0.045; sulfur, 0.055.

In § 78.66–5 amend paragraph (a) (29 F.R. 18886, Dec. 29, 1964) to read as follows:

§ 78.66 Specification 40; inside containers, nonrefillable seamless or welded or brazed steel cylinders.

§ 78.66–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.150; phosphorus, 0.045; sulfur, 0.055.

In § 78.67–5 amend paragraph (a) (29 F.R. 18887, Dec. 29, 1964) to read as follows:

§ 78.67 Specification 41; inside containers, nonrefillable seamless or welded or brazed steel cylinders.

§ 78.67–5 Steel.

(a) Open-hearth steel or at least equivalent of uniform quality. Content percent for the following not over: Carbon, 0.150; phosphorus, 0.045; sulfur, 0.055.

In § 78.68–13 amend paragraphs (a), (b); redesignate and amend paragraph (d) as paragraph (e); add new paragraph (d); in § 76.68–16 amend paragraph (a) (29 F.R. 18889, Dec. 29, 1964) (30 F.R. 5752, Apr. 23, 1965) to read as follows:

§ 78.68 Specification 4E; welded aluminum cylinders.

§ 78.68–13 Hydrostatic test.

(a) By water jacket, or other suitable method, operated so as to obtain accurate data. Pressure gauge must permit reading to accuracy of 1 percent. Expansion gauge must permit reading of total expansion to accuracy either of 1 percent or 0.1 cubic centimeter.

(b) Pressure of 2 times service pressure must be maintained for 30 seconds and sufficiently longer to insure complete expansion. Any internal pressure applied previous to the official test must not exceed 90 percent of the test pressure. If, due to failure of the test apparatus, the test pressure cannot be maintained, the test may be repeated at a pressure increased by 10 percent over the pressure otherwise specified.

* * * * *

(d) Cylinders having a calculated wall stress of 18,000 pounds per square inch or less at test pressure may be tested as follows:

(1) At least one cylinder selected at random out of each lot of 200 or less shall be tested in accordance with paragraphs (a), (b), and (c) of this section.

(2) All cylinders not tested as provided in subparagraph (d)(1) of this section must be examined under pressure of at least two times service pressure and show no defect.

(e) One finished cylinder selected at random out of each lot of 1,000 or less shall be hydrostatically tested to 4 times the service pressure without bursting. Inability to meet this requirement shall result in rejection of the lot.

§ 78.68–16 Acceptable results for physical tests.

(a) Elongation at least 7 percent; yield strength not over 80 percent of tensile strength.

Subpart F—Specifications for Fiberboard Boxes, Drums, and Mailing Tubes

In § 78.209–11 amend paragraph (b) (29 F.R. 18959, Dec. 29, 1964) to read as follows:

§ 78.209 Specification 12H; fiberboard boxes.

§ 78.209–11 Authorized gross weight and parts required.

* * * * *

(b) Authorized gross weight: 65 pounds; boxes may have gross weight of 103 pounds when authorized by § 73.66 (g)(1) of this chapter.

In § 78.224–1 cancel paragraph (a)(2); in § 78.224–2 cancel paragraph (d); in § 78.224–4 amend paragraph (a)(1); cancel paragraph (a)(2), redesignate and amend paragraphs (a)(3) and (a)(4) as (a)(2) and (a)(3) respectively (30 F.R. 7425, June 5, 1965) (29 F.R. 18966, Dec. 29, 1964) to read as follows:

§ 78.224 Specification 21C; fiber drum.

§ 78.224–1 Construction requirements.

(a) * * *

(2) [Canceled]

§ 78.224–2 Type tests.

* * * * *

(d) [Canceled]

* * * * *

§ 78.224–4 Marking.

(a) * * *

(1) Drums must be marked ICC 21C followed by the authorized net weight to which drum was constructed, for example, ICC–21C115.

(2) Marks specified in subparagraph (a)(1) of this section shall be understood to certify that the fiber drum complies with all specification requirements.

(3) Name or symbol (letters) of maker; this must be registered with the Bureau of Explosives and be located just above, below, or following the mark specified in subparagraph (a)(1) of this section.

Add § 78.225 (29 F.R. 18966, Dec. 29, 1964) to read as follows:

§ 78.225 Specification 21P; fiber drum overpack for inside plastic container.

§ 78.225–1 Compliance.

(a) Required in all details.

§ 78.225–2 Construction requirements.

(a) Fiber drum overpack for inside plastic containers as prescribed in Part 73 of this chapter. Fit of fiber drum overpack shall provide support for inside plastic container in such manner as to avoid wrinkling, buckling, or suspension of inside plastic container by any closure protruding through top head.

(b) Fiber sidewalls shall consist of one or more multiple-ply shells or tubes, convolutely wound of fiberboard at least 0.012 inch thickness with plies of each component secured together with adhesive: Steel parts used shall be of low carbon, open hearth, or electric steels; drum overpack shall be of tight-head or full removable cover type, straight sided, with top and bottom heading secured to sidewall by an efficient means in accordance with the following detailed minimum requirements:

Marked [1] (rated) capacity of inside plastic container not over (gallons)	Authorized maximum net weight of liquid contents not over (pounds)	Fiber drum overpack parts [4] [6]								
		Sidewall	Top heads and bottom heads							
			All fiber [3]		All steel		Combination fiber-steel bottoms			
							Fiber component		Steel component	
		Strength [2] (pounds)	Thickness (inch)	Strength [2] (pounds)	Gauge	Thickness [4] (inch)	Thickness (inch)	Strength [2] (pounds)	Gauge	Thickness [4] (inch)
6½	105	600	0.120	800	28	0.0129				
15	245	700	.160	1,100	26	.0159	0.090	600	28	0.0129
30	350	900	.200	1,200	24	.0209	.120	800	26	.0159
30	450	1,000	.220	1,300	24	.0209	.160	1,100	26	.0159
55	600	1,200	.240	1,500	24	.0209	.160	1,100	26	.0159

[1] For capacity tolerances refer to applicable specifications of inside plastic containers.
[2] Mullen or Cady test. Either of the following test methods may be used. When more than single ply, test shall be determined from the summation of the tests of individual plies; or when test is made on a complete drum, the punctures shall be made from the exterior to the interior surface, in which case the values for sidewalll shall be not less than 80 percent of the value in the above table and the values for fiber tops and bottoms shall be not less than the value in the above table. There shall be a minimum of 6 tests and the average shall be not less than the prescribed minimum requirements.
[3] When made of 2 or more discs, the discs must be bonded together with adhesive.
[4] Thickness shall be measured at any point on the steel part not less than ⅜ inch from an edge.
[5] Two holes not exceeding ¼ inch each are permitted diametrically opposite each other in the overpack body and three holes not exceeding 3/16 inch in diameter on centers 120 degrees apart in the bottom head. Top head may have not more than 2 holes of suitable size to provide for protruding closures. Closures shall not protrude above plane of top chime.
[6] Overpack interior shall be free of projections, burrs, or any edges that might cause damage to inside plastic container.

§ 78.225–3 Marking.

(a) Maker of overpack and assembler of the composite container shall place a marking on side of container by printing, lithography or stamping with weather resistant ink in letters not less than ½ inch high as follows:

(1) Marking by maker of overpack.

(i) ICC–21P***; stars to be replaced by the authorized net weight for liquid products for which drum was constructed, for example, ICC–21P/450. These marks shall be understood to certify that the fiber drum complies with all construction requirements of this specification.

(ii) Name or symbol of maker must be registered with the Bureau of Explosives and be located just above, below, or following the mark specified in subparagraph (a) (1) (i) of this section.

(2) Marking by assembler of composite container.

(i) Maker or other party assuming responsibility for compliance with specification requirements shall add a marking to the overpack maker's marking as specified by subparagraph (a) (1) (i) of this section identifying the inside plastic container specification number. For example, ICC–21P/450/2SL. "STC" shall be added to the marking when inside container is authorized only for single trip service. For example, ICC–21P/450/2U STC.

(ii) The name or symbol of the assembler to be located near the marking specified in subparagraph (a) (2) (i) of this section; symbol must be registered with the Bureau of Explosives.

§ 78.225–4 Compression test.

(a) Prior to testing, drums shall be conditioned at 50 percent plus or minus 2 percent relative humidity and 75° F. plus or minus 3° F. for at least 48 hours.

(b) An empty fiber drum overpack shall withstand either of the following compression tests without buckling of the sidewall sufficient to cause damage, but in no case shall the maximum top to bottom deflection be more than ½ inch:

Fiber drum overpack for plastic inside container of marked (rated) capacity not over (gallons)	Compression	
	Static [1] (pounds)	Dynamic [2] (pounds)
15	1,125	1,500
30	1,800	2,400
55	2,400	3,200

[1] Static test. Compression as specified must be applied to entire bearing surface of top of drum for a period of 48 hours.
[2] Dynamic test. Compression as specified must be applied end to end. Speed of compression tester to be ½ inch plus or minus ¼ inch per minute.

(c) Test to be made at start of production and repeated at 4-month intervals for each size of each type drum overpack manufactured. Record of test results shall be maintained in current status by each manufacturer at each producing plant.

§ 78.225–5 Assembly and testing of composite container.

(a) The method employed for assembly shall be such as not to cause damage to either component.

(b) The party doing assembly shall be responsible for compliance with § 78.225–2(a) and for compliance with test requirements specified by applicable inside plastic container specifications in Part 78.

Amend Part 78, Subpart G title (29 F.R. 18966, Dec. 29, 1964) to read as follows:

Subpart G—Specifications for Bags, Cloth, Burlap, Paper or Plastic

In § 78.238–2 amend paragraph (c); in § 78.238–3 amend paragraph (b) (29 F.R. 18970, 18971, Dec. 29, 1964) to read as follows:

§ 78.238 Specification 44D; multiwall paper bags.

§ 78.238–2 Paper.

* * * * *

(c) Laminating materials. Any laminant other than asphalt or other water-vapor barrier walls may be used provided they meet the strength requirements in paragraph (b) of this section.

* * * * *

§ 78.238–3 Construction.

* * * * *

(b) Moistureproof barrier sheets of paper, if used, must meet the strength requirements of § 78.238–2(b) and shall be counted as 50 pounds basis weight (500 sheets, 24 x 36 inches).

Add § 78.241 (29 F.R. 18972, Dec. 29, 1964) to read as follows:

§ 78.241 Specification 44P; all-plastic bags.

§ 78.241–1 Compliance.

(a) Required in all details.

§ 78.241–2 Plastic.

(a) Plastic film shall be low density polyethylene having a melt index of 0.6 maximum, conforming to the minimum requirements specified in subparagraph (a) (1) of this section.

(1) Plastic film:

Nominal gauge (mils) [1]	Drop dart (grams) [2]	Pounds per square inch tensile [3]	Percent elongation [3]	Tear (grams) [4]
5	210	2,100	350	200
6	250	2,100	350	240
7	295	2,100	350	280
8	340	2,100	350	350

[1] Gauge as measured by ASTM D 374–57T; tolerance ±10 percent.
[2] Drop dart as measured by the drop dart method (ASTM D 1709–62T Method B). Under this method a polished steel dart having a diameter of 2 inches in the hemispherical head is suspended by an electro-magnet at a height sufficient to provide a drop of 60 inches to the surface of the test specimen. The test specimen must be placed over the bottom part of a 2-piece annular clamp having an inside diameter of 5 inches, so as to be uniformly flat and free of folds. Test specimen must cover the clamp at all points. Not less than 10 specimens, not more than one drop per specimen, must be tested. If one-half or more of the specimens tested resist failure the film shall be deemed to meet the requirements. Failure is defined as any break through the film.
[3] Tensile and percent elongation as measured by ASTM D 882–(61T) Method A.
[4] Tear as measured by ASTM D 1922–(61T).

§ 78.241–3 Construction and capacity.

(a) Bags must be constructed of plastic film conforming to the requirements of § 78.241–2. Bags having heat-sealed ends must be capable of withstanding static loads of 1¼ pounds per mil per inch of seal as measured in the following manner. Three 1-inch wide samples must be cut from the top seal and 3 1-inch wide samples must be cut from the bottom seal of each bag to be tested. Samples must be cut perpendicular to the seal, one from the center of the seal and one each approximately 4 inches in each direction from the center of the seal. (The preferred method of cutting the samples is to place a 1-inch wide die on the flat bag so that both film layers and the seal area can be cut simultaneously.) Samples must be cut of sufficient length to permit wrapping each film end around a ¼-inch diameter metal rod and to permit clamping each end 1 inch from heat seal. Clamp used (such as a laboratory tubing clamp) must be one that will

exert even pressure across a 1-inch wide strip. Clamps must be carefully positioned on strips parallel to the heat seals. One clamp must be mounted to a support, permitting the sample strip to hang vertically, and a weight must be attached to the other clamp hanging free at the lower end of the assembly. The total weight exerted on the seal must be 1¼ pounds for each mil of gauge of the film. The test must be conducted at room temperature (approximately 73° F.). All samples tested must resist failure. Failure is defined as total seal separation occurring within 10 minutes after the test has begun. Other end closures of equal efficiency authorized. Bags of not less than 5-mil construction authorized for contents not to exceed 51 pounds net weight. Bags of not less than 7-mil construction authorized for contents not to exceed 81 pounds net weight.

§ 78.241–4 Tests for shipment.

(a) Bags as prepared for shipment must be able to withstand six drops from a height of 4 feet onto a solid surface, one drop on each end, one drop on each face, and one drop on each side (edge), without sifting or rupture.

§ 78.241–5 Marking.

(a) On each bag with letters and figures at least ½ inch high in rectangle as follows:

ICC–44P

(1) This mark shall be understood to certify bag complies with all specification requirements.

(2) Name and address of maker located just above or below the mark specified in paragraph (a) of this section; symbol (letters) authorized if registered with the Bureau of Explosives.

Subpart H—Specifications for Portable Tanks

In § 78.247–7 amend paragraph (a) (2) (30 F.R. 5759, Apr. 23, 1965) to read as follows:

§ 78.247 Specification 53; cylindrical aluminum portable tanks.

§ 78.247–7 Marking.

(a) * * *

(2) Name or symbol (letters) of maker or user assuming responsibility for compliance with specification requirements; this must be registered with the Bureau of Explosives.

In § 78.255–1 amend paragraph (a); in § 78.255–2 amend paragraph (a) (29 F.R. 18975, Dec. 29, 1964) to read as follows:

§ 78.255 Specification 60; steel portable tanks.

§ 78.255–1 General requirements.

(a) Tanks shall be constructed in accordance with all requirements of section VIII of the Code for Unfired Pressure Vessels of the American Society of Mechanical Engineers, 1962 edition, for U–201 fusion-welded unfired pressure vessels.

* * * * *

§ 78.255–2 Material.

(a) Material used in the tanks shall be steel of good weldable quality in conformity with requirements of paragraph U–71 of the A.S.M.E. Code, 1962 edition.

* * * * *

PART 79—SPECIFICATIONS FOR TANK CARS

Subpart E—Specifications for Multi-Unit Tank Car Tanks (Classes ICC–106A and 110A–W)

In § 79.300–6 amend paragraph (a) (F.R. 19007, Dec. 29, 1964) to read as follows:

§ 79.300 General specifications applicable to multi-unit tank car tanks designed to be removed from car structure for filling and emptying.

§ 79.300–6 Thickness of plates.

(a) For class ICC–110A tanks, the wall thickness of the cylindrical portion of the tank shall not be less than that specified in § 79.301 nor that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where:

d = inside diameter in inches;
E = 1.0 welded joint efficiency;
P = minimum required bursting pressure in p.s.i.;
S = minimum tensile strength of plate material in p.s.i. as prescribed in § 79.300–7;
t = minimum design thickness of plate in inches.

* * * * *

APPENDIX B—AMENDMENTS AND REASONS THEREFOR

Section	Paragraph	Reason for amendment
71.4	Heading, (a)	To remove redundant provisions in view of § 79.4 requirements.
71.5	Entire section	To remove redundant provisions in view of § 79.3 requirements.
72.5	(a) Commodity list	The changes, additions, and cancellations are to keep the commodity list on a current basis.
73.22	(a)	To clarify the shipper's responsibility in determining that shipments of explosives and other dangerous articles are offered in containers constructed and maintained in compliance with the regulations.
73.31	(a)(4)	To provide an alternate provision for the commodity stenciling of tank cars.
73.31	(d)(7)	To provide for the marking of ICC–106A and 110A–W multiunit tank car tanks visually inspected in lieu of periodic hydrostatic retest.
73.31	(d)(2), (9)	To authorize the visual inspection of ICC–106A and 110A–W multiunit tank car tanks, used exclusively for the transportation of fluorinated hydrocarbons and mixtures thereof, in lieu of periodic hydrostatic retest.
73.31	(d)(8), Retest Table 2.	Provides for the retesting of ICC–110A1000–W multiunit tank car tanks.
73.34	(e)(10)	To clarify that the visual inspection of cylinders be performed in accordance with accepted industry standards.
73.51	(q)	To clarify that all new military explosives and explosive devices, except those of a security classification, must be approved for transportation by the Bureau of Explosives.
73.53	(q)	To delete the obsolete term "explosive bullets," and provide for Ammunition for small arms with incendiary projectiles; to include 20 millimeter fixed ammunition in the small arms ammunition category.
73.54	(a)	To authorize the use of additional plastic containers complying with certain military specifications for ammunition for cannon.
73.56	(e)(1)	To increase the gross weight limitation for container of explosive bombs to 1,400 pounds.
73.58	Entire section	To provide for the shipment of small arms ammunition with incendiary projectiles; to increase gross weight of outside package from 150 to 175 pounds.
73.66	(g)(1)	To authorize an increase in gross weight, to 103 pounds, for certain spec. 12H fiberboard boxes containing electric blasting caps.
73.91	(a)(6)	To authorize shipment of illuminating, incendiary or smoke projectiles in unboxed or palletized condition.
73.100	(b)	To show that projectiles may be a component part of small arms ammunition; but excludes projectiles loaded with incendiary composition in addition to projectiles loaded with high explosives.
73.100	(b)(2)	To include 20 millimeter ammunition with solid, inert or empty projectiles in the small arms ammunition (class C explosives) category.
73.119	(b)(9)	To provide new spec. 21P fiber drum, in lieu of spec. 21C, with inside polyethylene container for flammable liquids not specifically provided for.
73.126	(a)	To update Part 73 section references redesignated in Order 63; to cite latest edition of CGA standards for visual inspection of compressed gas cylinders.
73.139	(a)(5)	To authorize spec. 5A metal barrels or drums for propylene imine, inhibited.
73.154	(a)(14)	To authorize spec. 12B fiberboard boxes with inside polyethylene bottles for flammable solids and oxidizing materials n.o.s.
73.157	(a)(2)	Benzoyl peroxide, wet is no longer shipped in this type composite container.
73.158	Heading, (a)	To provide packaging requirements for dimethylhexyl diperoxybenzoate, dry.
73.164	(a)(6)	To authorize spec. 21C fiber drums lined with saran plastic material for chromic acid.
73.182	(b)(6)	To authorize new spec. 44P all-plastic bags for ammonium nitrate mixed fertilizers, and ammonium nitrate fertilizer containing 90 percent or more ammonium nitrate with no organic coating.
73.239a	(a)(2)	To correct an erroneous section reference.
73.245	(a)(24)	To provide new 21P fiber drum, in lieu of spec. 21C, with inside polyethylene container for acids or other corrosive liquids, n.o.s.
73.245	(a)(26)	To authorize new spec. 34 polyethylene container without overpack for acids or other corrosive liquids, n.o.s.
73.248	(a)(4), (a)(5)	To provide for the use of safety vent discs incorporating a ⅛-inch breather hole on tank car tanks in spent acid or sludge acid service.
73.256	(a)(5)	To provide new spec. 21P fiber drums, in lieu of spec. 21C, with inside polyethylene container for liquid cleaning compounds.
73.263	Heading	To show the percentage limits for sodium chlorite permitted in sodium chlorite solution.
73.263	(a)(22)	To authorize new spec. 21P fiber drum, in lieu of spec. 21C, with inside polyethylene container for hydrochloric acid, etc.
73.263	(a)(28)	To authorize the use of new spec. 34 polyethylene container without overpack for hydrochloric acid, etc.

APPENDIX B—AMENDMENTS AND REASONS THEREFOR—Continued

Section	Paragraph	Reason for amendment
73.265	(d)(5)	To provide new spec. 21P fiber drum, in lieu of spec. 21C, with inside polyethylene container for hydrofluosilicic acid.
73.266	(a)(2), (b)(3)	To remove the closure seal requirement for hydrogen peroxide drums as being impracticable; discontinue use of non-spec. drums.
73.266	(b)(7)	To authorize the use of new spec. 21P fiber drum with inside polyethylene container for hydrogen peroxide solution in water.
73.272	(f)(5)	To provide new spec. 21P fiber drum, in lieu of spec. 21C, with inside polyethylene container for sulfuric acid.
73.272	(f)(6)	To authorize new spec. 34 polyethylene container without overpack for sulfuric acid.
73.277	(a)(6)	To authorize new spec. 34, polyethylene container without overpack for not over 16 percent hypochlorite solution.
73.301	(d)(5)	To reinsert the provisions for manifolding anhydrous ammonia cargo tanks inadvertently deleted by Order 63.
73.301	(h) Table	To include new spec. 2Q inside metal container in the list of containers prescribed for compressed gases.
73.304	(a)(2) Table	To authorize an increased filling density for hydrogen chloride; to authorize use of specs. 3AX and 3AAX cylinders; to correct spelling of Trifluorochloroethylene.
73.304	(d)(3)(i)	To authorize new spec. 4BW240 welded steel cylinders for liquefied petroleum gas.
73.306	(a)(3), (a)(4), (b)(2)	To extend the exemptions for aerosols and other pressurized products to containers having capacities not exceeding 50 cubic inches and rated failure pressure of at least 1.5 times the pressure of contents at 130° F. except that for inside containers exceeding 35 cubic inch capacity, outside containers must be marked and labeled as prescribed therein; to provide for the use of new spec. 2Q inside metal container.
73.306	(b)(3)	To clarify that metal containers are refillable.
73.306	(b)(4)	To permit increased container capacity, from 31.83 cubic inches to 35 cubic inches; to stipulate pressure limitation at 130° F. in lieu of 70° F.
73.314	(c) Table	To authorize spec. 112A340-W tank cars for vinyl chloride.
73.315	(b)(1)	To reinsert the odorization requirements for LPG in cargo tanks that were inadvertently deleted by Order 63; to extend odorization requirements to portable tank transportation also.
73.315	(k)	To update Part 73 section reference redesignated in Order 63.
73.334	(a), (a)(1)	To provide for an increased amount of certain class B poison liquids mixed with compressed gas.
73.369	(a)(13), (a)(14)	To stipulate a minimum outage in tank cars and tank motor vehicles for shipments of carbolic acid (phenol).
73.370	(a)(12)	To permit the use of additional type plastic containers in spec. 12B fiberboard boxes for cyanides, etc.
74.527	(a)	For clarification.
74.538	(a) Chart, item e	To delete reference to "explosive bullets" and to provide for incendiary projectiles.
77.848	do	To delete reference to "explosive bullets" and to provide for incendiary projectiles.
78.19	Entire section	To provide for the construction of new spec. 34 reusable, molded polyethylene containers for use without overpack.
78.33	Heading	The increased capacity of spec. 2P inside metal containers, from 31.83 cubic inches to 50 cubic inches; elimination of restriction against side seams on aluminum containers; the reduction of 0.001 inch in minimum wall thickness; test sampling of completed containers, and additional marking requirements are based upon current shipping practices and the assurance of reliable performance requirements.
78.33-2	(b)	
78.33-6	(b)(2), (c)	
78.33-7	(a)	
78.33-8	(a), (b), (c)	
78.33-9	(a)	
78.33a	Entire section	To provide for the construction of new spec. 2Q inside metal containers which have rated failure pressure exceeding spec. 2P container.
78.37-5	(a) Note 1	To present consolidated tolerances in chemical analyses of steel for spec. 3AA cylinders heretofore referred to in AISI publications.
78.44-5	(a) Note 1	Reason for §78.37-5 applies also to spec. 3HT cylinders.
78.47-5	(a) Note 1	Reason for §78.37-5 applies also to spec 4DS cylinders.
78.51-20	(a) Footnote 1	Reason for §78.37-5 applies also to spec. 4BA cylinders.
78.53-5	(a) Note 1	Reason for §78.37-5 applies also to spec. 4D cylinders.
78.56-20	(a) Footnote 1	Reason for §78.37-5 applies also to spec. 4AA480 cylinders.
78.57-21	(a) Note 1	Reason for §78.37-5 applies also to spec. 4L cylinders.
78.58-5	(a) Note 1	Reason for §78.37-5 applies also to spec. 4DA cylinders.
78.60-4	(a) Footnote 1	Reason for §78.37-5 applies also to spec. 8AL cylinders.
78.61	Entire section	To provide for construction of new spec. 4BW welded steel cylinders.
78.68-13	(a), (d), (e)	To provide hydrostatic testing requirements for spec. 4E aluminum cylinders consistent with other low pressure welded cylinders.
78.68-13	(b)	To clarify that repeated test must be to a pressure increased by 10 percent over the initial test pressure specified.
78.68-16	(a)	To clarify that 7 percent elongation applies to both 2-inch and 8-inch gauge lengths.
78.200-11	(b)	To permit a gross weight of 103 pounds for spec. 12H fiberboard boxes when authorized by § 73.66(g)(1).
78.224-1	(a)(2)	To delete requirements for spec. 21C fiber drums employing inside plastic containers in recognition of new spec. 21P fiber drum overpack for inside plastic container.
78.224-2	(d)	
78.224-4	Entire subsection	
78.225	Entire section	To provide for the construction of new spec. 21P fiber drum overpack for inside plastic container.
Part 78	Subpart G Headnote	Amended to show plastic bags added by new § 78.241.
78.238-2	(c)	To authorize the use of other lining materials, for spec. 44D paper bags, provided they are equivalent to the ones specified.
78.238-3	(b)	
78.241	Entire section	To provide for the construction of new spec. 44P all-plastic bags.
78.247-7	(a)(2)	To require either name or symbol of maker or party assuming responsibility for compliance with spec. 53 aluminum portable tank be registered with the Bureau of Explosives.
78.255-1	(a)	To authorize the use of current ASME Codes for constructing spec. 60 steel portable tanks.
78.255-2	(a)	
79.300-6	(a)	To provide for a welded joint efficiency of 1.0 in lieu of 0.9 for spec. 110A-W tanks.

It is further ordered, That this order shall become effective September 5, 1966, and shall remain in effect until further order of the Commission;

It is further ordered, That compliance with the herein prescribed and amended regulations is hereby authorized on and after the date of service of this order;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

(62 Stat. 738, 74 Stat. 808; 18 U.S.S. 834)

By the Commission, Explosives and Other Dangerous Articles Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-6931; Filed, June 30, 1966; 8:45 a.m.]

[S.O. 964; Amdt. 2]

PART 95—CAR SERVICE

Missouri Pacific Railroad Co. Authorized To Operate Over Trackage of St. Louis-San Francisco Railway Co.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 27th day of June A.D. 1966.

Upon further consideration of Service Order No. 964 (30 F.R. 16082 and 30 F.R. 9206) and good cause appearing therefor:

It is ordered, That:

Section 95.964(a) *The Missouri Pacific Railroad Co. authorized to operate over trackage of the St. Louis-San Francisco Railway Co.* of Service Order No. 964 be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 95.964 Service Order 964.

* * * * *

(e) *Expiration date.* This order shall expire at 11:59 p.m., August 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1966.

(Secs. 1, 12, 15, 24 Stat. 379, 382, 384, as amended: 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended 54 Stat. 911, 49 U.S.C. 1(10-17), 15(4), 17(2))

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

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7252; Filed, June 30, 1966; 8:48 a.m.]

[S.O. 970; Amdt. 1]

PART 95—CAR SERVICE

Missouri Pacific Railroad Co. Authorized To Operate Over Trackage of St. Louis-San Francisco Railway Co.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 27th day of June A.D. 1966.

Upon further consideration of Service Order No. 970 (30 F.R. 14853) and good cause appearing therefor:

It is ordered, That:

Section 95.970(a) *The Missouri Pacific Railroad Co. authorized to operate over trackage of the St. Louis-San Francisco Railway Co.* of Service Order No. 970 be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 95.970 Service Order 970.

* * * * *

(e) *Expiration date.* This order shall expire at 11:59 p.m., August 31, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1966.

(Secs. 1, 12, 15, 24 Stat. 379, 382, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

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

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–7253; Filed, June 30, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 48]

MANUFACTURERS AND RETAILERS EXCISE TAXES

Sales of Oil for Nonlubricating Use and of Oil Seldom Used as Lubricant

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to provide for the use of exemption certificates in the tax-free sale of oil seldom used as a lubricant, the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) are amended as set forth below. Except where otherwise specifically provided, these regulations are applicable to sales of lubricating oil on or after January 1, 1966.

PARAGRAPH 1. Section 48.4091–4 is amended by adding the following new paragraph at the end thereof:

§ 48.4091–4 Sales of oil for nonlubricating use.

* * * * *

(f) *Taxable years affected.* This section applies only to sales by the manufacturer on or before December 31, 1965. For rules relating to sales by the manufacturer on or after January 1, 1966, see § 48.4091–6.

PAR. 2. There is added immediately following § 48.4091–5 the following new section:

§ 48.4091–6 Sales after December 31, 1965, of oil seldom used as a lubricant.

(a) *General rule.* If the Commissioner determines that an oil suitable for use as a lubricant is seldom so used, but is used almost exclusively for nonlubricating purposes, the sale by the manufacturer of such oil direct to a purchaser for nonlubricating use by him or for resale by him for nonlubricating use may be made tax free. Except as provided in paragraph (c) of this section, the manufacturer, in order to establish the right to sell lubricating oil tax free under this section, must obtain from the purchaser and retain in his possession a properly executed exemption certificate.

(b) *Exemption certificates*—(1) *Form of certificate.* The following form of certificate will be acceptable and must be adhered to in substance:

EXEMPTION CERTIFICATE

(For use by purchaser of lubricating oil, otherwise subject to tax under section 4091 of the Internal Revenue Code of 1954, as amended, which the Commissioner of Internal Revenue has determined to be seldom used as a lubricant, for use by the purchaser for nonlubricating purposes or for resale for nonlubricating use.)

----------, 19--
(Date)

The undersigned certifies that he, or the

(Name of purchaser if other than undersigned)

of which he is ----------, is in the
(Title)

business of ----------

(State business and, except in case of a purchase for resale, article or articles manufactured)

and that the oil covered by the accompanying order or contract for purchase from

---
(Name and address of vendor)

of oil produced by ----------

(Name and address of producer if other than vendor)

is ----------

(Type or types of oil which the Commissioner has determined to be seldom used as a lubricant)

and is purchased for—

CHECK ONE

☐ The following nonlubricating purposes:

☐ Resale for nonlubricating use (specify use or uses if known):

The purchaser understands that, if any of the oil purchased tax free by use of this certificate is resold by him for nonlubricating use or for further resale for such use, he must obtain a similar certificate from his vendee. The purchaser further understands that he must be prepared to establish by satisfactory evidence the actual use or disposition made of such oil, and that upon use of the oil for a lubricating purpose, or sale for a lubricating purpose, he is required to notify the vendor named above. The purchaser also understands that if his vendee notifies him that the oil covered by this certificate has been used for a lubricating purpose or sold for a lubricating purpose he is required to so notify the vendor from whom he purchased the oil covered by this certificate. In addition, the purchaser understands that the above listed oils which are purchased tax free by use of this certificate do not qualify for the tax credit or refund under sections 39 (a) (3) and 6424 of the Code.

The undersigned understands that he and all guilty parties will, for fraudulent use of this certificate for the purpose of purchasing oil tax free, be subject to a fine of not more than $10,000, or imprisonment for not more than 5 years, or both, together with the costs of prosecution.

(Signature)

(Address)

(2) *Period covered.* Where only occasional sales of an oil which the Commissioner has determined to be seldom used as a lubricant are made to a purchaser for nonlubricating use, a separate exemption certificate shall be furnished for each order. However, where sales of such oil for nonlubricating use are regularly or frequently made to a purchaser, a certificate covering all orders for a specified period, not to exceed four calendar quarters, will be acceptable. The certificates and proper records of invoices, orders, etc., relative to sales of lubricating oil under this section must be kept for inspection by the district director as provided in section 6001.

(3) *Certificate not obtained prior to filing of manufacturer's excise tax return.* Except as provided in paragraph (c) of this section, if an exemption certificate in respect of any sale to which this section has application is not obtained prior to the time the manufacturer files a return covering taxes due for the period during which the sale was made, the manufacturer must include the tax on the sale in his return for that period. The manufacturer will not be entitled to file a claim for credit or refund of tax thus paid even if a certificate is later obtained.

(4) *Duty of manufacturer to ascertain validity of certificate.* A manufacturer making a sale under an exemption certificate must use reasonable diligence to satisfy himself that the use of the certificate is warranted under this section. If the manufacturer has knowledge at the time of his sale that the oil is not intended for nonlubricating use, the manufacturer is liable for tax on the sale.

(c) *Oils determined to be "seldom used as a lubricant" before date of publication of this section in the Federal*

Register as a notice of proposed rule making. The requirement of an exemption certificate is waived in respect of sales by the manufacturer of oils which, before the date of publication of this section in the FEDERAL REGISTER as a notice of proposed rule making, the Commissioner determined to be seldom used as a lubricant but used almost exclusively for nonlubricating purposes.

(d) *Oil sold for nonlubricating use but not so used.* If the manufacturer receives information establishing that oil sold tax free, pursuant to the provisions of this section, to a purchaser for use by him has not been and will not be used by him for nonlubricating purposes, or that oil sold tax free, pursuant to the provisions of this section, to a purchaser for resale by him has been resold for lubricating purposes or has not been and will not be used by the ultimate purchaser for nonlubricating purposes, the tax applicable to the sale by the manufacturer shall be included in the manufacturer's return for the return period in which such information is received.

(e) *Tax-paid oil used for nonlubricating purpose.* If oil, with respect to which the manufacturer has paid tax under section 4091, is subsequently used for a nonlubricating purpose, the ultimate purchaser of the oil may file a claim for refund under section 6424 or for credit under section 39(a)(3).

[F.R. Doc. 66-7221; Filed, June 30, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 255]

USE OF COLUMBIA RIVER INDIAN IN-LIEU FISHING SITES

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161 (5 U.S.C. 22), and 463 and 465 (25 U.S.C. 2 and 9) and pursuant to other authorizing Acts, it is proposed to add a new Part 255 to Chapter I, Title 25 of the Code of Federal Regulations, to prescribe rules governing the use of lands and facilities acquired by the Secretary of the Army and transferred to the Secretary of the Interior pursuant to the Act of March 2, 1945 (59 Stat. 10, 22) as amended by the Act of June 8, 1955 (69 Stat. 85), to replace Indian fishing grounds submerged or destroyed as a result of the construction of the Bonneville Dam.

The purposes of these regulations are (1) to set forth the qualifications for use of the sites and to provide for identification of eligible users, (2) to limit the purposes for which the sites may be used, and (3) to specify the manner of using the sites.

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

The proposed Part 255 is as follows:

Sec.
255.1 Fishing sites subject to regulation.
255.2 Persons eligible to use sites.
255.3 Identification of eligible users.
255.4 Applicability of fishing laws and regulations.
255.5 Applicability of State laws.
255.6 Damage to Government-owned property.
255.7 Unauthorized structures.
255.8 Liability for condition and use of fishing platforms.
255.9 No property on sites to be left unattended.
255.10 Camping and use restrictions.
255.11 Firearms and explosives prohibited.
255.12 No commercial purchase of fish.
255.13 Gambling prohibited.

AUTHORITY: The provisions of this Part 255 issued under 5 U.S.C. 22; 25 U.S.C. 2, 9.

§ 255.1 Fishing sites subject to regulation.

Use of any of the lands acquired by the Secretary of War and transferred to the Secretary of the Interior pursuant to the Act of March 2, 1945 (59 Stat. 22), as amended (hereinafter called "in lieu fishing sites" or "sites") to replace Indian fishing grounds submerged or destroyed as a result of the construction of the Bonneville Dam shall be subject to the following rules and regulations. The Area Director, Portland Area Office, Bureau of Indian Affairs (hereinafter called "Area Director"), may suspend or withdraw the privileges of access to or use of any or all the sites for any violation of the regulations in this part or of any rules issued pursuant to the regulations in this part.

§ 255.2 Persons eligible to use sites.

The in-lieu fishing sites are for the benefit of the Yakima, Umatilla, and Warm Springs Indian Tribes, and other Columbia River Indians having treaty fishing rights at locations inundated or destroyed by Bonneville Dam, to be used in accordance with treaty rights. Fishing from the sites is restricted to enrolled members of any of the aforementioned tribes or groups, and the use of camping areas on the sites is restricted to such Indians and their families.

§ 255.3 Identification of eligible users.

For the purpose of identification of the persons entitled to use the sites for fishing, each member of the aforementioned tribes or groups shall have in his possession an identification card issued by his tribe or the Area Director, identifying him as a member of that tribe or group of Indians, and shall exhibit the identification upon request of authorized persons.

§ 255.4 Applicability of fishing laws and regulations.

No such Indian shall use any of the sites for fishing or for any activity directly associated with fishing that is contrary to the provisions of any law or regulation of his tribe or to any fishing regulations that may be prescribed by the Secretary of the Interior.

§ 255.5 Applicability of State laws.

State law and local ordinances now existing, or hereafter enacted, which do not interfere with treaty fishing rights or with applicable Federal law apply to and on the sites. Violation of such State or local laws shall be grounds for suspension or withdrawal of privileges for future access to or use of the sites.

§ 255.6 Damage to Government-owned property.

Anyone committing any act of depredation, destruction, theft, or misuse of the land, buildings, fences, signs, or other structures which are the property of the United States shall be subject to prosecution under applicable Federal or State law.

§ 255.7 Unauthorized structures.

No structures shall be erected or placed upon the sites without prior approval of the Area Director or his designee. Any structure erected in violation of these regulations may be removed, demolished, or otherwise disposed of with or without prior notice, as determined by the Area Director, and the cost of such disposition may be assessed against the person responsible for the structure.

§ 255.8 Liability for condition and use of fishing platforms.

(a) Any fishing platforms or other private structures erected or placed on the sites are the sole responsibility of their owners, and all use of such structures shall be at the user's or owner's sole responsibility and risk. Neither the United States nor any officer or employee thereof warrants, makes any representation, or is responsible for the safety or condition of any such structure.

(b) The approval required by the regulations in this part for the erection or placement of said structures is solely for the protection of the sites and for the prevention of unauthorized use of the sites or any portion thereof. Any use or occupancy of any such platforms without the authority or permission of the owner shall be a trespass.

§ 255.9 No property on sites to be left unattended.

No vehicle, trailer, boat, or other personal property shall be placed or left unattended on the sites except as may be authorized by the Area Director. Property left in violation of these regulations may be removed without prior notice to the owner and may be stored or otherwise disposed of at the owner's expense as determined by the Area Director.

§ 255.10 Camping and use restrictions.

All camping, picnicking, use of alcoholic beverages, setting or use of fires and use of the sites for cleaning of fish, and the deposit of any garbage, paper,

cans, bottles, or rubbish of any kind shall be subject to such prohibitions, restrictions, or other regulations as the Area Director may prescribe and cause to be posted on the site or sites to which said regulations are applicable; provided that no fee may be charged to any Indian or member of his family for any such use.

§ 255.11 Firearms and explosives prohibited.

No firearms or explosives of any kind may be brought onto the sites except by authorized law enforcement personnel.

§ 255.12 No commercial purchase of fish.

No person, firm, or corporation shall engage in the commercial purchase of fish on the sites except as may be expressly authorized by the Area Director.

§ 255.13 Gambling prohibited.

Gambling in any form, or the operation of any gambling device on the sites is prohibited.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 24, 1966.

[F.R. Doc. 66-7225; Filed, June 30, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16004]

FIELD STRENGTH CURVES FOR FM AND TV BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of §§73.333, 73.699, field strength curves for FM and TV broadcast stations; Docket No. 16004.

1. On May 10, 1965, the Commission issued a notice of proposed rule making (FCC 65-383) in the above-entitled matter which invited comments on proposed propagation curves for the FM and TV Broadcast Services to be filed on or before June 14, 1965, and reply comments on or before June 25, 1965. Subsequently an engineering conference was held on September 16, 1965, open to all interested engineers of the Association of Federal Communications Consulting Engineers and other knowledgeable persons in the communications industry. This conference appointed a working group to complete the work of the conference in redrafting the proposed curves and making any other recommendations it thought advisable. The working group completed its work and issued its report entitled "Report of the Working Group for the Engineering Conferences in Docket No. 16004, on the development of new FM and TV Propagation Curves" dated April 12, 1966. Comments dates were, in the meantime, extended to May 31, 1966, and to June 10, 1966, for replies.

2. In a memorandum from the Chief Engineer of the Commission transmitting the report of the working group to registrants of the engineering conference it was pointed out that a revision of Report No. R-6502, which would contain detailed information concerning the material briefly described in the report of the working group would be completed at a later date. On June 4, 1966, A. Earl Cullum, Jr. and Associates filed a request for extension of time to file comments in this proceeding until a minimum of 60 days after the revised Report R-6502 becomes public. Petitioner states that it plans to analyze the proposed curves and test them against other data and curves but that it cannot do this or evaluate the merit or lack of merit of these curves until the basic information on which they are formulated becomes available. Similar views are expressed by a number of parties to the proceeding even though they have not requested an extension of time.

3. In light of the importance of this proceeding and the need to adopt curves which are based on the best available data and views of competent and knowledgeable engineers, we believe that a further extension of time is warranted. The Office of the Chief Engineer estimates that a revised Report R-6502 (or a new one in the event it is determined that the old report should not be revised) will be available in about 2 months. *Accordingly, it is ordered*, This 21st day of June 1966, that the time for filing comments in this proceeding is extended to 60 days after a revised report R-6502 (or a new one) is issued and made part of the record in the proceeding, and that the time for filing replies is extended to 15 days thereafter.

4. This action is taken pursuant to authority contained in secs. 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules and regulations.

Released: June 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7240; Filed, June 30, 1966; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Geological Survey

[No. 134]

WYOMING

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

RECLASSIFIED COAL LANDS FROM NONCOAL LANDS

Prior classification of the following lands as noncoal lands is hereby revoked and the lands are reclassified as coal lands:

T. 46 N., R. 100 W.,
Sec. 26, NW¼NE¼, S½NE¼, W½, SE¼;
Sec. 27, SE¼NE¼, NE¼SW¼, S½SW¼, SE¼;
Sec. 32, SE¼NE¼, E½SE¼;
Sec. 33, NE¼NE¼, S½N½, S½;
Sec. 34;
Sec. 35, N½, SW¼, N½SE¼, SW¼SE¼;
Sec. 36, NW¼, NW¼SW¼.

The area described aggregates about 2,980 acres.

R. H. LYDDAN,
Acting Director.

JUNE 23, 1966.

[F.R. Doc. 66-7218; Filed, June 30, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NBS RADIO STATIONS

Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no change in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo., on August 1, 1966.

Notice is also hereby given that there will be no change in the phase of time pulses emitted from radio station WWV, Greenbelt, Md., and WWVH, Maui, Hawaii, on August 1, 1966. These pulses at present occur at intervals which are longer than 1 second by 300 parts in 10^{10}. This is due to the offset maintained in frequency, as coordinated by the Bureau International de l'Heure (BIH).

A. V. ASTIN,
Director.

[F.R. Doc. 66-7284; Filed, June 30, 1966; 8:48 a.m.]

NBS RADIO STATION WWV

Delay in Relocation

Notice is hereby given that, effective 0000 UT, December 1, 1966, all of the services presently provided by WWV from Greenbelt, Md., will be continued by WWV, Fort Collins, Colo. Unavoidable delays in equipment procurement and building construction necessitate the change to December 1, 1966, from the original target date of July 1, 1966, previously announced.

All six frequencies—2.5, 5, 10, 15, 20, and 25 MHz—will be transmitted by omnidirectional vertical half-wave dipoles having the following locations:

	Latitude	*Longitude*
2.5 MHz	40°40'55.2" N.	105°02'31.3" W.
5 MHz	40°40'42.1" N.	105°02'24.9" W.
10 MHz	40°40'47.8" N.	105°02'25.1" W.
15 MHz	40°40'45.0" N.	105°02'24.5" W.
20 MHz	40°40'53.1" N.	105°02'28.5" W.
25 MHz	40°40'50.5" N.	105°02'26.6" W.

Request for information should be addressed to: Director, National Bureau of Standards, Attention: Broadcast Services, § 251.02, Boulder, Colo. 80302.

A. V. ASTIN,
Director.

[F.R. Doc. 66-7285; Filed, June 30, 1966; 8:48 am.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-124]

VIRGINIA POLYTECHNIC INSTITUTE

Notice of Issuance of Facility License Amendment

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 1 to Facility License No. R-62. The license, as previously issued, authorizes Virginia Polytechnic Institute to operate the Argonaut-type nuclear reactor located on the Institute's campus at Blacksburg, Va. The amendment, which revises the license in its entirety, authorizes, (1) an increase in the maximum steady state power level of the reactor from 10 kilowatts to 100 kilowatts thermal, (2) an increase in the limit on excess reactivity from 0.5 percent to 0.6 percent, (3) the use of a second core for low power experiments and (4) incorporates technical specifications in the license. The amendment was requested by the licensee in an application dated December 7, 1965, and a supplement thereto dated March 5, 1966.

The amendment, as issued, is as set forth in the notice of proposed issuance of facility license amendment published in the FEDERAL REGISTER on June 8, 1966, 31 F.R. 8091.

For the Atomic Energy Commission.

Dated at Bethesda, Md., this 24th day of June 1966.

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

[F.R. Doc. 66-7206; Filed, June 30, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17423]

AEROVIAS CONDOR DE COLOMBIA, LTDA.

Notice of Prehearing Conference

Application for amendment of its foreign air carrier permit so as to add the intermediate point Curacao, N.W.I. on its route between Miami and points in Colombia with respect to property only.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 12, 1966, at 10 a.m., e.d.s.t., in Room 211, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Walter W. Bryan.

Dated at Washington, D.C., June 27, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-7235; Filed, June 30, 1966; 8:47 a.m.]

[Docket No. 17391]

BRITISH OVERSEAS AIRWAYS CORP.

Notice of Hearing

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held before the undersigned Examiner on July 14, 1966, at 10 a.m., e.d.t., in Room 726, 1825 Connecticut Avenue NW., Washington, D.C.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the Prehearing Conference Report served on June 27, 1966, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., June 28, 1966.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 66-7236; Filed, June 30, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16258; FCC 66-553]

AMERICAN TELEPHONE & TELEGRAPH CO. ET AL.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service.

1. The GT&E Service Corp. filed a petion on May 4, 1966, requesting reconsideration of the Commission's memorandum opinion and order released April 11, 1966 (3 FCC 2d 307), in which the Commission denied petitions filed by the National Association of Railroad and Utilities Commissioners (NARUC), the Bell System Respondents (Bell), regulatory commissions from 21 States, and GT&E Service Corp., insofar as such petitions requested modification of the previously promulgated hearing procedures [1] so that the jurisdictional cost separations issue would be considered in Phase 1 of this proceeding. On May 16, 1966, the Western Union Telegraph Co. filed an answer opposing the petition for reconsideration.

2. Petitioner in the first portion of its pleading essentially reiterates the basic arguments used in NARUC's petition of January 18, 1966, as generally summarized in paragraph 4 of the memorandum opinion and order here questioned, and repeats its own previously expressed concern that "substantial prejudice and irreparable damage will accrue to the telephone companies participating in interstate service offerings if rate reductions are ordered prior to the consideration and determination of the appropriate separations procedures." (P. 4 of petition.)

3. We have carefully reviewed and reconsidered our Memorandum Opinion and Order of April 11, 1966, herein, in the light of the instant petition. In our opinion, the arguments offered by petitioner do not warrant or require any change in our decision that it is neither unfair, improper nor unlawful for the Commission to consider and determine the issues which are subject to Phase 1 of this proceeding by the use of separation procedures now being uniformly applied in both State and Federal jurisdictions. The renewed emphasis by petitioner that any interim rate adjustments that may be ordered in Phase 1 may be invalidated by determinations made in Phase 2 of the proceeding requiring changes in current separations procedures, is not a new argument requiring reconsideration of our prior holding.

4. Petitioner also urges, as an additional ground for reconsideration, that the ordering of interim adjustments in rates which are charged by petitioner's operating telephone companies to their customers on the basis of existing separations procedures, prior to consideration of petitioner's unresolved objections to the most recent revision of the Separations Manual (the so called Denver Plan), "certainly raises fundamental questions of fairness and propriety." (P. 4 of the petition). In this connection, the following statement contained in paragraph 2 of our order instituting these proceedings (2 FCC 2d 871, on p. 872), adopted October 27, 1965, gives assurance to petitioner that it will have an opportunity to be heard with respect to its objections to such separations procedures:

> There is now pending consideration by the Commission of another major revision in the Separations Manual which has been approved by the NARUC for use "on an interim basis," pending conclusion of the proceedings provided for herein and subject to such changes as may be required as a result of such proceedings. Thus, in connection with our determination of revenue requirements of the Bell System applicable to its interstate services, the rates for which are at issue herein, we will consider the propriety of the principles and procedures of the Separations Manual including the most recent revision. This will afford all interested parties an opportunity to present evidence, views and recommendations concerning these principles and procedures, including the independent segment of the telephone industry which has, in written representations to this Commission, raised certain questions concerning the merits of the recent revision.

5. Petitioner also questions the relevancy of our reference to Class Rate Investigation 262 ICC 447, upheld in New York v. United States 331 U.S. 284 (1947), because that case did not involve the exact issue here, i.e., "the right of the Commission to fix rates without making the appropriate separations required by Smith v. Illinois Bell Telephone Company 282 U.S. 133" (p. 5 of petition). We cited that case as authority for our making interim adjustments, where they may be warranted, in view of the challenge made by petitioners of our right to do so. Further, interim rate action ordered by a regulatory agency prior to its resolving rate structure issues was upheld in FPC v. Tennessee Gas Transmission Co. 371 U.S. 145 (1962). Compare also FPC v. Natural Gas Pipeline Co. (1942) 315 U.S. 575, where the Supreme Court pointed out that "establishment of a rate for a regulated industry often involves two steps of different character, one of which may appropriately precede the other" (p. 584).

6. Petitioner further questions the procedure directed by paragraph 19 of our subject memorandum opinion and order, specifically, as to whether the conferences contemplated "will have some effect in Phase 1 of this proceeding." Our order of April 11, 1966, denied petitioners' request in this regard, and we are satisfied that the following statement from the order clearly defines the purpose of the conferences:

> By means of such conferences, it may well be possible to narrow the issues to be decided, to eliminate or reduce evidentiary presentations on issues as to which there is no serious dispute, and to reduce the number of witnesses required. Furthermore, it is to be hoped that the length of time required for presentations and our consideration of the issue of separations may be substantially reduced (p. 7, memorandum opinion and order).

The memorandum opinion and order of the Telephone Committee, April 12, 1966 (FCC 66M-571), has provided for a prehearing conference on the matter. The matter is not, however, part of Phase 1.

7. Our memorandum opinion and order of April 11, 1966, indicates the Commission will consider any recommendations from the Telephone Committee pursuant to which the separations question "may be advanced in the chronology of this proceeding." Whether this advancement will be sufficient to allow consideration of this question along with Phase 1 issues, can only be determined when any such recommendations are forthcoming. To allow this consideration as part of Phase 1 would require modification of existing orders which we decline to do at this time.

8. Accordingly, in view of the above: *It is ordered*, That the petition for reconsideration of May 4, 1966, by the GT&E Service Corp., is hereby denied.

Adopted: June 22, 1966.

Released: June 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION [2]
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7241; Filed, June 30, 1966; 8:48 a.m.]

[Docket No. 16722; FCC 66M-906]

BLACK HAWK BROADCASTING CO. (KWWL-TV)

Order Scheduling Hearing

In re application of Black Hawk Broadcasting Co. (KWWL-TV), Waterloo, Iowa, Docket No. 16722, File No. BPCT-3606; for construction permit.

It is ordered, This 23d day of June, 1966, that Sol Schildhause shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 1, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 18, 1966, commencing at 9 a.m.; and *It is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: June 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7242; Filed, June 30, 1966; 8:48 a.m.]

---

[1] Memorandum opinion and order of Dec. 22, 1965, FCC 65-1143, 30 F.R. 16222.

[2] Dissenting statement of Commissioner Bartley and dissenting opinion of Commissioner Loevinger filed as part of the original document.

[Docket No. 16125; FCC 66M-898]

TINKER, INC., AND STANDARD BROADCAST STATION WEKY

Memorandum Opinion and Order Continuing Hearing

In the matter of revocation of the license of Tinker, Inc., for Standard Broadcast Station WEKY, Richmond, Ky., Docket No. 16125.

1. The Hearing Examiner has for consideration a motion for stay filed by Tinker, Inc., on May 2, 1966, together with the opposition thereto filed by the Broadcast Bureau on May 11, 1966; and a motion for continuance presented by Tinker, Inc., in the course of an oral argument heard on June 23, 1966.

2. The motion for stay requests that further proceedings herein be stayed pending resolution by the Commission of an appeal by Tinker, Inc., of a Review Board order overruling certain procedural arrangements established by the Hearing Examiner. Under such circumstances, it is more appropriate that a stay be considered by either the Review Board, which made the order under appeal, or by the Commission, which must dispose of the appeal.

3. In moving for continuance, Tinker pleads that the terminal illness of the mother of its principal, J. Francke Fox, prevents Mr. Fox from adequately participating in the preparation or hearing of Tinker's case. Tinker seeks continuance on this ground until mid-September, but concedes that it might at that time need to seek further continuance on the same grounds. Thus, Tinker, in effect seeks an indefinite continuance.

4. Considerations of sympathy strongly urge a grant of the requested relief. Indeed, such considerations underlay the Hearing Examiner's grant of an earlier motion on the same ground. Nevertheless, the public interest must, ultimately, be the prevailing standard. This revocation proceeding was designated for hearing eleven months ago. The licensee has been accorded liberal continuances by both the Hearing Examiner and the Commission for a variety of reasons. Further continuance, especially of a lengthy or indefinite nature, becomes difficult to reconcile with the public interest. Nevertheless, a brief continuance to afford the parties an opportunity to further refine their cases is not inappropriate.

Accordingly, it is ordered, This 23d day of June 1966, that the Motion for Stay filed by Tinker, Inc., on May 2, 1966, is denied; and that the oral motion for continuance presented on the record on June 23, 1966, is denied; and,

It is further ordered, On the Hearing Examiner's own motion, that hearing herein is continued from July 12 to July 26, 1966.

Released: June 24, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7243; Filed, June 30, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

GULF/SCANDINAVIAN AND BALTIC SEA PORTS 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, 1312 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. John T. Crook, Chairman, Gulf/Scandinavian and Baltic Sea Ports Conference, Suite 927, Whitney Building, New Orleans, La. 70130.

Agreement 54007, between members of the Gulf/Scandinavian and Baltic Sea Ports Conference, modifies the basic agreement to (1) provide for the appointment of a Chairman in addition to a Secretary, the Secretary to perform the functions of the Chairman in his absence, (2) provide that all meetings of the parties shall be held at the Conference office in New Orleans unless another place of meeting shall be unanimously agreed upon in advance by the parties, (3) provide that all rates, charges, classifications, rules and regulations covering traffic to Poland, and to Russian and German ports on the Baltic Sea, whether by direct service of transshipment, will be established, modified or canceled by a majority vote of the parties to this agreement who are present at a meeting and vote, and (4) make such other changes which are consistent with the foregoing and which will bring the agreement into conformity with General Order 18 (46 CFR 537).

Dated: June 27, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7231; Filed, June 30, 1966; 8:47 a.m.]

GULF/UNITED KINGDOM 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. John T. Crook, Chairman, Gulf/United Kingdom Conference, Suite 927, Whitney Building, New Orleans, La. 70130.

Agreement 161-22 between the members of the Gulf/United Kingdom Conference modifies the basic agreement to (1) provide for the appointment of a Chairman in addition to a Secretary, the Secretary to perform the functions of the Chairman in his absence, (2) provide that all meetings of the parties shall be held at the Conference office in New Orleans unless another place of meeting is agreed upon in advance by a two-thirds vote of the parties, (3) eliminate the provisions (a) that penalties for deviation and deckload assessed by underwriters on Cotton and Cotton Linters may be refunded to shippers under certain circumstances, and (b) that the lines operating from ports east of New Orleans and those operating from ports west of Sabine District Ports retain the right of independent action and deal, as a group, with outside competition at New Orleans, Gulf Ports east of New Orleans and Sabine District Ports and at Gulf Ports west of Sabine District Ports, respectively, (4) provide for special meetings of the Conference to be called at the request of one or more Conference members for the purpose of taking action toward meeting outside competition, (5) provide for changes in the arbitration procedure, and (6) make such other changes which are consistent with the foregoing and which will bring the agreement into conformity with General Order 18 (46 CFR Part 537).

Dated: June 27, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7232; Filed, June 30, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-419]

CITIES SERVICE GAS CO.

Notice of Application

JUNE 24, 1966.

Take notice that on June 20, 1966, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP66-419 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 the sale for resale and the delivery of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to:

(1) Construct and operate a 2-inch pipeline extending from the end of its existing 6-inch pipeline in the northwest quarter of the northwest quarter of sec. 7, T. 12 S., R. 20 E., Douglas County, Kans., north approximately 2.6 miles to Magnolia Pipe Line Co.'s (Magnolia) pump station in the southeast quarter of sec. 25, T. 11 S., R. 19 E., in Jefferson County, Kans., and the construction and operation there of metering and appurtenant facilities for the sale and delivery of natural gas to Magnolia for fuel at said pump station;

(2) Tap its existing 16-inch pipeline in the northeast quarter of the southeast quarter of sec. 7, T. 12 S., R. 17 E., Shawnee County, Kans., and the construction and operation there of metering and appurtenant facilities and the sale and delivery of natural gas to the Gas Service Co. (Gas Service) for resale and delivery by it to consumers in and about the Shawnee Heights Area, Shawnee County, Kans.; and

(3) To sell and deliver natural gas through existing facilities to Gas Service for resale and delivery by it to consumers in and about the city of Greenwood, Jackson County, Mo.

Applicant states that the estimated third year peak-day and annual natural gas requirements for the Shawnee Heights Area are 160 Mcf and 16,327 Mcf, respectively, and for the city of Greenwood 1,127 Mcf and 88,400 Mcf, respectively. Applicant further states that the proposed sales for resale will be made under its F-2, C-2, and I-2 FPC gas rate schedules.

The total estimated cost of Applicant's proposed facilities is $23,360, $10,000 of which will be paid by Magnolia, with the remaining cost to be financed by Applicant from cash 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 July 22, 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.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7214; Filed, June 30, 1966; 8:45 a.m.]

[Docket Nos. G-8932, CP66-315]

EL PASO NATURAL GAS CO.

Order Granting Petitions To Intervene, Denying Motions To Reject or Defer Consideration and To Consolidate Proceedings, Fixing Date for Prehearing Conference and Establishing Procedure

JUNE 24, 1966.

On April 11, 1966, notice of the above-designated application and petitions to amend was issued by this Commission (31 F.R. 5918). Pursuant thereto timely notices of intervention and petitions to intervene were filed by the following:

Notices of intervention:

State of Texas[1] (Texas).

Washington Utilities and Transportation Commission (Washington).

Idaho Public Utility Commission (Idaho).

The Public Utility Commissioner of Oregon (Oregon).

Petitions for intervention:

Southern California Gas Co. and Southern Counties Gas Co.

Washington Natural Gas Co. (Washington Natural).

Washington Water Power Co.

The California Gas Producers Association.

The Texas Independent Producers and Royalty Owners Association (TIPRO).

Southern California Edison Co. (Edison).

Northwest Pipeline Corp. (Northwest Pipeline).

Cascade Natural Gas Corp.

Independent Petroleum Association of America (IPAA).

Colorado Interstate Gas Co.

Intermountain Gas Co.

Northwest Natural Gas Co. (Northwest Natural).

Fuels Research Council, Inc., National Coal Association, United Mine Workers of America (Fuels Research).

Gulf Pacific Pipeline Co. (Gulf Pacific).

Answers in opposition to the petition to intervene of Gulf Pacific were filed by: Northwest Natural, El Paso, Oregon, and Washington.

El Paso objected to the intervention of TIPRO,[2] California Gas Producers Association,[2] IPAA, Fuels Research Council and Southern California Edison Co.[3]

On May 9, 1966, Gulf Pacific filed a motion to reject the instant application and petitions to amend or to defer consideration thereof pending the decision in the proceedings, Transwestern Pipeline Co., et al., Docket Nos. CP63-204, et al. which are now pending decision before this Commission. Answers to said motions were filed by Idaho, Oregon, Northwest Natural, Washington, and El Paso.

On May 6, 1966, Edison filed a motion to consolidate the proceedings in Docket No. CP66-315 with the proceedings in Docket Nos. G-13018, et al., the El Paso "divestiture" proceedings. Answers to the Edison motion were filed by Idaho, Oregon, Northwest Natural, Washington Natural, Washington, and El Paso.

Upon consideration of the positions taken by the various parties, we find that the public interest would be served by permitting the intervention of the petitioners herein. Accordingly, we shall permit such intervention subject to the limitations hereafter set forth.

The motion for rejection of the instant application or for deferment of action therein filed by Gulf Pacific is inappropriate. There is no need to postpone action in this proceeding pending the determination of the competitive California proceeding. The record in that case was closed and will be the basis for the determination of the outcome of that proceeding. Accordingly, there is no reason to assume that any matter resulting from this case would effect the determination in that proceeding. This case involves an attempt by El Paso to meet the needs of its customers on its Pacific northwest system for the coming winter season and thereafter. There are allegations by El Paso and a number of the interveners herein to the effect that without this new gas supply there would be insufficient gas to meet market demands. During the time El Paso has been serving this market area under a temporary certificate issued by this Commission to assure the maintenance of adequate service to these customers, El Paso, in a number of cases, has found it necessary to expand service in its northwest system. To delay consideration of this case now because of the pendency of the competitive California proceeding would not be in the public interest. Without prejudging any of the allegations that have been made, we recognize that there are claims that there is

[1] An amending notice of intervention was filed on May 23, 1966.

[2] Washington Natural Gas Co. also objected to their intervention.

[3] Objection to Edison's intervention was also submitted by Washington Natural Gas Co. of Idaho.

a growing and immediate need for additional gas in the Pacific northwest. We feel that it is our duty to explore this question at the earliest possible moment. Accordingly, the Gulf Pacific motion will be denied.

Edison argues that it has been unable to find in the prepared evidence in the proceeding, Docket No. G–13018, et al., any indication of participation by officers of Northwest Pipeline in the negotiations of the contractual arrangements for additional Canadian gas and that the effect of the transfer of contractual burdens to Northwest Pipeline Corp. upon its service and competitive capabilities involve common questions of law or fact "which should, in the interest of justice, be consolidated for hearing." Edison's allegations are broad and unsupported. In fact, Northwest Pipeline has supported the application, thus giving tacit approval to the contractual arrangements. There is no exclusivity between this application and the proceedings in the divestiture case. We do not see that any purpose would be served by consolidating these proceedings. Accordingly the Edison motion will be denied.

Various of the parties have raised issues which require that a formal hearing be held on the application and petitions to amend. The assertion of the Applicant and those in support of its application and petitions indicates the need for expeditious processing of this matter. Accordingly, we will require that the formal hearing be held at the earliest reasonable time. In order to expedite the matter it would seem appropriate that those issues which will be tried be specified insofar as possible. We note that the parties have raised certain questions; a review of the application and petitions raises other questions which we feel must be disposed of at this proceeding. Among these, and without limitation to the presentation of other questions by the parties, are the following:

(1) Are there alternative means available to meet the needs of the northwest customers which would be more preferable than the proposal herein?

(2) Is there a market at this time for the volumes of gas proposed to be sold and transported by El Paso?

(3) Is it in the public interest to permit El Paso to import the additional volumes of natural gas at the price proposed to be charged by West Coast Transmission Co.?

(4) What will be the rate effect of the proposal herein?

(5) Should a domestic pipeline rely upon Canadian reserves to the degree that is herein proposed or should restrictions be placed upon the importation of natural gas, in light of the facts in this case?

We find that there should be a resolution of these issues without limitation to a consideration of any other issues which may be raised. However, in order to appropriately process this matter, it would seem that the parties should be required to delineate any other issues which they believe are involved insofar as possible. To accomplish this purpose, we will require that the parties to the proceeding submit, in writing, on or before July 5, 1966, a specification of any other issues which they believe are present in this matter. Thereafter we will institute a prehearing conference to be held before an examiner on July 12, 1966. At this conference all parties should attempt to further limit the issues in this proceeding, to stipulate as to evidentiary matters, to resolve those issues which are capable of resolution on agreed evidence, and using any other possible means to dispose of this proceeding in the most expeditious manner consistent with the requirements of due process and the Natural Gas Act.

The Commission finds:

(1) It is desirable to allow the above-named petitioners to intervene in these proceedings in order that said petitioners may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

(2) The processing of this proceeding will be expedited by the filing of statements of proposed issues by the participants herein and discussion thereafter at a prehearing conference, prior to the submittal of prepared testimony on the issues involved.

(3) The motion of Gulf Pacific Pipeline Co. to reject the application and petitions to amend or defer consideration thereof should be denied.

(4) The motion of Southern California Edison Co. to consolidate these matters with the proceedings in Pacific Northwest Pipeline Co., et al., Docket No. G–13018, et al., should be denied.

The Commission orders:

(A) The persons named in the body of this order are permitted to intervene, subject to the rules and regulations of the Commission.

(B) The motion of Gulf Pacific Pipeline Co. filed on May 9, 1966, is denied.

(C) The motion of Southern California Edison Co. filed on May 6, 1966, is denied.

(D) The parties to this proceeding shall submit in writing on or before July 5, 1966, a statement of the issues which they believe have been raised by the above-docketed application and petitions to amend. The statement of issues need not include those issues already noted by the Commission in this order. Said statement of issues shall be served on the other parties to the proceeding and the Commission's staff, in accordance with the Commission's rules.

(E) A prehearing conference shall be held on July 12, 1966, at 10 a.m., e.d.s.t., before Presiding Examiner Harry W. Frazee, or such other examiner as shall be designated, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of discussion and limitation of issues, stipulation as to facts, the possible resolution of issues by stipulation, and such other means as may be available to expedite the proceeding.

(F) El Paso Natural Gas Co. and those parties supporting the application and petitions to amend shall file supporting evidence on or before August 8, 1966.

(G) Oral examination of witnesses shall begin on September 7, 1966.

(H) Evidence in answer to any of the evidence presented by El Paso and supporting parties shall be filed on or before September 17, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 66–7215; Filed, June 30, 1966; 8:46 a.m.]

[Project 2545]

WASHINGTON WATER POWER CO.

Notice of Application for License for Constructed Project

JUNE 24, 1966.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by the Washington Water Power Co. (correspondence to: R. D. Yoemans, Secretary, the Washington Water Power Co., Post Office Box 1445, Spokane, Wash. 99210) for a license for constructed Project No. 2545, known as the Spokane River Project, located on the Spokane River in Spokane, Stevens, and Lincoln Counties, Wash., in the vicinity of Spokane, Nine Mile Falls, and Reardan.

The existing Spokane River Project consists of: Long Lake Plant—a development located in Stevens and Lincoln counties which consists of: (1) A concrete gravity dam about 593 feet long (maximum height about 247 feet) with a gated ogee spillway section about 353 feet long and an intake (nonoverflow) section, and an arch type cutoff dam about 200 feet long (maximum height about 107 feet); (2) a reservoir (normal pool elevation 1,536 feet), extending about 24 miles upstream, with an area of about 5,060 acres and a usable storage of about 105,080 acre-feet with 24 feet of drawdown; (3) four steel penstocks about 216 feet long; (4) a powerhouse containing four 22,500 hp turbines, each connected to a 17,500 kw generator (70,000 kw total); (5) an indoor 4/110 kv substation; and (6) appurtenant facilities. Nine Mile Plant—a development located in Spokane County which consists of: (1) A concrete gravity dam (crest elevation about 1,596.6 feet, m.s.l. with provision for 10-foot flashboards) about 464 feet long (maximum height about 58 feet), including an ogee spillway section about 225 feet long and a powerhouse section (with headgates) about 139 feet long; (2) a reservoir, at elevation 1,606.6 feet, extending about 4 miles upstream, with an area of about 440 acres and a usable storage of about

4,600 acre-feet; (3) a powerhouse containing four 5,000 hp turbines, each connected to a 3,000 kw generator (12,000 kw total); (4) a 16,000 kva substation; and (5) appurtenant facilities. Monroe Street Plant—a development located in the city of Spokane, Spokane County which consists of: (1) An overflow rockfill, timber-crib dam about 207 feet long (maximum height about 20 feet) with crest elevation 1,806.0 feet, m.s.l.; (2) a concrete and stone masonry headgate dam with timber gates; (3) a pond with an area of about 5 acres; (4) three steel penstocks about 570 feet long; (5) a powerhouse containing five turbines (total of 12,800 hp) connected to five generators (total of 7,200 kw); and (6) appurtenant facilities. Upper Falls Plant—a development located in the city of Spokane, Spokane County which consists of: (1) A gated concrete gravity spillway section about 366 feet long (maximum height about 39 feet); (2) a pond with an area of about 150 acres at elevation, 1,871.5 feet, m.s.l.; (3) a channel leading to an intake structure; (4) an 18-foot diameter steel penstock about 350 feet long; (5) a powerhouse containing one 14,250 hp turbine connected to one 10,000 kw generator; and (6) appurtenant facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 11, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7217; Filed, June 30, 1966; 8:46 a.m.]

[Docket Nos. G-2661 etc.]

BURLINGTON BANK & TRUST CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

JUNE 17, 1966.

Burlington Bank & Trust Co., Trustee, et al., Docket Nos. G-2661, et al.; Gulf Oil Corp., Docket No. CI66-1226.

In the notice of applications for certificates, abandonment of service and petitions to amend certificates, issued June 15, 1966, and published in the FEDERAL REGISTER June 23, 1966 (F.R. Doc. 66-6757; 31 F.R. 8699), in the chart change "Docket No. CI66-1126" to read "Docket No. CI66-1226" after Gulf Oil Corp.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7213; Filed, June 30, 1966; 8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN PAKISTAN

Entry and Withdrawal From Warehouse

JUNE 28, 1966.

On February 26, 1965, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a bilateral agreement with the Government of Pakistan concerning exports of cotton textiles from Pakistan to the United States over a 3-year period. Under this agreement the Government of Pakistan has undertaken to limit its exports to the United States of certain cotton textiles and cotton textile products to specified annual amounts. The third year of the agreement will commence on July 1, 1966, and extend through June 30, 1967. The categories which are subject to specific export limitation under the agreement are as follows: 9, print cloth (18/19 and part of 26), 22 and bark cloth type fabric (part of 26).

There is published below a letter of June 27, 1966, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs directing that the amounts of cotton textiles and cotton textile products in all the aforementioned categories, produced or manufactured in Pakistan which may be entered, or withdrawn from warehouse, for consumption in the United States from July 1, 1966, through June 30, 1967, be limited to certain designated levels.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

JUNE 27, 1966.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective July 1, 1966, and for the 12-month period extending through June 30, 1967, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9, 18/19, 22, and parts of 26, produced or manufactured in Pakistan, in excess of an aggregate level of restraint of 27,562,500 square yards. Within this aggregate level the following levels will apply:

Category	12-month levels of restraint (square yards)
9	17,640,000
18/19 and part of 26 [1]	7,17,000
22	2,205,000
Part of 26 [2]	3,307,500

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 9, 18/19, and part of 26,[1] 22, and a further part of 26,[2] produced or manufactured in Pakistan, which have been exported to the United States from Pakistan prior to July 1, 1966, shall, to the extent of any unfilled balances be charged against the adjusted levels of restraint established for such goods for the period ending June 30, 1966. In the event that the level of restraint established for the period ending June 30, 1966, has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551), and amendments thereto on March 24, 1964 (29 F.R. 3679).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textiles and cotton textile products from Pakistan have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall wtihin the foreign affairs exception to the notice provisions of section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 66-7230; Filed, June 30, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4358]

AMERICAN NATURAL GAS CO. AND CIG CORP.

Notice of Filing and Order for Hearing Regarding Acquisition of Utility Assets and Related Transactions

JUNE 23, 1966.

Notice is hereby given that American Natural Gas Co. ("American Natural"), 30 Rockefeller Plaza, Suite 4950, New York, N.Y. 10020, a registered holding company, and CIG Corp. ("CIG"), 1 Woodward Avenue, Detroit, Mich. 48226,

[1] T.S.U.S.A. Nos. 320.—34 and 326.—34.

[2] T.S.U.S.A. Nos. 320.—88, 321.—88, 322.—88, 323.—88, 324.—88, 325.—88, 326.—88, 327.—88, 328.—88, 329.—88, 330.—88, 331.—88, 320.—92, 321.—92, 322.—92, 323.—92, 324.—92, 325.—92, 326.—92, 327.—92, 328.—92, 329.—92, 330.—92, 331.—92.

an Indiana corporation recently organized by American Natural, have filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), a joint application-declaration and amendments thereto regarding the acquisition by CIG of substantially all the assets of Central Indiana Gas Co. ("Central"), a nonassociate public-utility company. Applicants-declarants have designated sections 6(a), 7, 9(a), 10, 12(d), 12(e), 12(f), and 12(g) of the Act and Rules 43, 50, and 62 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

American Natural, which is solely a holding company, has two subsidiary gas utility companies which distribute natural gas, at retail, to 1,234,000 customers in about 500 communities in the States of Michigan and Wisconsin, including the Detroit and Milwaukee metropolitan areas. The system's retail gas distribution requirements are supplied principally by Michigan Wisconsin Pipe Line Co., a subsidiary company of American Natural. This pipe line company owns and operates approximately 6,000 miles of natural gas pipe lines extending from the gas producing areas of Texas, Oklahoma, and Louisiana to the system's retail distribution areas. As of December 31, 1965, American Natural had consolidated plant, less related valuation reserves, of approximately $954,000,000, and for the year then ended, consolidated operating revenues amounted to approximately $363,000,000.

Central, an Indiana corporation, distributes natural gas, at retail, to approximately 81,000 customers in 40 communities in east-central Indiana. Central purchases its gas requirements from Panhandle Eastern Pipeline Co., a nonassociate company, pursuant to a long-term contract expiring October 31, 1985. As of December 31, 1965, Central's utility plant, at original cost, less accumulated depreciation, amounted to $30,210,000, and for the year then ended its operating revenues amounted to $20,263,000.

Pursuant to an Agreement and Plan of Reorganization ("Plan") dated January 19, 1966, between American Natural and Central, it is proposed that Central will sell, and CIG will acquire, substantially all of Central's assets. CIG will assume substantially all of Central's liabilities (principally $12,405,000 of mortgage bonds) and will deliver to Central 746,691 shares of American Natural common stock which shares American Natural will issue to CIG in exchange for all of the shares of CIG common stock. Based on the closing price on the New York Stock Exchange on June 14, 1966, of $41⅞ per share, the 746,691 shares of American Natural's common stock have an approximate aggregate market value of $31,263,952. Upon consummation of the sale, CIG will assume the corporate name of Central, and Central, upon the distribution of the American Natural common stock to its stockholders, will be dissolved.

The proposed sale and acquisition of Central's assets and the issuance and sale by CIG of its common stock are subject to the approval of the Public Service Commission of Indiana. The filing states that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the proposed transactions and that interested persons be afforded an opportunity to be heard at such hearing with respect to the proposed transactions;

It is ordered, That a hearing be held herein on July 18, 1966, at 10 a.m. at the office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The Officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the joint application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the issue and sale of common stock by American Natural and CIG satisfy the requirements of section 7 of the Act.

2. Whether the acquisition of Central's assets and properties by CIG and the acquisition of CIG's common stock by American Natural meet the standards of section 10 of the Act, particularly sections 10(b)(2) and 10(c)(2).

3. Whether the proposed accounting treatment in respect of the proposed transactions is appropriate.

4. What terms and conditions, if any, the Commission's order should contain.

5. Generally, whether the proposed transactions are in all respects compatible with the provisions and standards of the applicable sections of the Act and rules and regulations promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by certified mail to American Natural, CIG, Central, and the Public Service Commission of Indiana, and that notice to all other persons shall be given by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission.

It is further ordered, That any person desiring to participate in the hearing herein may, not later than July 14, 1966, make a request therefor in writing, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon American Natural at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-7226; Filed, June 30, 1966; 8:47 a.m.]

[File No. 70-4324]

EASTERN UTILITIES ASSOCIATES ET AL.

Supplemental Notice of Proposed Increase in Amount of Notes To Be Issued and Sold by Subsidiary Company to Banks

JUNE 27, 1966.

In the matter of Eastern Utilities Associates, Post Office Box 2333, Boston, Mass. 02107; Blackstone Valley Electric Co., 55 High Street, Pawtucket, R.I. 02860; Fall River Electric Light Co., 85 North Main Street, Fall River, Mass. 02722; File No. 70-4324.

Notice is hereby given that the above named companies have filed with this Commission, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 ("Act") and rules and regulations promulgated thereunder, an amendment to the joint application-declaration herein increasing the amount of borrowings to be made by Blackstone Valley Electric Co. ("Blackstone") heretofore authorized by the Commission. All interested persons are referred to said amendment, on file in the office of the Commission, for a statement of the transactions proposed therein which are summarized as follows:

By order dated December 15, 1965, herein (Holding Company Act Release No. 15364) the Commission authorized Blackstone to issue and sell to the Industrial National Bank of Rhode Island and Rhode Island Hospital Trust Co., from time to time during the period beginning on December 15, 1965, and ending December 22, 1966, unsecured short-term promissory notes in a maximum aggregate principal amount not exceeding $2,450,000 to each bank to be outstanding at any one time. Blackstone now proposes to increase by $250,000 the maximum amount of the notes which may be outstanding with each bank. The terms and provisions of the additional $500,000 principal amount of short-term notes proposed to be issued by Blackstone will be the same as the notes earlier author-

ized. The proceeds from the sale of the proposed notes will be used to finance, in part, Blackstone's 1966 construction program.

Notice is further given that any interested person may, not later than July 21, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration as amended may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7227; Filed, June 30, 1966; 8:47 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

JUNE 27, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, $10 par value, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 28, 1966, through July 7, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7228; Filed, June 30, 1966; 8:47 a.m.]

PINAL COUNTY DEVELOPMENT ASSN.

Order Suspending Trading

JUNE 27, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended; this order to be effective for the period June 28, 1966, through July 7, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-7229; Filed, June 30, 1966; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 28, 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. 40563—*Liquid caustic soda to Brunswick, Ga.* Filed by Southwestern Freight Bureau, agent (No. B-8874), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, also multiple tank carloads shipments subject to minimum of 4 tank carloads, from specified points in Louisiana and Texas, also Baldwin, Ark., and Wichita, Kans., to Brunswick, Ga.

Grounds for relief—Market competition.

Tariffs—Supplement 124 to Southwestern Freight Bureau, agent, tariff I.C.C. 4529, and other schedules named in the application.

FSA No. 40564—*Substituted service—B&O for Killion Motor Express, Inc.* Filed by Middlewest Motor Freight Bureau, agent (No. 373), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between East St. Louis, Ill., and Jeffersonville, Ind., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

Tariff—Supplement 17 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 481.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7246; Filed, June 30, 1966; 8:48 a.m.]

[Notice 204]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 28, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30837 (Sub-No. 331 TA), filed June 24, 1966. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. 53141. Applicant's representative: Albert P. Barber (same address as above.) Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements, by the truckaway method, (a) from Buffalo, N.Y., and points within 20 miles thereof, to points in New York and Pennsylvania, (b) from Selkirk, N.Y., and points within 20 miles thereof, to points in Connecticut, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont, (c) from Framingham, Mass., and points within 20 miles thereof, to points in Connecticut, Maine, Massachusetts, New Hampshire, and Rhode Island, (d) from Hagerstown, Md., and points within 20 miles thereof, to points in Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: American Motors Corp., 14250 Plymouth

Road, Detroit, Mich. 48232 (Leonard C. Kropp, distribution traffic manager, Automotive Division). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis. 53203.

No. MC 55236 (Sub-No. 138 TA), filed June 24, 1966. Applicant: OLSON TRANSPORTATION COMPANY, Post Office Box 2387, Green Bay, Wis. 54306. Applicant's representative: G. R. Bailey (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except classes A and B explosives and household goods as defined by the Commission, between junction U.S. Highway 45 (also formerly Wisconsin Highway 55) and Fond du Lac County Highway V, at Eden, Wis., and junction Fond du Lac County Highway V and U.S. Highway 45 (also formerly Wisconsin Highway 55), near Kewaskum, Wis., from junction U.S. Highway 45 (also formerly Wisconsin Highway 55) and Fond du Lac County Highway V, at Eden, Wis., over Fond du Lac County Highway V to junction U.S. Highway 45 (also formerly Wisconsin Highway 55), near Kewaskum, Wis., and return over the same route. Authority is sought to serve to and from the intermediate point of Campbellsport, Wis., between junction of U.S. Highway 45 (also formerly Wisconsin Highway 55) and Wisconsin Highway 67, and Campbellsport, Wis., and return over the same route. Authority is not sought to serve to and from intermediate points. Applicant intends to tack the authority herein applied for with its existing authority in MC 55236 and subs thereunder. Supporting shipper: Barton Manufacturing, Inc., West Bend, Wis. 53095 (E. A. Labisky, president). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis. 53203.

No. MC 82841 (Sub-No. 19 TA), filed June 24, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, tubing, and electric light poles, and materials, equipment and supplies used in installation and maintenance of electric light poles*, from Valley, Nebr., to points in the United States east of the eastern boundaries of Texas, Oklahoma, Colorado, Nebraska, South Dakota, and North Dakota, for 180 days. Supporting shipper: Valley Manufacturing Co., Valley, Nebr. 68064. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 82841 (Sub-No. 20 TA), filed June 24, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, wood shavings, and saw dust*, from plantsite of Woodland Products, Inc., near Mead, Nebr., to points in Kansas, South Dakota, Iowa, Missouri, and those in Minnesota on and south of U.S. Highway 12, for 180 days. Supporting shipper: Woodland Products, Inc., Dale B. Raasch, Vice President, 5113 North 49 Street, Omaha, Nebr. 68152. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 107002 (Sub-No. 317 TA), filed June 24, 1966. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Jackson, Miss. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plastics*, in bulk, in tank vehicles, from Hattiesburg, Miss., to St. Regis Paper Co., Pensacola, Fla., and National Gypsum Co., Pryor, Okla., for 180 days. Supporting shipper: Hercules Inc., Traffic Department, Wilmington, Del. 19899. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 111170 (Sub-No. 112 TA), filed June 24, 1966. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, from El Dorado, Ark., to points in West Virginia, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: D. R. Partney, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2519 Federal Office Building, Little Rock, Ark. 72201.

No. MC 114457 (Sub-No. 62 TA), filed June 23, 1966. Applicant: DART TRANSIT COMPANY, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Albert Lea, Fairmont, Mankato, Winnebago, and Worthington, Minn., to points in Michigan, for 180 days. Supporting shipper: Stokely-Van Camp, Inc., 941 North Meridian Street, Indianapolis 6, Ind. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 118130 (Sub-No. 51 TA), filed June 24, 1966. Applicant: BEN HAMRICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. 76134. Applicant's representative: M. Ward Bailey, 24th Floor, Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal briquets and lump wood charcoal*, in bags and bales, from Lehigh, N. Dak., to points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming, for 180 days. Supporting shipper: Harvey E. Webb, Traffic Manager, Registered Practitioner, Husky Briquetting, Inc., doing business as Husky-Dominion Briquet, Post Office Box 380, Cody, Wyo. 82414. Send protests to: Ralph Bezner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 816 T & P Building, Fort Worth, Tex. 76102.

No. MC 124814 (Sub-No. 4 TA), filed June 24, 1966. Applicant: LLOYD McVEY, doing business as McVEY TRUCKING, Rural Route No. 1, Oakwood, Ill. Applicant's representative: Clyde Meachum, 704–710 Baum Building, Danville, Ill. 61832. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, in bulk and in bags, from Danville, Ill., to points in Wisconsin and Ohio, for 150 days. Supporting shipper: Swisher Feed Division, William Davies Co., Inc., 628 East Fairchild Street, Chicago, Ill. Send protests to: Charles J. Kudelka, Supervisor, Bureau of Operations and Compliance, Room 1086, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 128303 (Sub-No. 1 TA), filed June 24, 1966. Applicant: CECIL W. BARCLAY, Route 6, Richmond, Ky. 40475. Applicant's representative: James E. Thompson, Richmond, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Formula agricultural feed for livestock*, from Cincinnati, Ohio, to Richmond and Berea, Ky., for 180 days. Supporting shippers: Joseph C. Russell, Manager, Southern States Cooperative, Inc., Richmond, Ky.; Phillip B. Harrison, Owner, Harrison Farm Supply Store, Berea, Ky. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Exchange Building, 147 North Upper Street, Lexington, Ky. 40507.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–7247; Filed, June 30, 1966; 8:48 a.m.]