

FEDERAL REGISTER

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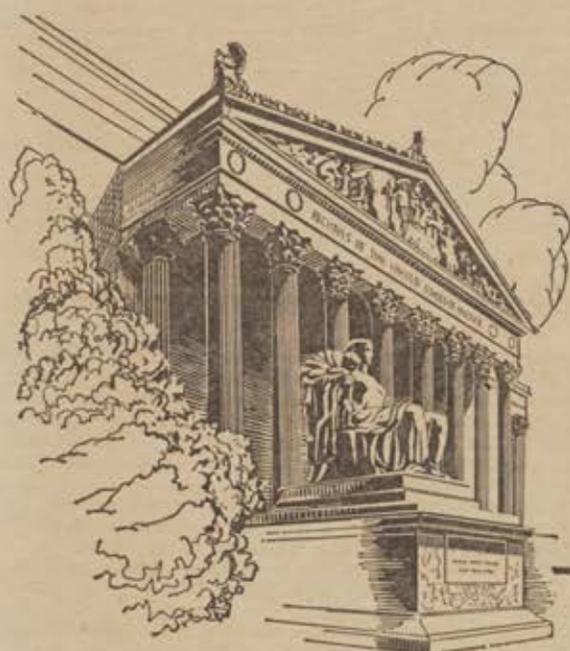
Tuesday, November 17, 1970 • Washington, D.C.

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Agricultural Stabilization and
Conservation Service
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Air Force Department
Atomic Energy Commission
Census Bureau
Civil Aeronautics Board
Coast Guard
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Consumer and Marketing Service
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National Park Service
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Securities and Exchange Commission
Transportation Department

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Presidential Proclamations and Executive Orders 1936-1969

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

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Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1971 Crop of Extra-Long Staple Cotton; Acreage Allotments and Marketing Quotas

STATE RESERVES AND COUNTY ALLOTMENTS

Section 722.562 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes the State reserves and allocation thereof among uses for the 1971 crop of extra-long staple cotton. It also establishes the county allotments. Such determinations were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (29 F.R. 16210, 33 F.R. 542, 35 F.R. 5637, 6199).

Notice that the Secretary was preparing to establish State and county allotments was published in the FEDERAL REGISTER on September 15, 1970 (35 F.R. 14462) in accordance with 5 U.S.C. 553. The views and recommendations received in response to such notice have been duly considered.

In order that farmers may be informed as soon as possible of 1971 farm allotments so that they may make plans accordingly, it is essential that this section be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest, and § 722.562 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.562 State reserves and county allotments for the 1971 crop of extra long staple cotton.

(a) *State reserves.* The State reserves for each State shall be established and allocated among uses for the 1971 crop of extra long staple cotton pursuant to § 722.508 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton (31 F.R. 6247, 13530, 32 F.R. 5416, 33 F.R. 8427, 16066, 16435, 34 F.R. 5, 808). It is hereby determined that no State reserve is required for trends, abnormal conditions, small farms, inequities and hardships or new farms. The following table sets forth the State reserve for each

State. The table also sets forth the allotment in the State productivity pool which shall not be allocated to counties and farms, as required under § 722.509 (a) of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton.

State	State productivity pool	Total State reserve	Allocation from State reserve for set-aside for errors
Arizona	209	10	10
California	.....	.....	.....
Florida	.....	4	4
Georgia	.....	.....	.....
New Mexico	20	10	10
Texas	22	.....	.....
U.S. total	251	24	24

(b) *County allotments.* County allotments are established for the 1971 crop of extra long staple cotton in accordance with § 722.509 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton. The following table sets forth the county allotments:

ARIZONA		County allotment acres
County		
Cochise	.....	842
Gila	.....	19
Graham	.....	14,064
Maricopa	.....	20,342
Pima	.....	3,677
Pinal	.....	10,697
Yuma	.....	1,237
State	.....	50,878
CALIFORNIA		
Imperial	.....	150
Riverside	.....	630
State	.....	780
FLORIDA		
Alachua	.....	64
Hamilton	.....	6
Jefferson	.....	2
Madison	.....	31
Marion	.....	44
Suwannee	.....	3
Union	.....	55
State	.....	205
GEORGIA		
Berrien	.....	125
Cook	.....	34
State	.....	159
NEW MEXICO		
Chaves	.....	65
Dona Ana	.....	22,626
Eddy	.....	192
Hidalgo	.....	33
Luna	.....	663
Otero	.....	67
Sierra	.....	257
State	.....	23,903

TEXAS

County	County allotment acres
Brewster	..... 17
Culberson	..... 412
El Paso	..... 28,887
Hudspeth	..... 3,570
Loving	..... 14
Pecos	..... 789
Presidio	..... 147
Reeves	..... 7,161
Ward	..... 594
State	..... 41,591

(Secs. 344, 347, 375, 63 Stat. 670, as amended, 675, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1347, 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C. on November 12, 1970.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 70-15439; Filed, Nov. 13, 1970; 9:51 a.m.]

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

PART 909—GRAPEFRUIT GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Expenses, Rate of Assessment, and Carryover of Unexpended Funds

On October 27, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 16637) regarding proposed expenses, the proposed rate of assessment, and the proposed carryover of unexpended assessment funds, for the fiscal period September 1, 1970, through August 31, 1971, pursuant to marketing Order No. 909, as amended (7 CFR Part 909; 35 F.R. 13875), regulating the handling of grapefruit grown in Arizona and designated part of California. 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 Administrative Committee (established pursuant to the said amended marketing order), it is hereby found and determined that:

§ 909.209 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by

the Administrative Committee during the period September 1, 1970, through August 31, 1971, will amount to \$155,100.

(b) *Rate of assessment.* The rate of assessment for such period, payable by each handler in accordance with § 909.41, is hereby fixed at \$0.03 per carton, or equivalent quantity of grapefruit.

(c) *Operating reserve.* Unexpended assessment funds, in excess of expenses incurred during such period, shall be carried over as a reserve in accordance with the applicable provisions of § 909.42.

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. 553) in that (1) shipments of the current crop of grapefruit grown in the designated production area are now being made; (2) the relevant provisions of said marketing order require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period; and (3) such period began on September 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: November 10, 1970.

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

[F.R. Doc. 70-15398; Filed, Nov. 16, 1970;
8:46 a.m.]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On October 31, 1970, notice of rule making was published in the FEDERAL REGISTER (35 F.R. 16860) regarding proposed expenses and the related rate of assessment for the period August 1, 1970, through July 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912) regulating the handling of grapefruit grown in the Indian River District in Florida. 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 Indian River Grapefruit Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 912.210 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Indian River Grapefruit Committee during the period August 1, 1970, through July 31, 1971, will amount to \$32,500.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 912.41, is fixed at \$0.005 per standard packed box of grapefruit.

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. 553) in that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: November 12, 1970.

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

[F.R. Doc. 70-15431; Filed, Nov. 16, 1970;
8:49 a.m.]

PART 913—GRAPEFRUIT GROWN IN INTERIOR DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On October 31, 1970, notice of rule making was published in the FEDERAL REGISTER (35 F.R. 16860) regarding proposed expenses and the related rate of assessment for the period beginning August 1, 1970, and ending July 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 913, as amended (7 CFR Part 913), regulating the handling of grapefruit grown in the Interior District in 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 Interior Grapefruit Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 913.206 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Interior Grapefruit Marketing Committee during the period August 1, 1970, through July 31, 1971, will amount to \$35,000.

(b) *Rate of assessment.* (1) The rate of assessment for said period, payable for each handler in accordance with § 913.31, is fixed at \$0.005 per standard packed box of grapefruit.

(2) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

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. 553) in that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: November 12, 1970.

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

[F.R. Doc. 70-15432; Filed, Nov. 16, 1970;
8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

2-Acetylamino-5-Nitrothiazole and Antibiotics in Poultry Feed; Revocation of Exemption

No comments were received in response to the notice published in the FEDERAL REGISTER of September 9, 1970 (35 F.R. 14221), proposing that the antibiotic drug regulations be amended to revoke the exemption of poultry feed containing 2-acetylamino-5-nitrothiazole and antibiotics from certification requirements. The Commissioner of Food and Drugs concludes that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), § 144.26 *Animal feed containing certifiable antibiotic drugs* is amended by revoking paragraph (b) (19).

Effective date. This order shall become effective 30 days after its date of publication in the FEDERAL REGISTER.

(Sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b)

Dated: November 4, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-15388; Filed, Nov. 16, 1970;
8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	Lassen	Duarte	E 06 035 1048 01 through E 06 035 1048 03	Department of Water Resources, Post Office Box 388, Sacramento, Calif. 95802.	Office of the City Clerk, 1634 East Third St., Duarte, Calif. 91010.	Nov. 13, 1970.
Do.	Los Angeles	Arcadia	E 06 037 0120 05	do.	Office of the City Clerk, City Hall, Post Office Box 60, Arcadia, Calif. 91006.	Sept. 4, 1970.
Do.	Ventura	Thousand Oaks	E 06 111 3860 01 through E 06 111 3860 16	do.	Office of the Director of Public Works, 1429 Thousand Oaks Blvd., Thousand Oaks, Calif. 91360.	Nov. 13, 1970.
Florida	Brevard	Unincorporated areas	E 12 009 0000 01 through E 12 009 0000 03	Department of Community Affairs, State of Florida, 399 Office Plaza, Tallahassee, Fla.	Office of the Clerk of the Circuit Court, Courthouse, 505 Palm Ave., Titusville, Fla. 32780.	Do.
Do.	Levy	Yankeetown	E 12 075 3320 01	State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32304.	do.	Do.
Louisiana	Jefferson	Kenner	E 05 051 1190 01 through E 05 051 1190 04	State Department of Public Works, Post Office Box 44153, Capitol Station, Baton Rouge, La. 70804.	Regulatory Department, 1801 Williams Blvd., Kenner, La. 70062.	Do.
Massachusetts	Bristol	Somerset	E 25 005 1185 01 through E 25 005 1185 02	Louisiana Insurance Department, Box 4214, Capitol Station, Baton Rouge, La. 70804.	Division of Water Resources, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202.	Do.
Tennessee	Blount	Maryville	E 47 009 1570 01 through E 47 009 1570 02	Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Office of Federal and Urban Affairs, 321 Seventh Ave. N., Nashville, Tenn. 37219.	Do.
Texas	Brazoria	Freeport	I 48 039 2490 03 through I 48 039 2490 04	Tennessee State Planning Commission, Room C2-208, Central Services Bldg., Nashville, Tenn. 37219, and Upper East Tennessee Office, 323 West Walnut St., Johnson City, Tenn. 37601.	State Insurance Commission, R-114, State Office Bldg., Nashville, Tenn. 37219.	Do.
Do.	Galveston	Hitchcock	I 48 167 3220 02	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711.	City Hall, City of Rockport, Broadway St., Rockport, Tex. 78382.	Do.
Do.	Harris	Nassau Bay	I 48 201 4821 02	State Board of Insurance, 1110 San Jacinto St., Austin, Tex. 78701.	do.	Do.
Do.	do	Taylor Lake	I 48 201 6247 02	do.	City Hall, City of Hitchcock, 6015 Second St., Hitchcock, Tex. 77563.	Do.
Do.	do	Water Control and Improvement District No. 60	I 48 201 8000 02	do.	City Hall, 18065 Upper Bay Rd., Suite 250, Houston, Tex. 77058.	Do.
Do.	Jefferson	Griffing Park	I 48 245 2580 02	do.	Village of Taylor Lake, 815 Timber Cove Dr., Seabrook, Tex. 77586.	Do.
Do.	do	Groves	I 48 245 2905 03 through I 48 245 2905 04	do.	Harris County Water Control and Improvement District No. 60, 4900 NASA Rd. 1, Seabrook, Tex. 77580.	Do.
Do.	do	Lakeview	I 48 245 3830 03 through I 48 245 3830 04	do.	City Hall, Town of Griffing Park, 3101 Bernhardt Dr., Port Arthur, Tex. 77642.	Do.
Do.	do	Nederland	I 48 245 4940 02	do.	Building Office, City of Groves, Public Works Office Bldg., McKinley Ave., at Highway 396, Groves, Tex. 77619.	Do.
Do.	do	Pear Ridge	I 48 245 6250 05 through I 48 245 6250 08	do.	Office of the Town Clerk, Town of Lakeview, 640 Duff Dr., Port Arthur, Tex. 77640.	Do.
Do.	do	Port Arthur	I 48 245 5430 03 through I 48 245 5430 04	do.	City Office Building, 1400 Boston Ave., Nederland, Tex. 77627.	Do.
Do.	do	Port Neches	I 48 245 5470 02	do.	Pear Ridge City Hall, 3540 Ninth Ave., Pear Ridge, Tex. 77640.	Do.
Do.	Matagorda	Palacios	I 48 321 5160 02	do.	Office of Urban Development, First Floor, City Hall, 444 Fourth St., Port Arthur, Tex. 77651.	Do.
				do.	City Manager's Office, City Hall, 634 Avenue C, Port Neches, Tex. 77651.	Do.
				do.	Office of the City Secretary, City Hall, 295 Fourth St., Palacios, Tex. 77465.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Wisconsin	Jefferson	Fort Atkinson	E 55 055 1760 01 E 55 055 1760 02	Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 4892 Sheboygan Ave., Madison, Wis. 53081.	Office of the City Manager, Municipal Bldg., Fort Atkinson, Wis. 53538.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969); 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: November 16, 1970.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-15320; Filed, Nov. 16, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
California	Lassen	Duarte	T 06 035 1048 01 through T 06 035 1048 03	Department of Water Resources, Post Office Box 388, Sacramento, Calif. 95802.	Office of the City Clerk, 1634 East Third St., Duarte, Calif. 91010.	Nov. 13, 1970.
Do.	Los Angeles	Arcadia	T 06 037 0120 05	do.	Office of the City Clerk, City Hall, Post Office Box 60, Arcadia, Calif. 91006.	Do.
Do.	Ventura	Thousand Oaks	T 06 111 3860 01 through T 06 111 3860 16	do.	Office of the Director of Public Works, 1429 Thousand Oaks Blvd., Thou- sand Oaks, Calif. 91300.	Do.
Florida	Brevard	Unincorporated areas.	T 12 009 0000 01 through T 12 009 0000 03	Department of Community Affairs, State of Florida, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Depart- ment, Treasurer's Office, State Capitol, Tallahassee, Fla. 32304.	Office of the Clerk of the Circuit Court, 506 Palm Ave., Titus- ville, Fla. 32780.	Do.
Do.	Levy	Yankeetown	T 12 075 3320 01	do.	Town Clerk's Office, Town of Yan- keetown, Yankeetown, Fla. 32088.	Do.
Louisiana	Jefferson	Kenner	T 05 051 1190 01 through T 05 051 1190 04	State Department of Public Works, Post Office Box 44155, Capitol Sta- tion, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 4214, Capitol Station, Baton Rouge, La. 70804.	Regulatory Department, 1801 Wil- liams Blvd., Kenner, La. 70062.	Do.
Massachusetts	Bristol	Somerset	T 25 005 1185 01 T 25 005 1185 02	Division of Water Resources, State Office Bldg., 100 Cambridge St., Boston, Mass. 02102. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02102.	Office of the Board of Selectmen, Town Office Bldg., Somerset, Mass. 02726.	Do.
Tennessee	Blount	Maryville	T 47 009 1570 01 T 47 009 1570 02	Office of Federal and Urban Affairs, 321 Seventh Ave., North, Nashville, Tenn. 37219. Tennessee State Planning Commis- sion, Room C2-208, Central Services Bldg., Nashville, Tenn. 37219 and Upper East Tennessee Office, 323 West Walnut St., Johnson City, Tenn. 37601. State Insurance Commission, R-114, State Office Bldg., Nashville, Tenn. 37219.	Office of the Building Official, City of Maryville, Municipal Bldg., Mary- ville, Tenn. 37801.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Texas	Brazoria	Freeport	H 48 039 2400 03 H 48 039 2400 04	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 1110 San Jacinto St., Austin, Tex. 78701.	City Hall, City of Rockport, Broadway St., Rockport, Tex. 78382.	June 16, 1970.
Do.	Galveston	Hitchcock	H 48 167 3220 02	do.	City Hall, City of Hitchcock, 6915 Second St., Hitchcock, Tex. 77563.	Do.
Do.	Harris	Nassau Bay	H 48 201 4821 02	do.	City Hall, 18065 Upper Bay Rd., Suite 250, Houston, Tex. 77058.	Aug. 6, 1970.
Do.	do	Taylor Lake	H 48 201 6247 02	do.	Village of Taylor Lake, 815 Timber Cove Dr., Seabrook, Tex. 77586.	Aug. 27, 1970.
Do.	do	Water Control and Improvement District No. 60.	H 48 201 8000 02	do.	Harris County Water Control and Improvement District No. 60, 4000 NASA Rd. 1, Seabrook, Tex. 77586.	Sept. 18, 1970.
Do.	Jefferson	Griffing Park	H 48 245 2880 02	do.	City Hall, Town of Griffing Park, 3101 Bernhardt Dr., Port Arthur, Tex. 77642.	July 17, 1970.
Do.	do	Groves	H 48 245 2905 03 H 48 245 2905 04	do.	Building Office, City of Groves, Public Works Office Bldg., McKinley Ave. at Highway 306, Groves, Tex. 77619.	May 26, 1970.
Do.	do	Lakeview	H 48 245 3830 03 H 48 245 3830 04	do.	Office of the Town Clerk, Town of Lakeview, 640 Duff Dr., Port Arthur, Tex. 77640.	Do.
Do.	do	Nederland	H 48 245 4840 02	do.	City Office Building, 1400 Boston Ave., Nederland, Tex. 77627.	Aug. 27, 1970.
Do.	do	Pear Ridge	H 48 245 5250 05 through H 48 245 5250 08	do.	Pear Ridge City Hall, 3540 Ninth Ave., Pear Ridge, Tex. 77640.	July 10, 1970.
Do.	do	Port Arthur	H 48 245 5430 03 H 48 245 5430 04	do.	Office of Urban Development, First Floor, City Hall, 444 Fourth St., Port Arthur, Tex. 77651.	May 26, 1970.
Do.	do	Port Neches	H 48 245 5470 02	do.	City Manager's Office, City Hall, 634 Ave. C, Port Neches, Tex. 77651.	Sept. 25, 1970.
Do.	Matagorda	Palacios	H 48 321 5160 02	do.	Office of the City Secretary, City Hall, 205 Fourth St., Palacios, Tex. 77465.	Aug. 11, 1960.
Wisconsin	Jefferson	Fort Atkinson	T 55 055 1700 01 T 55 055 1700 02	Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 4902 Sheboygan Ave., Madison, Wis. 53061.	Office of the City Manager, Municipal Bldg., Fort Atkinson, Wis. 53538.	Nov. 13, 1970.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969); 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2690, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: November 16, 1970.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-15321; Filed, Nov. 16, 1970; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-114]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Index of Part

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of November 1970.

Part 302 (Rules of Practice in Economic Proceedings) is a detailed and complex part comprising 28 pages printed in FEDERAL REGISTER format and embodying some 185 different sections of rules. The Board has compiled a comprehensive index of the part in order to assist parties to Board proceedings who use the part and other members of the

public who may have occasion to refer to it. The attached index will be printed as an appendix to the part and will be published with the part in the yearly reissue of the Code of Federal Regulations (14 CFR Part 302).¹

Since this amendment is merely an index of the part, notice and public procedure thereon are not required, and the amendment may become effective upon less than 30 days' notice.

In consideration of the foregoing, the Board hereby amends Part 302 of the procedural regulations (14 CFR Part 302), effective November 10, 1970, by incorporating therein an index of the part in the form attached hereto as Appendix A.²

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324. Secs. 3 and 4 of the Administrative

¹ Copies of the Index can be obtained from the Publication Services Section, CAB, Washington, D.C. 20408.

² Copy filed with Office of Federal Register as part of original document.

Procedure Act, 81 Stat. 54, 80 Stat. 393; 5 U.S.C. 552 and 553.)

By the Civil Aeronautics Board.

Effective: November 10, 1970.

Adopted: November 10, 1970.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-15428; Filed, Nov. 16, 1970; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER K—MILITARY TRAINING AND SCHOOLS

PART 908—MEDICAL, DENTAL, AND VETERINARY EDUCATION OF REGULAR AND RESERVE AIR FORCE OFFICERS

Part 908 of Title 32 of the Code of Federal Regulations is revised to read as follows:

Sec.

- 908.1 Purpose.
 908.2 Who may apply for training.
 908.3 Eligibility criteria for training.
 908.4 Service commitment incurred.
 908.5 How to apply for training.
 908.6 Processing responsibilities.

AUTHORITY: The provisions of this Part 908 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

§ 908.1 Purpose.

This part explains how a military member or civilian highly motivated toward an Air Force career in medicine (includes osteopathy), dentistry, or veterinary medicine may participate in advanced training that qualifies him as a physician, dentist, or veterinarian. It also outlines responsibilities and eligibility requirements and tells how to apply for such training.

§ 908.2 Who may apply for training.

Any military member (active or inactive) or civilian person who meets the criteria in § 908.3 and has been recommended by the dean of his undergraduate school may apply for training at an accredited school for the time normally required to earn an M.D., D.O., D.D.S., D.M.D., or D.V.M. degree from the school, usually four but sometimes 5 years.

§ 908.3 Eligibility criteria for training.

If an applicant is a nonrated Regular or Reserve officer in the grade of first lieutenant or below, a Reserve or active duty enlisted man, a civilian having received a B.S. degree, or a civilian within 6 months of completion of undergraduate school, and if he will be under 27 years of age upon entry into medical, dental, osteopathic, or veterinary school, and has proof of acceptance by an accredited professional school¹ and has been recommended by the dean of his undergraduate school, then he may apply for training under the program at least 6 months before anticipated entry to school.

§ 908.4 Service commitment incurred.

A participant in this education program:

(a) Must agree to accept appointment or reappointment in the Regular Air Force or U.S. Air Force Reserve as appropriate, Medical Service Corps (MSC), for the duration of his school training and, if it is tendered, to accept reappointment in the Regular Air Force or Reserve of the Air Force as appropriate, Medical (MC), Dental (DC), or Veterinary (VC) Corps upon graduation.

(b) Is on active duty while attending school and is entitled to pay and allowances for his grade during that period.

(c) Incurs active duty service commitment (ADSC) of three times the length of the course. For example, a student attending for 4 years a school which has

¹The letter of acceptance may be contingent upon completion of specified courses, and for dental applicants completion of The Dental Aptitude Test, but may not be for undergraduate training only.

an academic year of 9 months would incur an ADSC of three times the length of the course (36 months) or 108 months. Fulfillment of the ADSC commences according to the following rules:

(1) A medical student would begin fulfilling the ADSC on the day following completion of internship.

(2) A dental student who voluntarily participates in the Air Force Dental Intern Program will begin to fulfill the ADSC on the day following completion of the internship training; otherwise, the ADSC will begin on the day following graduation from dental school.

(3) A veterinary medicine student would commence to fulfill the ADSC on the day following graduation from school.

(d) Will fulfill an ADSC incurred by the acceptance of an Air Force commission while attending school or during sponsored internship training programs.

(e) Who is eliminated from training before completion of the first year will incur an ADSC of 2 years from date of elimination. After the first year, elimination results in an ADSC of 2 years plus 1 month for each month of training received after the first year. Situations of students eliminated from training leading to a degree will be reviewed by USAFMPC (AFMSMB4) and (AFPMBR-EB) and, when appropriate, will be reappointed in the line of the Air Force.

§ 908.5 How to apply for training.

The applicant will submit a request direct to USAFMPC (AFMSMB4), Randolph AFB, TX 78148, for an application kit.

§ 908.6 Processing responsibilities.

(a) Hq USAF—after considering each application, makes selections through an Education Committee representing the Surgeon General, USAF. This Committee considers career motivation, scholastic standing, and military aptitude in making selections. The Committee will also consider Medical College Test (MCAT) scores for medical applicants.

(b) Air University—through the Commandant, Air Force Institute of Technology (AFIT) will negotiate and contract with schools for the education authorized by this part. The contract must include payment for all tuition and fees listed in the selected school's official catalog. In addition, AFIT will defray associated educational expenses for books, supplies, thesis preparation, and equipment as follows:

(1) Books, supplies, and materials as required, not to exceed \$100 each year.

(2) Any equipment the school requires all students to possess.

(3) Doctoral dissertation (when required of students), \$50.

(4) Reimbursement for fees for examinations administered by the National Board of Medical Examiners or the State Board of Medical Examiners when such examinations are required by the institution in which enrolled as a prerequisite to graduation.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
 Colonel, U.S. Air Force, Chief,
 Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 70-15386; Filed, Nov. 16, 1970; 8:45 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 1; Amdt. 1-41]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Authority With Respect to Approval of Sufficiency of Title to Land

The purpose of this amendment is to delegate to the General Counsel of the Department of Transportation the Department's authority to approve the sufficiency of title to land and to provide for successive redelegations to other attorneys within the Department of Transportation.

Section 355 of the Revised Statutes, as amended by Public Law 91-393, 84 Stat. 835 (40 U.S.C. 255) authorizes the Attorney General to delegate to other departments and agencies his authority to give written approval of the sufficiency of the title to land being acquired by the United States. The Attorney General has delegated to the Assistant Attorney General in charge of the Land and Natural Resources Division the authority to make delegations under that law to other Federal departments and agencies (35 F.R. 16084; 28 CFR 0.66). The Assistant Attorney General, Land and Natural Resources Division, has further delegated certain responsibilities in connection with the approval of the sufficiency of the title to land to this Department as follows:

DELEGATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE APPROVAL OF THE TITLE TO LANDS BEING ACQUIRED FOR FEDERAL PUBLIC PURPOSES

Pursuant to the provision of Public Law 91-393, approved September 1, 1970, 84 Stat. 835, amending R.S. 355 (40 U.S.C. 255), and acting under the provisions of Order No. 440-70 of the Attorney General, dated October 2, 1970, the responsibility for the approval of the sufficiency of the title to land for the purpose for which the property is being acquired by purchase or condemnation by the United States for the use of your Department is, subject to the general supervision of the Attorney General and to the following conditions, hereby delegated to your Department.

This delegation of authority is further subject to:

1. Compliance with the regulations issued by the Assistant Attorney General on October 2, 1970, a copy of which is enclosed.

2. This delegation is limited to:
 (a) The acquisition of land for which the title evidence, prepared in compliance with

these regulations, consists of a certificate of title, title insurance policy, or an owner's duplicate Torrens certificate of title.

(b) The acquisition of lands valued at \$100,000 or less, for which the title evidence consists of abstracts of title or other types of title evidence prepared in compliance with said regulations.

As stated in the above-mentioned act, any Federal department or agency which has been delegated the responsibility to approve land titles under the Act may request the Attorney General to render his opinion as to the validity of the title to any real property or interest therein, or may request the advice or assistance of the Attorney General in connection with determinations as to the sufficiency of titles.

This 2d day of October 1970.

SHIRO KASHIWA,
Assistant Attorney General, Land
and Natural Resources Division.

Since this amendment involves a delegation of authority and relates to the internal management of the Department, notice and public procedure thereon are not required and the amendment may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective November 10, 1970, § 1.59 of title 49, Code of Federal Regulations is amended by adding the following new paragraph at the end thereof:

§ 1.59 Delegations to General Counsel.

The General Counsel is delegated authority to—

(k) Exercise the authority delegated to the Department by the Assistant Attorney General, Land and Natural Resources Division, in his order of October 2, 1970, to approve the sufficiency of the title to land being acquired by purchase or condemnation by the United States for the use of the Department. Redelegation and successive redelegations of this authority may only be made to attorneys within the Department.

(Sec. 9 of the Department of Transportation Act; 49 U.S.C. 1657)

Issued in Washington, D.C., on the 6th of October 1970.

JAMES M. BEGGS,
Acting Secretary of Transportation.

[F.R. Doc. 70-15413; Filed, Nov. 16, 1970; 8:47 a.m.]

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Amdt. 192-1; Docket OPS-3]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

Miscellaneous Amendments

The purpose of this amendment is to modify several provisions of the newly established minimum Federal safety

standards. These changes will avoid several problems that would have caused unnecessary burdens for the pipeline industry.

The minimum Federal safety standards were established on August 12, 1970, as Part 192 of Title 49 of the Code of Federal Regulations (35 F.R. 13247, Aug. 19, 1970). These amendments are also being made effective November 12, 1970, in order to coincide with the effective date of Part 192.

One major problem area is the application of the new standards to existing stocks of pipe and other materials, particularly with respect to Subpart B and Appendix B. The editions of the pipe specifications listed in Appendix B were the most recently issued editions. This required that stockpiled pipe made under earlier editions of these specifications be qualified or used in some other way. To avoid this situation, two amendments are being made. The earlier editions of these specifications that were listed in the 1968 edition of the B31.8 Code are being included in the list in Appendix B. Further, § 192.55 is being amended to permit the use of new steel pipe for replacement in an existing pipeline if it was manufactured in accordance with the same specification as the pipe used in the pipeline.

Another step being taken to avoid difficulties with existing stocks of parts is the addition of an exception to § 192.63. This will permit, under certain conditions, the continued use of items that were manufactured before the effective date of the standards and are unmarked, but which are clearly identifiable as to manufacturer, type, and model. In addition, § 192.359(b) is being modified to make it applicable only to meters manufactured after the effective date of the regulations. This will permit the use of the large stocks of existing meters which have not been tested to 10 p.s.i.g.

Several questions have been asked as to whether API 6A is an acceptable standard for the purpose of § 192.145(a). In response to these questions, and to clarify the intended meaning of this requirement, this section is amended to specifically permit the use of valves manufactured in accordance with this standard.

In response to a petition by a manufacturer of pipeline parts, an additional exception is being added to § 192.153(b). This exception is one that was contained in the B31.8 Code and the interim standards, but was inadvertently omitted from the new standards. However, to assure that the parts being excepted are properly made, certain conditions will have to be met before the exception applies.

Section 192.199 provides requirements for design of pressure relief and limiting devices. These requirements were not intended to apply to rupture discs since, in effect, they would prohibit the use of these items. To avoid this problem and to permit continuation of the present industry practice in using rupture discs, they are being exempted from the requirements of this section.

Another correction is being made in section 192.371. As proposed in Notice 70-3, this requirement would have applied only to pipe used in steel service lines, not to the other components of the line. As issued, this section would require the service line valves and other components as well as the pipe to be designed for 100 p.s.i.g. This was not the intent and the regulation has been corrected to apply to pipe only.

Section 192.619(a) establishes maximum operating pressures based on a number of factors, one of which is based on the testing of the pipeline. Since this test factor applied to all pipelines without regard to operating pressure, it appeared to be inconsistent with the testing requirements of § 192.509 which only required testing to 90 p.s.i.g. for pipelines operated at or below 106 p.s.i.g. To avoid this problem, § 192.619(a) is amended to require the use of the test factor table only for pipelines operated at more than 100 p.s.i.g. For those pipelines operated at or below 100 p.s.i.g., the leak test requirements of § 192.509 will be sufficient.

Appendix A has been changed so as to conform to the changes made to the list of specifications in Appendix B and to include API Standard 6A which has been added to § 192.145(a).

In addition to the amendments discussed above, several minor amendments have been made to other sections to correct typographical errors and other mistakes.

These amendments, together with the changes to § 192.625 (Odorization of Gas) that were published in the FEDERAL REGISTER on November 11, 1970 (35 F.R. 17335), have been reviewed by the Technical Pipeline Safety Standards Committee in accordance with § 4(b) of the Natural Gas Pipeline Safety Act. The report of the Committee on the technical feasibility, reasonableness, and practicality of each amendment, together with a transcript of the meeting at which the amendments were reviewed, is contained in a public docket, Docket OPS-3, at the Office of Pipeline Safety. The amendments issued herein conform to the recommendations of the Committee with two exceptions.

The amendments to § 192.55(a) and to Appendix B are issued as they were submitted to the Committee by the Department. With respect to § 192.55(a), the Committee recommended that the new subparagraph (4) read "New steel pipe in stock before March 12, 1971, may be used in a segment of pipeline if it has been manufactured in accordance with a previous edition of a specification listed in Appendix B. If the pipe is to be used as a replacement in an existing segment of pipeline the pipe shall be compatible with the existing segment".

Since this recommended language would have made a change to the list of specifications unnecessary, the Committee further recommended that Appendix B remain unchanged.

The Department has considered the effect of the Committee's recommendation and has concluded that it involves a change to the existing regulations of such significance as to require a full regulatory proceeding, including a notice of proposed rule making published in the FEDERAL REGISTER. This will give the public and the industry an opportunity to comment on the recommendation and to provide the Department with more complete information on the extent of the problem.

The second instance in which these amendments do not conform to the recommendations of the Committee is with respect to § 192.359(b). The Committee recommended that this paragraph be amended to permit the use of meters manufactured before March 12, 1971, that had not been tested to at least 10 p.s.i.g. The Department has modified this recommendation to limit the date for manufacture without testing to November 12, 1970. During these rule-making proceedings, the Department ascertained that testing was a common practice among meter manufacturers and that this new requirement would not create any difficulty. Further, the effective date of the minimum Federal standards gives any manufacturers who were not previously testing their meters 90 days to adjust their operations to meet this requirement. The Department believes that this is an adequate time to achieve compliance while still permitting the use of all existing stocks of meters that have not been tested.

Since the regulations that are affected by this amendment will become effective on November 12, 1970, and since these amendments relieve certain restrictions and will impose no additional burden on any person, I find that notice and public procedure are not necessary, and that good cause exists for making them effective on less than 30 days' notice.

In consideration of the foregoing, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows, effective November 12, 1970.

This amendment is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671 et seq.), Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

Issued in Washington, D.C., on November 10, 1970.

JOSEPH C. CALDWELL,
Director, Acting,
Office of Pipeline Safety.

1. Section 192.55 is amended by revising paragraph (a)(3), by amending paragraph (d), and by adding new paragraph (e), to read as follows:

§ 192.55 Steel pipe.

(a) * * *

(3) It is used in accordance with paragraph (c) or (d) of this section.

(d) Steel pipe that has not been previously used may be used as replacement pipe in a segment of pipeline if it has been manufactured prior to November 12, 1970, in accordance with the same specification as the pipe used in constructing that segment of pipeline.

(e) New steel pipe that has been cold expanded must comply with the mandatory provisions of API Standard 5LX.

2. Section 192.63 is amended to read as follows:

§ 192.63 Marking of materials.

(a) Except as provided in paragraph (d) of this section, each valve, fitting, length of pipe, and other component must be marked as prescribed in—

(1) The specification or standard to which it was manufactured; or

(2) MSS Standard Practice, SP-25.

(b) Surfaces of pipe and components that are subject to stress from internal pressure may not be field die stamped.

(c) If any item is marked by die stamping, the die must have blunt or rounded edges that will minimize stress concentrations.

(d) Paragraph (a) of this section does not apply to items manufactured before November 12, 1970, that meet all of the following:

(1) The item is identifiable as to type, manufacturer, and model.

(2) Specifications or standards giving pressure, temperature, and other appropriate criteria for the use of items are readily available.

§ 192.145 [Amended]

3. Section 192.145(a) is amended by inserting the words "API 6A," between the word "of" and the words "API 6D".

4. Section 192.153(b) is amended to read as follows:

§ 192.153 Components fabricated by welding.

(b) Each prefabricated unit that uses plate and longitudinal seams must be designated, constructed, and tested in accordance with the ASME Boiler and Pressure Vessel Code, except for the following:

(1) Regularly manufactured butt-welding fittings.

(2) Pipe that has been produced and tested under a specification listed in Appendix B to this part.

(3) Partial assemblies such as split rings or collars.

(4) Prefabricated units that the manufacturer certifies have been tested to at least twice the maximum pressure to which they will be subjected under the anticipated operating conditions.

§ 192.191 [Amended]

5. Section 192.191(b) is amended by deleting the word "alpha-bunastylene" and by inserting the word "acrylonitrile-butadiene-styrene" in place thereof.

§ 192.197 [Amended]

6. Section 192.197(a) is amended by deleting the words "or less" from the lead-in sentence.

7. Section 192.199 is amended by revising the introductory text preceding paragraph (a) to read as follows:

§ 192.199 Requirements for design of pressure relief and limiting devices.

Except for rupture discs, each pressure relief or pressure limiting device must—

§ 192.309 [Amended]

8. Section 192.309(b)(3)(ii) is amended by deleting the number "20" and inserting in place thereof the number "2".

9. Section 192.359(b) is amended to read as follows:

§ 192.359 Customer meter installations: operating pressure.

(b) Each newly installed meter manufactured after November 12, 1970, must have been tested to a minimum of 10 p.s.i.g.

10. Section 192.371 is amended to read as follows:

§ 192.371 Service lines: steel.

Each steel service line to be operated at less than 100 p.s.i.g. must be constructed of pipe designed for a minimum of 100 p.s.i.g.

11. Section 192.619(a)(2)(ii) is amended by revising the introductory text to read as follows:

§ 192.619 Maximum allowable operating pressure: steel or plastic pipelines.

(a) * * *

(2) * * *

(ii) For steel pipe operated at 100 p.s.i.g. or more, the test pressure is divided by a factor determined in accordance with the following table:

12. Sections II-A and II-B of Appendix A are revised to read as follows:

II. Documents incorporated by reference.

A. American Petroleum Institute:

1. API Standard 5L "API Specification for Line Pipe" (1967, 1970 editions).

2. API Standard 5LS "API Specification for Spiral-Weld Line Pipe" (1967, 1970 editions).

3. API Standard 5LX "API Specification for High-Test Line Pipe" (1967, 1970 editions).

4. API Recommended Practice 5LI entitled "API Recommended Practice for Railroad Transportation of Line Pipe" (1967 edition).

5. API Standard 5A "API Specification for Casing, Tubing, and Drill Pipe" (1968 edition).

6. API Standard 6A "Specification for Well-head Equipment" (1968 edition).

7. API Standard 6D "Specification for Pipeline Valves" (1968 edition).

8. API Standard 1104 "Standard for Welding Pipe Line and Related Facilities" (1968 edition).

B. The American Society for Testing and Materials:

1. ASTM Specification A53 "Standard Specification for Welded and Seamless Steel Pipe" (A53-65, A53-68).

2. ASTM Specification A72 "Standard Specification for Welded Wrought-Iron Pipe" (A72-64T, A72-68).

3. ASTM Specification A106 "Standard Specification for Seamless Carbon Steel Pipe"

for High-Temperature Service" (A106-66, A106-68).

4. ASTM Specification A134 "Standard Specification for Electric-Fusion (ARC)-Welded Steel Plate Pipe, Sizes 16 in. and over" (A134-64, A134-68).

5. ASTM Specification A135 "Standard Specification for Electric-Resistance-Welded Steel Pipe" (A135-63T, A135-68).

6. ASTM Specification A139 "Standard Specification for Electric-Fusion (ARC)-Welded Steel Pipe (Sizes 4 in. and over)" (A139-64, A139-68).

7. ASTM Specification A155 "Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service" (A155-65, A155-68).

8. ASTM Specification 211 "Standard Specification for Spiral Welded Steel or Iron Pipe" (A211-63, A211-68).

9. ASTM Specification A333 "Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service" (A333-64, A333-67).

10. ASTM Specification A377 "Standard Specification for Cast Iron and Ductile Iron Pressure Pipe" (A377-66).

11. ASTM Specification A381 "Standard Specification for Metal-Arc-Welded Steel Pipe for High-Pressure Transmission Service" (A381-66, A381-68).

12. ASTM Specification A539 "Standard Specification for Electric-Resistance Welded Coiled Steel Tubing for Gas and Fuel Oil Lines" (A539-65).

13. ASTM Specification B42 "Standard Specification for Seamless Copper Pipe, Standard Sizes" (B42-62, B42-66).

14. ASTM Specification B68 "Standard Specification for Seamless Copper Tube, Bright Annealed" (B68-65, B68-68).

15. ASTM Specification B75 "Standard Specification for Seamless Copper Tube" (B75-65, B75-68).

16. ASTM Specification B88 "Standard Specification for Seamless Copper Water Tube" (B88-66).

17. ASTM Specification B251 "Standard Specification for General Requirements for Wrought Seamless Copper and Copper-Alloy Tube" (B251-66, B251-68).

18. ASTM Specification D2513 "Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing, and Fittings" (D2513-66T, D2513-68).

19. ASTM Specification D2517 "Standard Specification for Reinforced Thermosetting Plastic Gas Pressure Piping and Fittings" (D2517-66T, D2517-67).

20. ASTM Specification A372 "Standard Specification for Carbon and Alloy Steel Forgings for Pressure Vessel Shells" (A372-67).

13. Section 1 of Appendix B is amended to read as follows:

APPENDIX B—QUALIFICATION OF PIPE

I. *Listed Pipe Specifications.* Numbers in parentheses indicate applicable editions.

- API 5L—Steel and iron pipe (1967, 1970).
- API 5LS—Steel pipe (1967, 1970).
- API 5LX—Steel pipe (1967, 1970).
- ASTM A53—Steel pipe (1965, 1968).
- ASTM A106—Steel pipe (1966, 1968).
- ASTM A134—Steel pipe (1964, 1968).
- ASTM A135—Steel pipe (1963T, 1968).
- ASTM A139—Steel pipe (1964, 1968).
- ASTM A155—Steel pipe (1965, 1968).
- ASTM A211—Steel and iron pipe (1963, 1968).
- ASTM A333—Steel pipe (1964, 1967).
- ASTM A377—Cast iron pipe (1966).
- ASTM A381—Steel pipe (1966, 1968).
- ASTM A539—Steel tubing (1965).
- ANSI A21.3—Cast iron pipe (1963).
- ANSI A21.7—Cast iron pipe (1962).
- ANSI A21.9—Cast iron pipe (1962).
- ANSI A21.52—Ductile iron pipe (1965).
- ASTM A72—Wrought iron pipe (1964T, 1968).
- ASTM B42—Copper pipe (1962, 1966).
- ASTM B68—Copper tubing (1965, 1968).
- ASTM B75—Copper tubing (1965, 1968).
- ASTM B88—Copper tubing (1966).
- ASTM B251—Copper pipe and tubing (1966, 1968).
- ASTM D2513—Thermoplastic pipe and tubing (1966T, 1968).
- ASTM D2517—Thermosetting plastic pipe and tubing (1966T, 1967).

[F.R. Doc. 70-15414; Filed, Nov. 16, 1970; 8:47 a.m.]

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Part 151]

RENTING AND CLOSING POST OFFICE BOXES

Notice of Proposed Rule Making

Notice is hereby given of proposed rule making consisting of a revision of regulations codified in 39 CFR 151.3(h). Those regulations relate to restrictions applicable to the rental and use by postal patrons of post office boxes, as well as to the grounds for closing such boxes by the Postal Service. It is proposed to expand and improve these regulations, and also to provide for an appellate procedure in those cases where an application to rent a box is refused, or where a box closing is under consideration. The amendments hereinafter stated will achieve the stated purposes.

Interested persons who desire to do so may submit written data, views, and arguments concerning the proposed regulations to the Assistant General Counsel, Mailability Division, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

PART 151—SERVICE IN POST OFFICES

In § 151.3 *Post office boxes*, make the following changes:

1. Amend paragraph (h) and add a new paragraph (i) to read as follows:

§ 151.3 *Post office boxes.*

(h) *Restrictions.* (1) *Grounds for refusal to rent or renew.* A postmaster shall refuse to rent or renew the rental of a box to any person if he has reason to believe that such person has falsified the application or has, within the previous 2 years, physically abused a box or violated any regulation or contractual provision relating to the care and use of a box, or is likely to use the box in connection with a scheme or enterprise in violation of paragraph (h) (4) of this section. An order of the Judicial Officer closing a post office box or affirming the refusal to grant an original or renewal application for such box shall bar the granting of any similar application wherever made, by or on behalf of the person involved, until such order has been revoked, amended or modified by the Judicial Officer.

(2) *Appeal from refusal to rent or renew.* Whenever the rental or renewal of a post office box is refused the postmaster shall, upon written request made within 10 days, furnish the applicant with the reasons for such refusal in writing. Where the refusal to rent or renew is based in whole or in part upon the grounds specified in subparagraph (1),

an appeal may be taken in the same manner and subject to the same time limitations as where a "Notice of Intent To Close a Post Office Box" has been issued under paragraph (i) (2) of this section.

(3) *Misuse.* Only matter which has passed through the mail, or official postal notices, may be placed in a post office box. (See paragraph (a) of this section.) Boxholders shall remove mail promptly from their boxes. If mail is to be accumulated for more than 30 days specific arrangements must be made in advance with the postmaster.

(4) *Unlawful activity.* No post office box may be used for or in connection with a scheme or enterprise which—

(i) Violates any Federal, State, or local law;

(ii) Breaches an agreement with a Federal, State, or local agency whereby the boxholder has agreed to discontinue a specified activity; or

(iii) Violates or attempts to evade any order of a court or administrative body.

(5) *Grounds for closing a box.* A box may be closed whenever the boxholder has falsified the application for the box or has violated, or is violating, any of the regulations or contractual terms or conditions relating to its care and use.

(i) *Procedures in closing a box; notice and hearing.*—(1) *Duties of postmasters and postal employees.* Postmasters or other postal officials who have reason to believe that any regulation or contractual provision governing the rental or use of a post office box has been or is being violated shall send a report of the facts together with any supporting documents to the General Counsel.

(2) *Notice of intent to close a post office box.* Whenever the General Counsel is in receipt of substantial evidence which he believes warrants the closing of a post office box, he may issue a "Notice of Intent to Close Post Office Box." Such notice shall state clearly the reasons for the contemplated action and inform the boxholder of his right to appeal this determination to the Judicial Officer, Post Office Department, Washington, D.C. 20260.

(3) *Service of Notice of Intent upon boxholder.* The "Notice of Intent to Close a Post Office Box" may be served on the boxholder by certified mail, with delivery restricted to addressee only, addressed to his post office box or other address. A return receipt therefor shall be obtained and forwarded immediately to the General Counsel. If restricted delivery cannot be made, the notice shall be deposited in the box for delivery as ordinary mail and shall constitute valid service. A post office delivery receipt, Form 3849, shall be filled out and sent to the General Counsel. Both the Form 3849 and the return receipt for the certified mail shall be endorsed to show that restricted de-

livery could not be made and that the notice was delivered as ordinary mail.

(4) *Timely appeal.* No appeal may be taken from a "Notice of Intent to Close a Post Office Box" issued under subparagraph (2) unless it is postmarked no later than 20 days after service of such notice.

(5) *Failure to appeal; consequences.* If no appeal is taken within 20 days after service of the "Notice of Intent to Close a Post Office Box," the box may be closed by order of the General Counsel without further notice to the boxholder.

(6) *Disposition of mail.* When a box has been closed pursuant to subparagraph (5) of this paragraph or by order of the Judicial Officer, the postmaster shall notify the boxholder and transfer mail addressed to the box to General Delivery. The mail will be held at General Delivery for a period of 10 days following the notification to the boxholder, during which period he may claim his mail at General Delivery. If a Change of Address Order is received during this period, or any Change of Address Order received prior to the effective date of this subparagraph, shall be honored not to exceed the current time limitation for forwarding orders. At the end of the applicable period all mail addressed to the box shall be handled as undeliverable. However, this shall not preclude compliance with sender's request in accordance with § 123.3(b) of this chapter.

NOTE: The corresponding section of the Postal Manual is § 151.3.

(5 U.S.C. 301, 39 U.S.C. 501, 708)

DAVID A. NELSON,
General Counsel.

[P.R. Doc. 70-15427; Filed, Nov. 16, 1970;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

UINTAH INDIAN IRRIGATION PROJECT, UTAH

Operation and Maintenance Charges

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs in Secretary's Order 2508 (10 BIAM 2.1 section 15(a)), and by virtue of authority delegated by the Commissioner of Indian Affairs to Area Directors by 10 BIAM 3.1, notice is hereby given of the intention to modify § 221.77 *Basic water charges*, of Title 25, Code of Federal Regulations, dealing with operation and maintenance charges on assessable lands of the Uintah Indian Irrigation

Project, Utah, by increasing the annual basic assessment rate for the calendar year 1971 and subsequent years, unless changed by further order, from \$3 to \$4 per acre per annum, where not otherwise established by contract, and by raising the minimum bill from \$4 to \$5.

Interested parties are hereby given opportunity to participate in preparing the proposed amendment by submitting written comments, suggestions, or objections, to W. Wade Head, Area Director, Phoenix Area Office, Post Office Box 7007, Phoenix, Ariz., 85011, within 30 days from date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

W. WADE HEAD,
Area Director.

[F.R. Doc. 70-15182; Filed, Nov. 16, 1970;
8:45 a.m.]

National Park Service

[36 CFR Part 7]

YOSEMITE NATIONAL PARK, CALIF.

Closed Roads

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), section 2 of the Act of October 1, 1890 (26 Stat. 650; 16 U.S.C. 61), and section 5 of the Act of June 2, 1920 (41 Stat. 731; 16 U.S.C. 57), 245 DM-1 (34 F.R. 13879, as amended), National Park Service Order No. 34 (31 F.R. 4255), Regional Director, Western Region Order No. 4 (31 F.R. 5577), it is proposed to amend § 7.16 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to close to public travel that section of the commonly called Chowchilla Mountain Road from the Park boundary to its junction with the main Yosemite Valley-South Entrance highway in the vicinity of Wawona.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to the Superintendent, Post Office Box 577, Yosemite National Park, Calif. 95389, within 30 days of the publication of this notice in the FEDERAL REGISTER.

Paragraph (b) (2) of § 7.16 is amended as follows:

§ 7.16 Yosemite National Park.

(b) Closed roads. . . .

(2) The road commencing in the SW¼ of the NW¼ of sec. 10, T. 5 S., R. 21 E., Mount Diablo Base and meridian and going generally northeastward to a junction with the main roadway in the NE¼ of the NE¼ of sec. 3, T. 5 S., R. 21

E., Mount Diablo Base and meridian, is closed to all privately owned vehicles.

RUSSELL K. OLSEN,
Acting Superintendent,
Yosemite National Park.

[F.R. Doc. 70-15392; Filed, Nov. 16, 1970;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1001]

[Docket No. AO-14-A49]

MILK IN THE MASSACHUSETTS-RHODE ISLAND-NEW HAMPSHIRE MARKETING AREA

Notice of Reconvened Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

The hearing with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Massachusetts-Rhode Island-New Hampshire marketing area, notice of which was published in the FEDERAL REGISTER dated September 11, 1970 (35 F.R. 14324), was convened in Concord, N.H., October 7-10, 1970. With respect to proposals 1 through 5, as set forth in said notice, the record was closed when the hearing was recessed on October 10. The Hearing Examiner announced at that time that the hearing would be reconvened at a time and place to be announced later for the purpose of receiving evidence with respect to remaining proposals 6 through 11.

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 orders (7 CFR Part 900), notice is hereby given that said public hearing will be reconvened commencing at 9:30 a.m., e.s.t., on December 15, 1970, in Room 2308, John Fitzgerald Kennedy Building, Government Center, Boston, Mass.

Signed at Washington, D.C., on November 9, 1970.

JOHN G. LIEBERT,
Hearing Examiner.

[F.R. Doc. 70-15403; Filed, Nov. 16, 1970;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 30]

TABLE SIRUPS

Extension of Time for Filing Comments on Proposed Identity Standards

The notice published in the FEDERAL REGISTER of October 2, 1970 (35 F.R. 15403), proposing establishment of iden-

tity standards for table sirups, provided for the filing of comments within 60 days after said date.

The Commissioner of Food and Drugs has received a request to extend such time and, good reason therefor appearing, the time for filing comments regarding the subject proposal is hereby extended to December 31, 1970.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended; 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 6, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-15389; Filed, Nov. 16, 1970;
8:45 a.m.]

[21 CFR Part 191]

CERTAIN TOYS INTENDED FOR USE BY CHILDREN

Proposed Classification as Banned Hazardous Substances

The Child Protection and Toy Safety Act of 1969 (83 Stat. 187-190) provides that any toy or other article intended for use by children may be classified as a hazardous substance by the Secretary of Health, Education, and Welfare upon a determination that it presents an electrical, mechanical, or thermal hazard. Such a determination is to be made by regulation in accordance with the procedures prescribed by 5 U.S.C. 553. The nature of these electrical, mechanical, or thermal hazards is set forth in section 2(d) of the act. A determination that any toy or other article intended for use by children presents such a hazard classifies it as a banned hazardous substance. The authority to make these determinations has been delegated by the Secretary to the Commissioner of Food and Drugs (21 CFR 2.120).

The Food and Drug Administration has received comments concerning unacceptable mechanical and thermal hazards associated with the use of certain toys being marketed for use by children. Accordingly, pursuant to provisions of the Federal Hazardous Substances Act, as amended by the Child Protection and Toy Safety Act of 1969 (15 U.S.C. 1261-73), the Commissioner proposes that Part 191 be amended by adding two new sections, as follows:

§ 191.9a Banned toys.

(a) Toys with mechanical hazards. Under the authority of section 2(f) (1) (D) of the act and pursuant to provisions of section 3(e) of the act, the Commissioner has determined that the following toys or other articles intended for use by children present a mechanical hazard within the meaning of section 2(s) of the act because in normal use or when subjected to reasonably foreseeable damage or abuse, the design or manufacture presents an unreasonable risk of personal injury or illness:

(1) Toy rattles containing, either internally or externally, rigid wires, sharp protrusions, or loose small objects that have the potential for laceration, puncture wound injury, aspiration, ingestion, or other injury; for example: a musical toy rattle labeled "Protect-o Product, Copyright 1969, Reliance Products Corp., Woonsocket, R.I., Made in Japan".

(2) Any toy having noisemaking components or attachments capable of being dislodged by the operating features of the toy or capable of being deliberately removed by a child, which have the potential for laceration, puncture wound injury, aspiration, ingestion, or other injury; for example: "Party Pack, 5 Fringed Balloon Squawkers", distributed by American Party Favors, 522 North Main St., Pittston, Pa. 18640.

(3) Dolls, stuffed animals, and other similar toys having internal or external components that have the potential for laceration, puncture wound injury, or other similar injury.

(4) Lawn darts and other similar sharp pointed toys usually intended for outdoor use and capable of producing injury on contact; for example: "Jarts", distributed by R. B. Jarts, Inc., 162 Saratoga Ave., South Glen Falls, N.Y. 12801.

(5) Toy guns capable of producing sound at a level of 100 decibels or higher; for example: "WASP Cap Gun", distributed by Ohio Art Co., Bryan, Ohio 43506.

§ 191.65a Exemptions from classification as a banned toy.

(a) The term "banned hazardous substance" as used in section 2(q)(1)(A) of the act shall not apply to the following articles:

(1) Toy rattles described in § 191.9a (a)(1) of this chapter in which the rigid wires, sharp protrusions, or loose small objects are internal and provided that such rattles are constructed so that they will not break or deform to expose or release the contents either in normal use or when subjected to reasonably foreseeable damage or abuse.

Interested persons may, within 15 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: November 12, 1970.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[F.R. Doc. 70-15417; Filed, Nov. 16, 1970;
11:44 a.m.]

Public Health Service

[42 CFR Part 81]

CERTAIN AIR QUALITY CONTROL
REGIONS IN OKLAHOMA

Proposed Designation and Consultation
With Appropriate State and
Local Authorities

Pursuant to authority delegated by the
Secretary and redelegated to the Com-

missioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate Intrastate Air Quality Control Regions as set forth in the following new §§ 81.123-81.126 inclusive which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designations effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17-82, 5600 Fishers Lane, Rockville, Md. 20852. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Oklahoma and appropriate local authorities, both within and without the proposed regions, who are affected by or interested in the proposed designations, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at 1 p.m., November 24, 1970, in Room 4210, Grand Jury Room, Federal Courthouse Building, 200 Northwest Fourth Street, Oklahoma City, Okla. 73102.

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

State and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Dean Mathews, National Air Pollution Control Administration, 1114 Commerce Street, Dallas, Tex. 75202, of such intention at least 1 week prior to the consultation.

In Part 81 the following new sections are proposed to be added to read as follows:

§ 81.123 Eastern Oklahoma Intrastate
Air Quality Control Region.

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

In the State of Oklahoma:

Atoka County.	Love County.
Bryan County.	McIntosh County.
Carter County.	Marshall County.
Choctaw County.	Murray County.
Coal County.	Okfuskee County.
Garvin County.	Pittsburg County.
Haskell County.	Pontotoc County.
Hughes County.	Pushmataha County.
Johnston County.	Seminole County.
Latimer County.	

§ 81.124 North Central Oklahoma Intra-
state Air Quality Control Region.

The North Central Oklahoma Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the

territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Oklahoma:

Garfield County.	Noble County.
Grant County.	Payne County.
Kay County.	

§ 81.125 Southwestern Oklahoma Intra-
state Air Quality Control Region.

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

In the State of Oklahoma:

Beckham County.	Jackson County.
Caddo County.	Jefferson County.
Comanche County.	Kiowa County.
Cotton County.	Stephens County.
Greer County.	Tillman County.
Harmon County.	Washita County.

§ 81.126 Northwestern Oklahoma Intra-
state Air Quality Control Region.

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

In the State of Oklahoma:

Alfalfa County.	Harper County.
Beaver County.	Major County.
Blaine County.	Roger Mills County.
Cimarron County.	Texas County.
Custer County.	Woods County.
Dewey County.	Woodward County.
Ellis County.	

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90-148, 81 Stat. 490, 504, 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: November 10, 1970.

JOHN T. MIDDLETON,
Commissioner, National Air
Pollution Control Administration.

[F.R. Doc. 70-15399; Filed, Nov. 16, 1970;
8:46 a.m.]

[42 CFR Part 81]

CERTAIN AIR QUALITY CONTROL
REGIONS

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

Pursuant to authority delegated by the Secretary and redelegated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to

designate an Intrastate Air Quality Control Region in the State of Mississippi as set forth in the following new § 81.122 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

In addition to the proposal to designate a new Intrastate Air Quality Control Region, it is proposed to revise the boundaries of the already designated Alabama-Mississippi-Tennessee Interstate Air Quality Control Region (§ 81.62) and the Mobile (Alabama)—Pensacola-Panama City (Florida)—Gulfport (Mississippi) Interstate Air Quality Control Region (§ 81.68), as provided for in section 107(a)(2) of the Clean Air Act, as amended.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17-82, 5600 Fishers Lane, Rockville, Md. 20852. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the States of Alabama, Arkansas, Florida, Louisiana, Mississippi, and Tennessee, and appropriate local authorities, both within and without the proposed regions, who are affected by or interested in the proposed designation and redesignations, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation and redesignations. Such consultation will take place at 2 p.m., November 23, 1970, in the First Floor Auditorium, Woolfolk State Office Building, corner of North West and High Streets, Jackson, Miss.

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

State and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Gene B. Welsh, National Air Pollution Control Administration, 50 Seventh Street NE., Room 404, Atlanta, Ga. 30323, of such intention at least 1 week prior to the consultation.

In Part 81 the following new sections are proposed to be added to read as follows:

§ 81.122 Mississippi Delta Intrastate Air Quality Control Region.

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

In the State of Mississippi:

- | | |
|-------------------|----------------------|
| Bolivar County. | Sharkey County. |
| Coahoma County. | Sunflower County. |
| Humphreys County. | Tallahatchie County. |
| Issaquena County. | Tunica County. |
| Leflore County. | Washington County. |
| Quitman County. | Yazoo County. |

The Alabama-Mississippi-Tennessee Interstate Air Quality Control Region (§ 81.62) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alabama:

- | | |
|------------------|--------------------|
| Colbert County. | Lauderdale County. |
| Franklin County. | |

In the State of Mississippi:

- | | |
|----------------|----------------------|
| Alcorn County. | Tallahatchie County. |
|----------------|----------------------|

In the State of Tennessee:

- | |
|----------------|
| Hardin County. |
|----------------|

It is now proposed to: (1) Add Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Grenada, Holmes, Itawamba, Kemper, Lafayette, Leake, Lee, Lowndes, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Union, Webster, Winston, and Yalobusha Counties, in the State of Mississippi, to the region; and (2) consistent with the proposal contained in the November 7, 1970, FEDERAL REGISTER to revise this region to exclude Hardin County, Tenn., and change the name to the Alabama-Mississippi Interstate Air Quality Control Region.

The Mobile (Alabama)—Pensacola-Panama City (Florida)—Gulfport (Mississippi) Interstate Air Quality Control Region (§ 81.68) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alabama:

- | | |
|------------------|----------------|
| Baldwin County. | Mobile County. |
| Escambia County. | |

In the State of Florida:

- | | |
|------------------|--------------------|
| Bay County. | Jackson County. |
| Calhoun County. | Okaloosa County. |
| Escambia County. | Santa Rosa County. |
| Gulf County. | Walton County. |
| Holmes County. | Washington County. |

In the State of Mississippi:

- | | |
|------------------|---------------------|
| Hancock County. | Jackson County. |
| Harrison County. | Pearl River County. |

It is now proposed to: (1) Add Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hinds, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Newton, Perry, Pike, Rankin, Scott,

Simpson, Smith, Stone, Walthall, Warren, Wayne, and Wilkinson Counties, in the State of Mississippi, to the region; and (2) change the name of the region to the Mobile (Alabama)—Pensacola-Panama City (Florida)—Southern Mississippi Interstate Air Quality Control Region.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90-148, 81 Stat. 490, 504, 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: November 12, 1970.

RAYMOND SMITH,
Acting Commissioner, National
Air Pollution Control Administration.

[F.R. Doc. 70-15400; Filed, Nov. 16, 1970; 8:46 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 60]

IMMIGRATION

Immigrant Labor Certifications

Pursuant to section 212(a)(14) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182), and Secretary's Order No. 14-69 (34 F.R. 6502), I hereby propose to revise 29 CFR Part 60 as set forth herein.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Assistant Secretary for Manpower, U.S. Department of Labor, Washington, D.C. 20210, within 15 days after this notice is published in the FEDERAL REGISTER.

Part 60 would be revised to read as follows:

**PART 60—IMMIGRATION;
IMMIGRANT LABOR CERTIFICATIONS**

- | | |
|------|---|
| Sec. | |
| 60.1 | Purpose and scope. |
| 60.2 | Determinations and certification schedules. |
| 60.3 | Request for certification. |
| 60.4 | Certification determinations and review. |
| 60.5 | Validity. |
| 60.6 | Matters to be considered. |
| 60.7 | Schedules. |

AUTHORITY: The provisions of this Part 60 are issued under sec. 212(a)(14), as amended, 66 Stat. 181; 8 U.S.C. 1182.

§ 60.1 Purpose and scope.

(a) Sections 101(a)(27)(A) and 203 of the Immigration and Nationality Act were amended on October 3, 1965, to require as a condition to the admission of any "special immigrant", any nonpreference immigrant under paragraph 203(a)(8), and any preference immigrant under paragraph 203(a)(3) or 203(a)(6) that the alien be a beneficiary of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14) of the Act. Accordingly,

the immigrants for whom the 212(a) (14) certification is made a condition precedent to admission to the United States are as follows:

(1) Third preference immigrants who are described as "qualified immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States," (section 203(a) (3).)

(2) Sixth preference immigrants who are described as "qualified immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States," (section 203(a) (6).)

(3) Nonpreference immigrants who are described as "other qualified immigrants strictly in the chronological order in which they qualify," (section 203(a) (8).)

(4) Special immigrants who are described as "an immigrant[s] who was born in any independent foreign country of the Western Hemisphere or in the Canal Zone and the spouse and children of any such immigrant, if accompanying, or following to join him," (section 101(a) (27) (A).)

(b) The determination and certification required to be made by the Secretary of Labor is described in section 212(a) (14) of the Act as follows:

Except as otherwise provided in this Act, the following classes of aliens shall be ineligible to receive visas and shall be excluded from admission into the United States.

(14) Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secretary of State and to the Attorney General that (A) there are not sufficient workers in the United States who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and (B) the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed. The exclusion of aliens under this paragraph shall apply to special immigrants defined in section 101(a) (27) (A) (other than the parents, spouses, or children of U.S. citizens or of aliens lawfully admitted to the United States for permanent residence), to preference immigrant aliens described in section 203(a) (3) and (6), and to nonpreference immigrant aliens described in section 203(a) (8):

(c) The geographic applicability of this part is the United States, which, unless otherwise specifically indicated means the 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.

§ 60.2 Determinations and certification schedules.

(a) *Determinations.* To facilitate the processing of requests for labor certification, schedules and lists are provided below which contain determinations made by the Secretary of Labor, pur-

suant to the requirements of section 212(a) (14) of the Immigration and Nationality Act, that:

(1) For the categories of employment described in Schedule A at § 60.7 except for any geographic limitations therein set forth, there are not sufficient workers who are able, willing, qualified, and available for employment and the employment of aliens in such categories in such areas will not adversely affect the wages and working conditions of workers in the United States similarly employed.

(2) For the categories of employment described in Schedule B at § 60.7 and within any geographic limitations therein set forth, the certification required by section 212(a) (14) cannot now be made.

(b) The Secretary may make such revisions of the schedules and listings described in paragraph (a) of this section as he deems necessary and at such times as he deems appropriate upon his own initiative or upon the written request of any person setting forth reasonable grounds therefor. Requests for such revisions should be filed by mail with the Secretary of Labor, Washington, D.C. 20310.

§ 60.3 Requests for certification.

(a) Any alien whose category of employment is included on Schedule A shall file a Form MA 7-50A with a U.S. Consular office abroad or, if permitted by the Immigration and Naturalization Service regulations published in Title 8 of the Code of Federal Regulations, with an Immigration and Naturalization Service office in the United States. If, after review, the Consular or Immigration Officer concludes that the alien's qualifications conform with the Schedule occupational requirements, he shall indicate on the Form MA 7-50A the occupation on Schedule A in which the alien qualifies and the certification made by the operation of the Schedule shall be applicable.

(b) (1) Any alien who applies for certification as a professional or as one who has exceptional ability in the sciences or arts and whose category of employment is not included on Schedule A shall file a Form MA 7-50A with a U.S. Consular office abroad or with the office of the Manpower Administration of the U.S. Department of Labor for the region of the alien's intended residence. The Consular Officer shall after review forward the form for labor certification determination to the office of the Manpower Administration of the U.S. Department of Labor for the region of the alien's intended residence. If labor certification is denied on the basis of documents submitted under this provision, the denial shall be without prejudice to a subsequent request filed pursuant to the procedure set forth in paragraph (c) of this section.

(2) Any alien described in subparagraph (1) of this paragraph whose category of employment, subject to geographic limitations, if any, is listed in this subparagraph shall follow the procedure set forth in paragraph (c) of this section and shall have his prospective employer submit a Form MA 7-50B together with Form MA 7-50A: Teaching.

(c) The prospective employer of any alien whose category of employment is not included on Schedule A or on Schedule B or in paragraph (b) (1) of this section shall file a Form MA 7-50A, a Form MA 7-50B, and, where the alien is to "live at work", a Form MA 7-50C with any local office of the State Employment Service serving the area where the alien will be employed. After a review of the forms and area labor market information pertaining to the availability of U.S. workers and to the prevailing wages and working conditions in the area for employment similar to the alien's intended employment, the State Employment Service shall forward the forms and information to the office of the Manpower Administration of the U.S. Department of Labor for that region. A labor certification determination will be made based on the information submitted by the State Employment Service and any other applicable data available to the Manpower Administration regional office.

(d) Forms:

(1) MA 7-50A (formerly ES-575A)—Application for Alien Employment Certification; Statement of Qualification of Alien. This form provides for a description of the alien, including information regarding the alien's occupational qualifications and intended area of residence in the United States. It is to be completed by the alien applicant.

(2) MA 7-50B (formerly ES-575B)—Application for Alien Employment Certification; Job Offer for Alien Employment. This form provides for a description of the alien's prospective employment in the United States. It is to be completed by a prospective employer.

(3) MA 7-50C (formerly ES-575B, Supplement 1)—Supplemental Statement for Live-At-Work Job Offers. This form provides for further description of the alien's prospective living and working conditions for jobs where the alien is required to live at the place of employment.

(4) Forms and instructions for filing are available at U.S. Consulates abroad, Immigration and Naturalization offices in the United States, and local offices of the various State Employment Services.

§ 60.4 Certification determinations and review.

(a) Determinations pursuant to paragraphs (b) and (c) of § 60.3 shall be made by the Certifying Officer appointed by the Regional Manpower Administrator of the Manpower Administration of the U.S. Department of Labor for the region wherein the employment is to occur.

(b) Requests for review of a denial of certification pursuant to paragraph (a) of this section may be made in writing to the Regional Manpower Administrator of the same region in which the denial occurred. Such requests shall be made within 30 days of the denial of certification and shall: (1) Clearly identify the particular certification determination for which review is sought; (2) set forth the particular grounds on which the request is based;

and (3) include all documents which accompanied the denial of certification. Denials of certifications by officials of the Departments of State, Justice, or Labor based upon occupations on the certification and noncertifications schedules in § 60.7 are not reviewable under the provisions of this section.

(c) The Regional Manpower Administrator, or his designated representative, who shall not have participated in the initial determination, shall carry out the review. Upon review, the Regional Manpower Administrator or his designated representative may order the issuance of a certification or may affirm the denial. The Regional Manpower Administrator's determination as to such certifications shall be final.

(d) Notwithstanding any provision in this section to the contrary, applications for certification may be removed by the Department of Labor to the national office and may be determined in the national office by a Certifying Officer designated by the Manpower Administrator. Requests for review of a denial of certification made in the national office pursuant to this paragraph shall be made in writing to the Manpower Administrator, U.S. Department of Labor, Washington, D.C. 20210. Such review shall be consistent with the provisions of this section.

§ 60.5 Validity.

(a) Labor certifications issued pursuant to this Part shall be valid for an indefinite period of time except that revalidation shall be required as provided in paragraph (b) of this section.

(b) Labor certifications and revalidations of certifications in the categories of employment described below, including any geographic limitations, shall be valid for 1 year after the date that the certification was actually made and revalidation shall be required after that period; this provision shall be applicable to both new and outstanding certifications; Household Domestic Service work; Teaching; and Certifications made pursuant to Schedule C—Precertification List.

(c) The certification procedures in effect at the time a request for revalidation is made shall be followed in processing the revalidation request. Determinations will be made on the basis of the applicable labor market conditions which exist at the time of the request for revalidation. The original forms upon which initial certification was obtained should be submitted for revalidation. Any material changes in circumstances must be noted and initialed.

(d) Labor certifications made in a Regional Manpower Administration office or national office of the U.S. Department of Labor, shall be deemed to have been made as of the date a complete and proper application for alien employment certification is accepted for processing within the State Employment Service system. For the purpose of this section certifications made pursuant to Schedule A shall be considered to have been made on the date of submission to the Consular or Immigration Officer of

evidence to establish that the alien's qualifications conform with the Schedule's occupational requirements for certification as set forth in § 60.3(a).

(e) Certifications issued pursuant to this Part are invalid if the representations upon which they are based are materially incorrect. Materially incorrect, for the purposes of this paragraph, means that if the correct facts had been known a certification could not have been issued pursuant to the requirements set forth at section 212(a)(14) of the Immigration and Nationality Act.

§ 60.6 Matters to be considered.

Prospective employment offered in accordance with § 60.3(c) will be deemed to adversely affect "wages" or "working conditions" of American workers within the meaning of section 212(a)(14) of the Act unless it appears:

(a) That such employment will be for wage rates no less than those prevailing for U.S. workers similarly employed in the area of employment: *Provided, however*, That such wages are not lower than any applicable wage rates prescribed by the Secretary of Labor pursuant to law as the minimum rates which will not adversely affect the wages of American workers similarly employed. Where available, such prevailing wages shall generally be the rates determined to be prevailing for the occupations and in localities involved pursuant to the provisions of the Davis-Bacon and related Acts (40 U.S.C. 276a; § 1.1 of this subtitle), the McNamara-O'Hara Service Contract Act (41 U.S.C. 351), or the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 954(j); § 505.3 of this title), or set forth on Wage Board rate schedules applicable to Federal installations in the area (5 U.S.C. 5341). Where a current determination under one of these laws is not applicable, the prevailing wage rate will be determined in accordance with the current criteria established pursuant to the Davis-Bacon Act which at present are as follows:

(1) The rate of wages paid in the area in which the work is to be performed, to the majority of those employed in that classification * * * ; (2) in the event that there is not a majority paid at the same rate, then the rate paid to the greater number; *Provided*, Such greater number constitutes 30 percent of those employed; or (3) in the event that less than 30 percent of those so employed receive the same rate, than the average rate.

(b) That such employment will include the furnishing of fringe benefits that prevail for U.S. workers similarly employed in the area of employment;

(c) That such employment will involve adherence to prevailing working conditions including customs in the area of employment regarding the furnishing of board, lodging and other facilities;

(d) That such employment will not involve positions (1) that are vacant because the former occupants are on strike or are being locked out in the course of a labor dispute or (2) the filling of which is at issue in a labor dispute;

(e) That such employment will not involve any discrimination with regard to race, creed, color, national origin, age, or sex;

(f) That such employment or any term or condition thereof is not contrary to any provisions of Federal, State, or local law;

(g) That the alien will not be caused to bear expenses or fees that exceed those customarily charged for placement services relating to the offer: *Provided, however*, That this restriction shall not apply to reimbursement for the actual cost of the alien's transportation to the United States.

§ 60.7 Schedules.

SCHEDULE A

Group I: Persons who received an advanced degree in any of the following specialties from an institution of higher learning accredited in the country where the degree was obtained (equivalent to a Ph. D. or master's degree conferred by American colleges or universities):

- Dietetics.
- Medicine and Surgery.
- Nursing.
- Pharmacy.
- Physical Therapy.

Group II: Persons who have received a degree conferred by an accredited institution of higher learning in any of the following specialties (equivalent to the bachelor's degree conferred by American colleges or universities) or have experience or a combination of experience and education equivalent to such degree:

- Dietetics.
- Nursing.
- Pharmacy.
- Physical therapy.

Group III:

(a) Any person of any religious denomination whose regular profession or occupation is to conduct religious services, which he is authorized by his denomination to perform, and who is seeking admission to the United States in order to engage principally in such work.

(b) Any person of any religious denomination having a religious commitment, such as a Monk, Nun, Brother, Missionary, and others, who is seeking admission to the United States to perform the duties required of him by virtue of such commitment.

(c) Any other person seeking admission to the United States to perform duties related to the nonprofit operation of a religious organization (1) if the duties which he will perform involve special skills, training and experience which the alien possesses and which are related to the religious objectives of the organization and (2) if he intends to be engaged principally (more than 50 percent of his working time) in such duties. Examples of persons coming within this subgroup are cantors and translators of religious tracts or texts who have the special capability of conveying through the translation the spiritual message to which such tracts or texts are directed and who will be engaged in such endeavors.

An operation may be considered nonprofit for purposes of Group III if the receipts from the operation will be used exclusively in furtherance of the philanthropic or religious purposes of the organization.

OCCUPATIONAL DEFINITIONS

These definitions are intended as descriptive guidelines and not a mandatory qualification requirements.

DIETETICS

The application of the principles of nutrition to plan menus and diets and direct the preparation and serving of meals. Includes activities involved with food service programs designed to feed individuals and groups with special nutritional requirements in schools, restaurants, and other public or private institutions. Also includes participation in research or instruction in the field of nutrition.

MEDICINE AND SURGERY

The application of the art and science of medicine and surgery to the diagnosis, prevention, and treatment of diseases and injuries in man, disorders of the mind, and the treatment of women during pregnancy; and research into the causes, transmission, and control of disease and other ailments. Includes the practice of medicine, osteopathy, psychiatry, and ophthalmology. May specialize in treating a specific area of the body, or a particular disease, sex, or age group. *Provided*, That certification under this category shall only apply to those physicians and surgeons whose medical degrees or qualifications were conferred by a medical school outside the United States and Canada who (a) submit evidence from the licensing authority of the State of the alien's intended employment that the alien has met all of the educational requirements for licensure or for admittance to the licensure examination in that State; or (b) submit evidence from an institution providing approved medical internship or residency training that the alien has met all of the educational requirements for appointment to an internship or residency and is being offered such appointment; or (c) submit evidence that they have passed the examination of the Educational Council for Foreign Medical Graduates; or (d) submit evidence of having received an appointment to engage in medical teaching, research, or laboratory work that will not involve direct patient care.

NURSING

The application of the art and science of nursing which reflects comprehension of principles derived from the physical, biological, and behavioral science. Nursing generally includes the making of clinical judgments concerning the observation, care, and counsel of persons requiring nursing care; the administering of medicines and treatments prescribed by the physician or dentist; the participation in activities for the promotion of health and the prevention of illness in others.

Preparation for nursing practice is generally obtained through an organized program of study approved by a governmental or other competent authority in the alien's country. High school graduation or its equivalent is usually a prerequisite. A program of study generally includes theory and practice in clinical areas such as: obstetrics, surgery, pediatrics, psychiatry, medicine.

PHARMACY

The compounding of prescriptions written by physicians, dentists, and other authorized medical practitioners; and the bulk selection, compounding, dispensing, and preservation of drugs and medicines.

PHYSICAL THERAPY

The treatment of patients with disabilities, disorders, and injuries to relieve pain, develop or restore function, and maintain performance, using physical means, such as exercise, massage, heat, water, light, and electricity, as prescribed by a medical doctor.

SCHEDULE B

OCCUPATIONAL TITLES

Assemblers.
Attendants, Parking Lot.
Attendants (Service Workers such as Personal Service Attendants, Amusement and Recreation Service Attendants).
Automobile Service Station Attendants.
Bartenders.
Bookkeepers II.
Bus Boys.
Cashier.
Chauffeurs and Taxicab Drivers.
Charwomen and Cleaners.
Clerks, General.
Clerks, Hotel.
Clerks and Checkers, Grocery Stores.
Clerk-Typists.
Cooks, Short Order.
Counter and Fountain Workers.
Electric Truck Operators.
Elevator Operators.
Floormen, Floorboys, and Floorgirls.
Groundskeepers.
Guards and Watchmen.
Helpers, any Industry.
Household Domestic Service Workers.
Housekeepers.
Housemen and Yardmen.
Janitors.
Key Punch Operators.
Kitchen Workers.
Laborers, Farm.
Laborers, Mine.
Laborers, Common.
Loopers and oppers.
Maids, Hotel and Motel.
Men-of-all-Work.
Material Handlers.
Nurses' Aides.
Orderlies.
Packers, Markers, Bottlers, and Related.
Porters.
Receptionists.
Sailors and Deck Hands.
Sales Clerks, General.
Sewing Machine Operators and Hand-stitchers.
Street Railway and Bus Conductors.
Telephone Operators.
Truck Drivers and Tractor Drivers.
Typists, Lesser Skilled.
Ushers, Recreation and Amusement.
Warehousemen.

OCCUPATIONAL DEFINITIONS

Assemblers

Perform one or more repetitive tasks to assemble components and subassemblies using hand or power tools to mass produce a variety and components, products or equipment. Involves such activities as riveting, drilling, filing, bolting, soldering, spot welding, cementing, gluing, cutting, and fitting. May use clamp or other work aids to hold parts during assembly. May inspect or test components. May tend previously set-up or automatic machines.

Attendants, Parking Lot

Park automobiles for customers in parking lots or garages and collect fees based on time span of parking.

Attendants (Service Workers Such as Personal Service Attendants, Amusement and Recreation Service Attendants)

Perform a variety of routine tasks attending to the personal needs of customers at such places as amusement parks, bath houses, clothing checkrooms, and dressing rooms. Includes such tasks as taking and issuing tickets, checking and issuing clothing and supplies, cleaning premises and equip-

ment, answering inquiries, checking lists, and maintaining simple records.

Automobile Service Station Attendants

Service automotive vehicles with fuel, lubricants, and automotive accessories at drive-in service facilities. Also, compute charges and collect fees from customers.

Bartenders

Prepare, mix, and dispense alcoholic beverages for consumption by bar customers. Also, compute and collect charges for drinks.

Bookkeepers II

Keep records of one facet of an establishment's financial transactions. Responsible for maintaining one set of books, and specialize in such areas as accounts-payable, accounts-receivable, or interest accrued rather than a complete set of records.

Bus Boys

Facilitate food service in an eating place by performing such tasks as removing dirty dishes, replenishing linen and silver supplies, serving water and butter to patrons, and cleaning and polishing equipment.

Cashiers

Receive payments made by customers for goods or services, make change, and give receipt. Involves such activities as operating cash register, balancing cash accounts, preparing bank deposits and other related duties.

Chauffeurs and Taxicab Drivers

Drive automobiles to convey passengers according to their instructions.

Charwomen and Cleaners

Keep premises of commercial establishments, office buildings, or apartment houses in clean and orderly condition by performing such tasks as mopping and sweeping floors, dusting and polishing furniture and fixtures, and vacuuming rugs. Work according to set routine.

Clerks, General

Perform a variety of routine clerical tasks not requiring knowledge of systems or procedures. Involves such activities as copying and posting data, proofreading records or forms, counting, weighing, or measuring material, routing correspondence, answering telephones, conveying messages, and running errands.

Clerks, Hotel

Perform a variety of routine tasks to accommodate hotel guests. Involves such activities as registering guests, dispensing keys, distributing mail, collecting payments, and adjusting complaints.

Clerks and Checkers, Grocery Stores

Itemize, total, and receive payment for purchase in grocery stores, usually using cash register. Often assist customer in locating items, stock shelves, and keep stock-control and sales-transaction records.

Clerk-Typists

Perform general clerical work requiring use of typewriter in majority of duties. Involves such activities as typing reports, bills, application forms, shipping tickets, and other matters from clerical records; filing records and reports, posting information to records, sorting and distributing mail, answering phone and similar duties. (Combines typing with filing, sorting mail, answering the telephone, and other general office work.)

Cooks—Short Order

Prepare and cook to order all kinds of short-preparation-time foods. May involve such activities as carving meats and filling orders from a steam-table; preparing sandwiches, salads, beverages; and serving meals over a counter.

Counter and Fountain Workers

Serve food to patrons at lunchroom counters, cafeterias, soda fountains, or similar public eating places. Take orders from customers and frequently prepare simple items, such as dessert dishes; itemize and total checks; receive payment and make change; and clean work area and equipment.

Electric Truck Operators

Drive gasoline- or electric-powered industrial trucks or tractors equipped with fork-lift, elevating platform, or trailer hitch to move and stack equipment and materials in a warehouse, storage yard, or factory.

Elevator Operators

Operate elevators to transport passengers and freight between building floors.

Floormen, Floorboys, and Floorgirls

Perform a variety of routine tasks in support of other workers in and around such work sites as factory floors and service areas, frequently at the beck and call of others. Involves such tasks as cleaning floors, materials, and equipment; distributing materials and tools to workers; running errands; delivering messages; emptying containers, and removing materials from work area to storage or shipping areas.

Groundskeepers

Maintain grounds of industrial, commercial, or public property in good condition. Involves such tasks as cutting lawns, trimming hedges, pruning trees; repairing fences, planting flowers, and shoveling snow.

Guards and Watchmen

Guard and patrol premises of industrial or business establishments or similar types of property to prevent theft and other crimes and prevent possible injury to others.

Helpers (Any Industry)

Perform a variety of duties to assist another worker usually of a higher level of competency or expertise. Involves such activities as furnishing another worker with materials, tools, and supplies; cleaning work area; machines and equipment; feeding or offbearing machines; holding materials or tools; according to worker assisted.

Household Domestic Service Workers

Perform a variety of tasks in private households, including such activities as cleaning, dusting, washing, ironing, making beds, maintaining clothes, marketing, cooking, serving food, and caring for children. *Provided, however*, that noncertification under this category shall apply only to those workers who have had less than 1 year of documented paid experience in the performance of the above tasks working on a live-in or live-out basis.

Housekeepers

Supervise workers engaged in maintaining interiors of residential buildings in a clean and orderly fashion. They assign duties to maids, charwomen, and housemen; inspect finished work, and maintain supply of equipment and materials.

Housemen and Yardmen

(1) Perform routine tasks to keep hotel premises neat and clean. Involves such tasks

as cleaning rugs; washing walls, ceilings, and windows, moving furniture, mopping and waxing floors, and polishing metalwork.

(2) Maintain the grounds of private residence in good order. Typical tasks are mowing and watering lawns, planting flowers and shrubs, and repairing and painting fences. Work on instructions of private employer.

Janitors

Keep hotel, office building, apartment house, or similar building in clean and orderly condition, and tend furnaces and boilers to provide heat and hot water. Typical tasks are sweeping and mopping floors; emptying trash containers, and doing minor painting and plumbing repairs. Often maintain residence at place of work.

Keypunch Operators

Using machines similar in action to typewriters, punch holes in cards in such a position that each hole can be identified as representing a specific item of information. These punched cards may be used with electronic computers as well as tabulating machines.

Kitchen Workers

Perform routine tasks in kitchen of restaurant. Primary responsibility is to maintain work areas and equipment in a clean and orderly fashion. Involves such tasks as mopping floors, removing trash, washing pots and pans, transferring supplies and equipment, and washing and peeling vegetables.

Laborers, Farm

Plant, cultivate, and harvest farm products, following instructions of supervisors, often working as members of a team. Typical tasks are watering and feeding livestock, picking fruit and vegetables, and cleaning storage areas and equipment.

Laborers, Mine

Perform routine tasks in underground or surface mine, pit, or quarry, or at tippie, mill, or preparation plant. Involves such tasks as cleaning work areas, shoveling coal onto conveyors, pushing mine cars from working face to haulage road, and loading or sorting material onto wheelbarrow.

Perform routine tasks in an industrial construction or manufacturing environment. Typical tasks are loading and moving equipment and supplies, cleaning work areas, and distributing tools. Work upon instructions according to set routine.

Loopers and Toppers

(1) Tend machines that shear nap, loose threads, and knots from cloth surfaces to give uniform finish and texture.

(2) Operate looping machines to close openings in toe of seamless hose or join knitted garment parts.

(3) Loop stitches or ribbed garment parts on points of transfer bar to facilitate transfer of garment parts to needles of knitting machine.

Maids, Hotel and Motel

Clean hotel rooms and halls; sweep and mop floors, dust furniture, empty wastebaskets, and make beds.

Men-of-all-Work

Perform a combination of duties to keep a private home clean and in good condition. Involves such activities as cleaning and dusting furniture and furnishings, hallways and lavatories; beating, vacuuming, and scrubbing rugs; washing windows, waxing and polishing floors; removing and hanging draperies; cleaning and oiling furnaces and other equipment; repairing mechanical and electrical appliances; painting and other chores as required.

Material Handlers

Load, unload, and convey materials within or near plant, yard, or worksite, under specific instructions.

Nurses' Aides

Assist in care of hospital patients. Involves such activities as bathing, dressing, and undressing patients; serving and collecting food trays; transporting patients to treatment units; changing bed linens, running errands, and directing visitors.

Orderlies

Assist in care of male hospital patients, involves such activities as bathing patients and giving alcohol rubs; cleaning and shaving hair from skin area of operative cases; lifting patients onto and from bed, and transporting patients to hospital areas; setting up hospital equipment, such as oxygen tents, portable X-ray machines, and overhead irrigation bottles, and placing anesthesia equipment near operating table.

Packers, Markers, Bottlers, and Related

Pack products into containers, such as cartons or crates; mark identifying information on articles; insure filled bottles are properly sealed and marked; often working with team on or at end of assembly line.

Porters

(1) Carry baggage for passengers of airline, railroad, or motorbus by hand or handtruck. Perform related personal services in and around public transportation environment.

(2) Keep building premises, working areas in production departments of industrial organizations, or similar sites in clean and orderly condition.

Receptionists

Receive clients or customers coming into establishment to ascertain their wants, and direct them accordingly. Involves such activities as arranging appointments, directing caller to destination, recording name, time, nature of business, person seen; answering phone and related duties.

Sailors and Deck Hands

Stand deck watches and perform a variety of tasks to preserve painted surfaces of ship, and maintain lines, running gear, and cargo handling gear in safe operating condition. Involves such tasks as mopping decks, chipping rust, painting chipped areas, and splicing rope.

Sales Clerks, General

Receive payment for merchandise in a retail establishment, wrap or bag merchandise, and keep shelves stocked.

Sewing Machine Operators and Hand-Stitchers

(1) Operate single- or multiple-needle sewing machines to join parts in the manufacture of such products as awnings, carpets, and gloves. Specialize in one type of sewing machine limited to joining operations.

(2) Join and reinforce parts of such articles as garments, and curtains, sew button-holes and attach fasteners to articles, or sew decorative trimmings to articles, using needle and thread.

Street Railway and Bus Conductors

Collect fares or tickets from passengers, issue transfers, open and close doors, announce stops, answer questions, and signal operator to start or stop.

Telephone Operators

Operate telephone switchboards to relay incoming and internal calls to phones in an establishment, and make connections with

external lines for outgoing calls. Taking messages, supplying information and keeping records of calls and charges is often involved. Some situations primarily involve establishing or aiding telephone users in establishing local or long distance telephone connections.

Truck Drivers and Tractor Drivers

(1) Drive trucks to transport materials, merchandise, equipment, or people to and from specified destinations, such as plants, railroad stations, and offices.

(2) Drive tractors to move materials, draw implements, pull out objects imbedded in ground, or pull cable of winch to raise, lower, or load heavy materials or equipment.

Typists, Lesser Skilled

Type straight-copy material, such as letters, reports, stencils, and addresses, from draft or corrected copy. Not required to prepare materials involving the understanding of complicated technical terminology, the arrangement and setting of complex tabular detail or similar problems. Typing speed in English does not exceed 52 words per minute on a manual typewriter and/or 60 words per minute on an electric typewriter and the error rate reaches 12 or more for a 5-minute typing period on representative business correspondence.

Ushers (Recreation and Amusement)

Assist patrons at entertainment events, in finding seats, searching for lost articles, and locating facilities.

Warehousemen

Receive, store, ship, and distribute materials, tools, equipment, and products within establishments as directed by others.

Signed at Washington, D.C., this 10th day of November 1970.

M. R. LOVELL, JR.,

Assistant Secretary for Manpower.

[F.R. Doc. 70-15393; Filed, Nov. 16, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 7]

CHILDREN'S SLEEPWEAR

Proposed Flammability Standard

On January 24, 1970, there was published in the FEDERAL REGISTER (35 F.R. 1019) a notice of finding that a flammability standard or other regulation, including labeling, may be needed for children's wearing apparel, specifically including sleepwear, and fabrics, or related materials intended to be used, or which may reasonably be expected to be used, for such apparel, to protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage, and of institution of proceedings for the development of appropriate flammability standards or other regulations for children's wearing apparel, including the specific category of sleepwear.

After review and analysis of the comments received, and after review of information including that previously cited in the January 24, 1970, FEDERAL REGISTER (35 F.R. 1019) and more recent additions thereto, it is hereby found that a

flammability standard for sleepwear normally worn by young children (5 years and under) is needed to protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage.

Proposed standard. It is preliminarily found that the proposed flammability standard (DOC PFF 3-70) as set out in full at the end hereof:

a. Is needed for young children's sleepwear to protect the public against unreasonable risk of the occurrence of fire leading to death, personal injury, or significant property damage;

b. Is reasonable, technologically practicable, and appropriate, and is stated in objective terms; and

c. Is limited to young children's sleepwear, and fabrics or related materials which are intended to be used or which may reasonably be expected to be used in children's sleepwear, and which have been determined to present such unreasonable risk.

Basis for proposed flammability standard. Although there now exists a flammability standard for all wearing apparel (Flammable Fabrics Act, as amended in 1954 (15 U.S.C. 1191, 67 Stat. 111)), analysis by the Department of Commerce of data including those supplied by the Department of Health, Education, and Welfare (HEW) has led to the conclusion that the existing standard does not adequately protect children against flammable sleepwear fires. The National Advisory Committee for the Flammable Fabrics Act concurs with this conclusion.

The finding that a flammability standard or other regulation is needed for children's sleepwear is based on the analysis of data developed by investigations of deaths and injuries due to wearing apparel fires and on results of laboratory research involving garments and fabrics for children's sleepwear. The analysis of accident data indicates that children are injured at particularly high frequencies from ignition and burning of sleepwear. Laboratory research indicates that children's sleepwear garments, and fabrics for such garments, present a significant burn hazard to children.

In the course of the development of this finding, the Department of Commerce has analyzed data from 580 cases investigated by HEW. The reports of HEW indicated that, in the cases investigated by them, 1059 separate garments were ignited, causing deaths of 76 persons and injury to 504. The remains of 413 garments were recovered from 258 of the cases, including 36 cases in which death resulted. Tests conducted by the Department of Commerce on the remains of the garments recovered showed that none of the tested garments exceeded the rapid and intense burn limits established by the existing standard (CS 191-53, "Flammability of Clothing Textiles").

Of the 580 cases, 174 involved the spillage of flammable liquids on the garments. These 174 cases were not considered in further analyses of either accident reports or flammability test behavior of the recovered garments. Analysis of the remaining 406 cases, involving 713 gar-

ments, showed that children in the 0-5 age group are injured at particularly high frequencies by burning of sleepwear: girls 1.6 times and boys 3.9 times as often as would be expected on the basis of their percentage of total population of the nation. The Department of Commerce has also determined that, within the scope of the sample, these conclusions are statistically meaningful.

Children in the 0-5 age group were the victims in 86 cases (21.2 percent of the 406 cases not having flammable-liquid contamination of the garments), involving 138 garments of all categories and leading to 9 deaths and 77 injuries; 37 of these cases (43 percent of the 0-5 age group cases) were reported as involving 41 sleepwear garments and as leading to 3 deaths and 34 injuries; 17 sleepwear garments were recovered from 15 of the 37 cases and sent to the National Bureau of Standards for testing. In these 15 cases, there were two deaths and 13 injuries reported.

Of the 17 sleepwear garments recovered and forwarded to NBS by HEW, the parts of the garments remaining after the accident and after testing by the present standard (CS 191-53), permitted testing of 11 garments by the proposed standard. The results showed that none passed the proposed standard. Therefore, the proposed standard is appropriate in that, had it been in effect during the past several years, it would have protected the public by keeping off the market the garments involved in those particular children's burn cases.

Research indicated that purchased items of children's sleepwear were readily ignited by a small ignition source. Exposure to a 1½-inch natural gas flame for 3 seconds resulted in ignition and burning of many such items. Burning of such items in their usual, vertical configuration was rapid.

Simulation of real-life accident conditions was accomplished by dressing child-size mannequins in purchased items of children's sleepwear. Brief exposure of these assemblies to small flames resulted in extensive damage to the mannequins. These experiments indicate the children wearing such garments would have been seriously injured.

The proposed standard is reasonable and technologically practicable. In the course of the development of the proposed standard, NBS purchased garments on the open market that comply with the proposed standard. These garments are being marketed nationally by major distributors, both through their retail outlets and through catalog sales.

The proposed standard, which the Department of Commerce finds is needed to protect the public against unreasonable risk of the occurrence of fire leading to death, personal injury or significant property damage, is limited to young children's sleepwear.

Participation in proceedings. All interested persons are invited to submit written comments relative to the proposed flammability standard within 30 days after the date of publication of this notice in the FEDERAL REGISTER. Written

comments should be submitted in at least four (4) copies to the Assistant Secretary for Science and Technology, Room 3862, U.S. Department of Commerce, Washington, D.C. 20230, and may include any data or other information pertinent to the subject.

Inspection of relevant documents. The written comments received pursuant to this notice will be available for public inspection at the Central Reference and Records Inspection facility of the Department of Commerce, Room 2122, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230. A supporting document relating to data from burn cases is also available, for public examination or copying, in this facility.

Issued: November 12, 1970.

MYRON TRIBUS,
Assistant Secretary for
Science and Technology.

CHILDREN'S SLEEPWEAR

PROPOSED STANDARD FOR THE FLAMMABILITY
OF CHILDREN'S SLEEPWEAR

[DOC PFF 3-70]

- 1 Definitions.
- 2 Scope and application.
- 3 General requirements.
- 4 Test procedure.
- 5 Labeling requirements.

1 *Definitions.* In addition to the definitions given in section 2 of the Flammable Fabrics Act, as amended (sec. 1, 81 Stat. 586; 15 U.S.C. 1191), and § 7.2 of the Procedures (33 F.R. 14642, Oct. 1, 1968), the following definitions apply for the purposes of this Standard:

(a) "Children's Sleepwear" means any product of wearing apparel up to and including size 6X, such as nightgowns, pajamas, or similar or related items, such as robes, intended to be worn primarily for sleeping or activities related to sleeping. Diapers and underwear are not included in this definition.

(b) "Size 6X" means the size defined as 6X in Department of Commerce Voluntary Product Standard, previously identified as Commercial Standard, CS 151-50, "Body Measurements for the Sizing of Apparel for Infants, Babies, Toddlers, and Children."

(c) "Char Length" means the distance from the original lower edge of the specimen exposed to the flame in accordance with the procedure specified herein in "4 Test Procedure" to the end of the tear or void in the charred, burned, or damaged area, the tear being made in accordance with the procedure specified herein in 4(d) (2).

(d) "Item" means any product of children's sleepwear, or any fabric or related material intended for use in children's sleepwear, or which may reasonably be expected to be used in children's sleepwear.

(e) "Acceptance Criterion" means that set of char length and afterflame properties which an item must exhibit in order to comply with this standard.

(f) "Trim" means decorative materials, such as ribbons, laces, ornaments, or functional materials (findings) such as zippers used to construct the garment.

(g) "Afterflame Time" means the time in seconds that molten material or other fragments dropping from the specimen continue to flame after the burner flame has been removed.

(h) "Afterglow" means the continuation of glowing of parts of a specimen after flaming has ceased.

2 *Scope and application.* (a) This Standard provides a test method to determine the flammability of items of children's sleepwear.

(b) All items of children's sleepwear must meet the acceptance criterion.

3 *General requirements—(a) Summary of test method.* Five conditioned specimens, 7.0 x 25.4 cm. (2¾ x 10 in.), are suspended one at a time vertically in holders in a prescribed cabinet and subjected to a standard flame along their bottom edges for a specified time under controlled conditions. The afterflame time and char length are measured.

(b) *Acceptance criterion.* An item meets the acceptance criterion if: (1) The average char length of five specimens does not exceed the appropriate value given in Table 1, (2) no individual specimen has a char length of 25.4 cm. (10 in.), and (3) the average afterflame time of molten material or other fragments dropping from the specimen does not exceed 2 seconds when the testing is done in accordance with "4 Test Procedure".

TABLE 1

Original fabric weight		Char length	
g./sq. m.	(oz./sq. yd.)	cm.	(in.)
Less than 207	(Less than 6.0)	18.0	(7.09)
207-345, inclusive	(6.0-10.0)	15.5	(6.10)
Greater than 345	(Greater than 10.0)	13.0	(5.12)

4 *Test procedure—(a) Apparatus—*

(1) *Test chamber.* The test chamber shall be a stainless steel cabinet with inside dimensions of 30.5±2.5 cm. (12±1 in.) wide, 30.5±2.5 cm. (12±1 in.) deep and 78.7±2.5 cm. (31±1 in.) high. It shall have a frame which permits the suspension of the specimen holder over the center of the base of the cabinet at such a height that the bottom of the specimen holder is 1.71±0.08 cm. (¾±1/32 in.) above the top of the gas burner specified in 4(a) (3) and perpendicular to the front of the cabinet. The front of the cabinet shall be a hinged or sliding door with a glass insert to permit observation of the entire test. The specified cabinet is illustrated in Figure 1.²

(2) *Specimen holder.* The specimen holder is designed to permit suspension of the specimen in a fixed vertical position and to prevent curling of the specimen when the flame is applied. It shall consist of two U-shaped 0.32 cm. (1/8 in.) thick stainless steel plates, 40.64 cm. (16 in.) long and 7.62 cm. (3 in.) wide between which the specimen shall be fixed

and which shall be held together with side clamps. The openings in the plates shall be 5.1 x 35.6 cm. (2 x 14 in.). The plates shall be hinged to assure alignment. The specified holder is illustrated in Figure 2.²

(3) *Burner.* The burner shall be a Tirrell Burner, 15.24 cm. (6 in.) in height. It shall have a tube of 1.8 cm. (7/16 in.) inside diameter. It shall have a variable orifice to adjust the height of the flame, and the air vents at its base shall be closed and taped shut. A centering device shall be built into the floor of the test chamber so that the burner may be moved quickly under the test specimen and away from it, as illustrated in Figure 1. The burner shall be connected to the gas source by rubber of other flexible tubing.

(4) *Gas supply system.* There shall be a control valve system with a delivery rate designed to furnish gas to the burner under a pressure of 129±13 mm. Hg. (2½±¼ lbs. per sq. in.) at the burner inlet. The manufacturer's recommended delivery rate for the valve system shall include the required pressure.

(5) *Gas.* The gas shall be C.P. methane (99% purity).

(6) *Hooks and weights.* Metal hooks and weights shall be used to produce a series of loads used to determine char length. The metal hooks shall consist of No. 19 gauge steel wire, or equivalent, and shall be made from 7.6 cm. (3 in.) lengths of the wire, bent 1.3 cm. (½ in.) from one end to a 45° angle hook. One end of the hook shall be fastened around the neck of the weight to be used and the other in the lower end of each burned specimen to one side of the burned area. The requisite loads are given in Table 2.

TABLE 2

Original fabric weight		Loads	
g./sq. m.	(oz./sq. yd.)	g.	(lb.)
Less than 207	(Less than 6.0)	113.5	(0.25)
207-345, inclusive	(6.0-10.0)	227.0	(0.50)
Greater than 345	(Greater than 10.0)	340.5	(0.75)

(7) *Stopwatch.* A stopwatch or similar timing device shall be used to measure time to 0.1 second.

(8) *Scale.* A linear scale graduated in 0.25 cm. (0.1 in.) divisions shall be used to measure char length.

(9) *Circulating air oven.* A forced circulation drying oven capable of maintaining the specimens at 105° C. (221° F.) shall be used to dry the specimens while mounted in the specimen holders.²

(10) *Desiccator.* An air-tight and moisture-tight desiccating chamber shall be used for cooling mounted specimens after drying. Anhydrous silica gel shall be used as the desiccant in the desiccating chamber.

(11) *Hood.* The test shall be conducted under a hood capable of being closed and having its draft turned off during

² Option 1 of ASTM D 2654-67T, "Method of Test for Amount of Moisture in Textile Materials," describes a satisfactory oven. ("1970 Book of ASTM Standards," Part 24, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103).

¹ Copies available from the National Technical Information Service, 5285 Port Royal Street, Springfield, Va. 22151.

² Engineering drawings may be purchased from the Central Reference and Records Inspection Facility, Room 2122, Department of Commerce Building, Washington, D.C. 20230.

each test, and capable of rapidly removing the products of combustion following each test. The hood fan shall be turned off during the test and shall be turned on after testing to remove fumes.

(12) *Sewing machine.* A machine capable of carrying out the operations in 4(b)(3) shall be used whenever sewing is required.

(b) *Specimens and sampling*—(1) *Selection of fabric samples.* Select a sample of the item representative of the lot and large enough to permit cutting five specimens, as described in 4(b)(2) or (3) from the most flammable part of the item. More than one item of the lot may be used if necessary. The most flammable part or direction of the item may be determined on the basis of experience or through pretesting, and may be in the machine or cross-machine direction or on the bias, and may contain trim or seams.* If pretesting has shown that significantly different results are obtained for specimens cut with their long dimensions in different directions, the official test specimens shall be cut such that they are tested in the direction that gives the greatest flammability.

(2) *Cutting.* Cut five specimens, 7.0 x 25.4 cm (2-3/4 x 10 in.) from the sample selected in 4(b)(1). If the sample is wrinkled, it may be ironed. If possible, specimens shall be cut so that each contains different machine direction yarns and different cross-machine direction yarns.

(3) *Cutting and preparation of specimens from finished sleepwear.* If the most flammable part of a garment contains seams or trim, the specimens shall be cut such that the seam or trim is down the center of the long dimension of the specimen.

For items with attached trim whose configuration does not allow placement in the specimen holder as described above, specimens shall be prepared by sewing or attaching the trim to the center of the vertical axis of an appropriate sample of untrimmed fabric chosen from another portion of the item, beginning the sewing or attachment at the lower edge of each specimen. The sewing or attachment shall be made in a manner as nearly identical as possible to the manner in which trim was attached in the item. In such cases, trim shall be removed from the item with due care to avoid damage to the trim, and with due care to remove all remnants of thread, other fastening material and base fabric from the trim. Sewing or otherwise attaching the trim shall be done with thread or fastening material of the same (or as close to the same as possible) composition and size as used for this purpose in the original item. The trim shall be sewed the entire length (if possible) of representative samples of the item. For items in which the seam length is less than 25.4 cm. (10 in.) specimens shall be cut with the seam beginning at the lower edge of each specimen.

(c) *Mounting and conditioning of specimens.* The specimens shall be placed

*For pretesting, it is recommended that five specimens be cut from each significantly different part of the item.

in specimen holders so that the bottom edge of each specimen is even with the bottom edge of the specimen holder. Mount the specimens in as close to a flat configuration as possible. The sides of the specimen holder shall cover 1 cm. (3/8 in.) of the specimen width along each long edge of the specimens, and thus shall expose 5.1 cm. (2 in.) of the specimen width. The sides of the specimen holder shall be clamped with a sufficient number of clamps or with tape to prevent the specimen from being displaced during handling and testing. The specimens may be taped in the holders if the clamps fail to hold them.

Place the mounted specimens in the drying oven in a manner that will permit free circulation of air at 105° C. (221° F.) around them for 30 minutes.²

(d) *Testing*—(1) *Burner adjustment.* With the hood fan turned off, use the variable orifice at the burner to adjust the flame height to be 3.8 cm. (1 1/2 in.). Move the burner so it is not in the center of the cabinet.

(2) *Specimen burning and evaluation.* Remove the mounted specimens from the oven and place them in the desiccator for 30 minutes to cool. No more than five specimens shall be placed in a desiccator at one time. Specimens shall remain in the desiccator no more than 60 minutes. One at a time, the mounted specimens shall be removed from the desiccator and suspended in the cabinet. The cabinet door shall be closed and the burner flame impinged on the bottom edge of the sample for 3.0±0.2 seconds.³ Flame impingement is accomplished by moving the burner under the specimen for this length of time, and then removing it. Afterflame time shall be measured to the nearest 0.1 second. If the char length of an individual specimen equals 25.4 cm. (10 in.) that item fails to meet the acceptance criterion and testing may be stopped. If the visual estimate of the char length caused by 3 seconds exposure to the flame is less than 25.4 cm. (10 in.) immediately apply the flame to that same specimen for an additional 12 seconds. Afterflame time shall be measured to the nearest 0.1 second.

When afterglow has ceased, remove the specimen from the cabinet and holder, and place it on a clean flat surface. Fold the specimen lengthwise along a line through the highest peak of the charred area; crease the specimen firmly by hand. Unfold the specimen and insert the hook with the correct weight as shown in Table 2 in the specimen on one side of the charred area 6.4 mm. (1/4 in.) from the lower edge. Tear the specimen by grasping the corner of the

² If the specimens are moist when received, permit them to air-dry at laboratory conditions prior to placement in the oven. A satisfactory pre-conditioning procedure may be found in ASTM D 1776-67, "Conditioning Textiles and Textile Products for Testing," ("1969 Book of ASTM Standards", Part 24, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103.)

³ If more than 15 seconds elapse between removal of a specimen from the desiccator and the initial flame impingement, that specimen shall be reconditioned prior to testing.

fabric at the opposite edge of the char from the weight and gently raising the specimen and weight clear of the supporting surface.⁴ Measure the char length as the distance from the edge of the specimen exposed to the flame to the end of the tear.

(3) *Report.* Report separately the values of char length in centimeters (inches), and afterflame time in seconds, for each specimen as well as the average of these quantities for the set of five specimens.

(4) *Laundering.* The procedures described under 4(b), (c) and (d) shall be carried out on items in the condition in which they are intended to be sold, and after they have been washed and dried 50 times⁵ according to Test Method AATCC 124-1967.⁶ Washing procedure 6.2(III) with a water temperature of 60±2.8° C. (140±5° F.) drying procedure 6.3.2 (B), maximum load 3.64 kg. (8 pounds) shall be used. Alternatively, a different number of times under another washing and drying procedure may be specified and used, if that procedure has previously been found to be equivalent by the Federal Trade Commission.

5 *Labeling requirements.* All items of children's sleepwear shall be labeled with precautionary instructions to protect the items from agents or treatments which are known to cause deterioration of their flame resistance. Such labels shall be permanent and otherwise in accordance with rules and regulations established by the Federal Trade Commission.

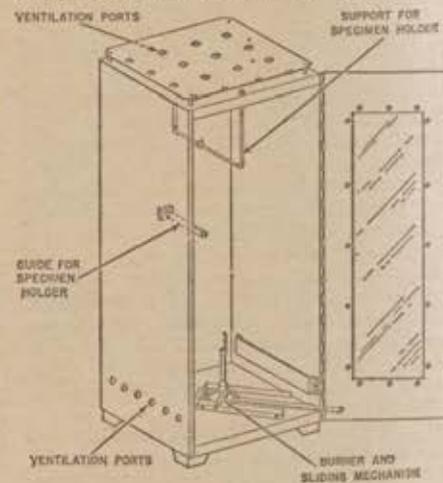


FIGURE 1
VERTICAL TEST CABINET

⁴ A figure showing how this is done is given in AATCC 34-1969, Technical Manual of the American Association of Textile Chemists and Colorists, Vol. 45, 1969, published by AATCC, Post Office Box 12215, Research Triangle Park, N.C. 27709.

⁵ If changes in an item occur during laundering which appear to affect the flammability of that item sufficiently to make it fail the acceptance criterion, that item may be tested after fewer than 50 laundings. If the item fails, further laundings are unnecessary.

⁶ Technical Manual of the American Association of Textile Chemists and Colorists, Vol. 45, 1969, published by AATCC, Post Office Box 12215, Research Triangle Park, N.C. 27709.

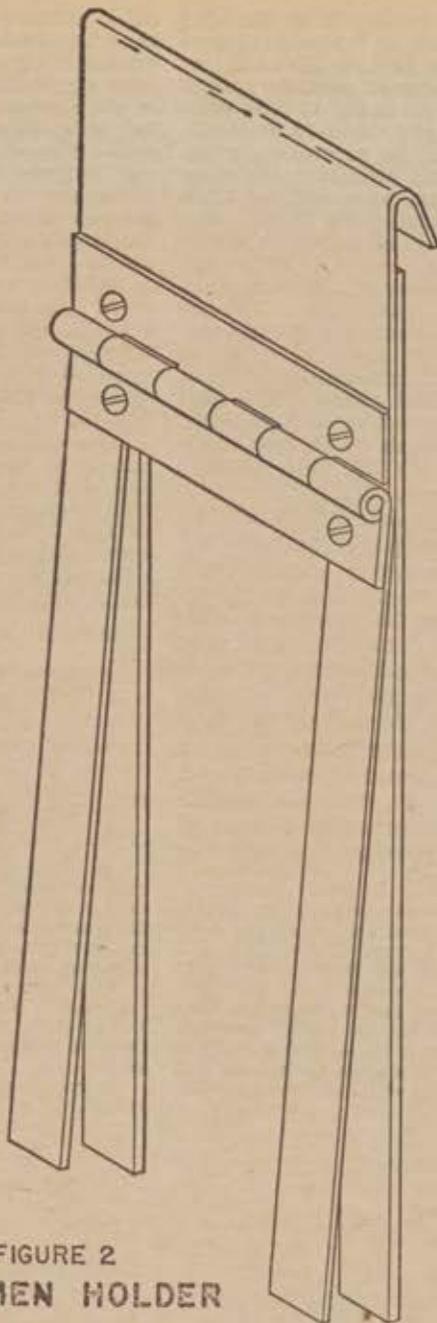


FIGURE 2
SPECIMEN HOLDER

[F.R. Doc. 70-15426; Filed, Nov. 16, 1970; 8:45 a.m.]

**DEPARTMENT OF
TRANSPORTATION**

Coast Guard

[33 CFR Part 117]

[CGFR 70-135]

DURHAM CREEK, S.C.

**Proposed Drawbridge Operation
Regulations**

1. The Chief, Office of Operations, U.S. Coast Guard Headquarters, is consider-

ing a request by the South Carolina Electric and Gas Co. to establish special operation regulations for its railroad removable span bridge to be constructed across Durham Creek for which a construction permit has recently been issued. The purpose of these regulations would be to permit the removable span to remain closed to all but dredges and construction equipment. This equipment would be passed 20 days after advance notice and be used in periodically removing silt from a fresh water reservoir constructed for operational and domestic use by industrial plants in the vicinity.

The removable span would also be removed for other projects for which this type of equipment might be used. Use of this bridge in the closed position would be limited to small boats which could easily pass the closed span. The vertical clearance at mean high water will be 5 feet under the removable span. Another fixed span of this bridge will provide 11 feet vertical clearance at mean high water. Present regulations applicable to this bridge would require the draw to be opened on signal. The proposed regulations would require 20 days' advance notice at all times. Authority for this action is set forth in section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g) (2) of the Department of Transportation Act (49 U.S.C. 1655(g) (2)) and 49 CFR 1.46(c) (5) (35 F.R. 4959) and 33 CFR 1.05-1(c) (4) (35 F.R. 15922).

2. Accordingly, it is proposed that § 117.245(g) of Part 117 be amended by adding subparagraph (17-a) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

(g) * * *

(17-a) Durham Creek, S.C., South Carolina Electric and Gas Co. railroad bridge. The removable span shall be removed to allow the passage of dredges and construction equipment upon 20 days' advance notice.

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before December 18, 1970. All submissions should be made in writing to the Commander, Seventh Coast Guard District, Room 1018, Federal Building, 51 SW First Ave., Miami, Fla. 33130.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reason for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commander, Seventh Coast Guard District, will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the

Chief, Office of Operations, U.S. Coast Guard, Washington, D.C. The Chief, Office of Operations, will thereafter make a final determination with respect to these proposals.

Dated: November 10, 1970.

R. E. HAMMOND,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Operations.

[F.R. Doc. 70-15408; Filed, Nov. 16, 1970;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 378, 378a]

[Docket No. 21987; SPDR-19]

MODIFICATION OF SURETY BOND REQUIREMENTS FOR TOUR OPERATORS

Notice of Proposed Rule Making

Correction

In F.R. Doc. 70-15079 appearing at page 17199 in the issue for Saturday, November 7, 1970, the date "December 7, 1970," should be inserted between the words "before" and "will" in the third line of the second column.

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 25]

[Docket No. 16495; FCC 70-1198]

DOMESTIC COMMUNICATION-SATELLITE FACILITIES BY NONGOVERNMENTAL ENTITIES

Order Granting Motion

1. On November 3, 1970, the Commission received a "Motion for Extension of

Time to File Application" from the MCI Carriers.¹ They seek an extension of time until February 28, 1971, to file an application for a domestic satellite system utilizing frequencies in the 12 GHz band (11.7-12.2 GHz and 12.75-13.25 GHz). They request such an extension for alternative frequency proposals, one using 4 and 6 GHz frequencies and the other placing major reliance on 12 GHz frequencies possibly in combination with 4 and 6 GHz frequencies. The MCI Carriers assert that much of the basic technical and supporting data will be common to both proposals and that presentation of the alternatives in one application would facilitate consideration of the entire technical concept. The MCI Carriers state that "we are confident that we can file such a complete application by February 28, 1971—possibly even by February 1, 1971."

2. By Public Notice (FCC 70-953) issued on September 3, 1970, in Docket No. 16495, the Commission established a December 1, 1970, cutoff date for the filing of applications for domestic satellite facilities in the 4 and 6 GHz bands, to be considered in conjunction with the pending application of The Western Union Telegraph Co. In the Further Notice of Inquiry and Proposed Rule Making in Docket No. 16495 issued on September 25, 1970 (25 FCC 2d 718, 721), the Commission stated that applicants desiring to file for the use of other frequencies, or

for a mixture of other frequencies and the 4 and 6 GHz bands, could request an extension of time within which to file such applications, if necessary. In view of the representations in the motion of the MCI Carriers, we believe that the public interest would be served by granting the requested extension. In order to avoid duplicative efforts by the applicant, such extension of time will apply to the alternative system proposal involving the use of 4 and 6 GHz frequencies,² as well as the alternative placing major reliance on 12 GHz possibly in combination with 4 and 6 GHz frequencies. However, it is requested that the MCI Carriers make every effort to file such applications at an earlier date, by February 1, 1971, if possible.

3. Accordingly, it is ordered, That the motion of the MCI Carriers is granted and that alternative proposals filed by MCI Carriers on or before February 28, 1971, will be considered in conjunction with applications for domestic communications satellite systems filed on or before December 1, 1970.

Adopted: November 6, 1970.

Released: November 6, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,³

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-15410; Filed, Nov. 16, 1970;
8:47 a.m.]

¹ Microwave Communications, Inc. (MCI); MCI Pacific Coast, Inc.; MCI-New York West, Inc.; MCI-North Central States, Inc.; MCI Michigan, Inc.; MCI New England, Inc.; MCI Mid-Continent Communications, Inc.; MCI St. Louis-Texas, Inc.; MCI Texas Pacific, Inc.; MCI Kentucky Central, Inc.; MCI Texas East Microwave, Inc.; MCI Mid-Atlantic Communications, Inc.; MCI Indiana-Ohio, Inc.; MCI Mid-South, Inc.; Interdata Communications, Inc.

² By letter filed on Nov. 6, 1970, the MCI Carriers requested expedited action on its motion, on the ground that if the time for filing the 4 and 6 GHz alternative was not included in any extension for the alternative involving other frequencies, intensive efforts on their part would be required to meet the December 1 deadline. In the circumstances, we believe it reasonable to accord the MCI Carriers prompt Commission action on the motion.

³ Commissioners Bartley and Johnson absent.

Notices

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority No. 88]

ASSISTANT ADMINISTRATORS

Delegation of Authority Relating to Housing Guaranties

1. Pursuant to the authority delegated to me by Delegation of Authority No. 104, as amended, from the Secretary of State, dated November 3, 1961 (26 F.R. 10608), I hereby delegate to the Assistant Administrator for Administration all of the authorities contained in sections 221, 222, 223, and 636(1) of the Act, except the authority to authorize the issuance of guaranties, which I hereby delegate to the Regional Assistant Administrators for the countries or areas within their responsibilities.

2. This delegation of authority supersedes paragraphs 2 and 3 of A.I.D. Delegation of Authority No. 39, as amended.

3. Any redelegations of authority issued prior to the date hereof by officers duly authorized pursuant to the authorities superseded in paragraph 2 above, are hereby continued in effect according to their terms until modified, revoked, or superseded by action of the Assistant Administrator for Administration.

4. The authority delegated herein may be redelegated successively and may be exercised by persons who are performing the functions of designated officers in an acting capacity.

5. This delegation of authority shall be effective immediately.

Dated: November 4, 1970.

JOHN A. HANNAH,
Administrator.

[F.R. Doc. 70-15395; Filed, Nov. 16, 1970; 8:46 a.m.]

DIRECTOR AND DEPUTY DIRECTOR, OFFICE OF HOUSING

Redelegation of Authority

1. Pursuant to the authority delegated to me by Delegation of Authority No. 88 from the Administrator, A.I.D., dated November 4, 1970, I hereby redelegate to the Director and Deputy Director of the Office of Housing, the following authorities:

A. All of the authorities delegated to me by the above-mentioned Delegation of Authority No. 88.

2. The authorities redelegated herein may be redelegated as follows:

A. The authority to execute guaranties may be redelegated, on an ad hoc basis only, to U.S. Ambassadors, A.I.D. Mission Directors, and A.I.D. Representatives.

B. All other authorities may be redelegated.

C. Redelegations of authority within the purview of this paragraph 2 to persons not assigned to the Office of Housing shall be subject to approval by the appropriate Regional Assistant Administrator, or his designee.

3. The authority redelegated herein may be exercised by persons who are performing the functions of the designated officers in an acting capacity.

4. The following redelegations of authority are hereby canceled:

A. Redelegation of authority from James R. Fowler, Deputy U.S. Coordinator, to Director, Housing and Urban Development Division, Office of Development Resources, Bureau for Latin America, dated January 19, 1970 (35 F.R. 2416).

B. Redelegation of authority from Stanley Baruch, Director, Housing and Urban Development Division, Office of Development Resources, Bureau of Latin America, to the Deputy Director for Guaranties and Engineering, dated January 20, 1970 (35 F.R. 2416).

C. Redelegation of authority from Edmond C. Hutchinson, Assistant Administrator, Bureau for Africa, to Director, Office of Private Enterprise, Bureau for Africa, dated December 30, 1966 (32 F.R. 5375).

D. Redelegation of authority from Rutherford M. Poats, Assistant Administrator, Far East, to Director, Office of Capital Development and Finance, dated October 1, 1966 (31 F.R. 14695).

5. This redelegation of authority shall be effective immediately.

Dated: November 5, 1970.

LANE DWINELL,
Assistant Administrator
for Administration.

[F.R. Doc. 70-15396; Filed, Nov. 16, 1970; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs

S. B. PENICK AND CO.

Application for License to Manufacture Methadone

Notice is hereby given pursuant to the provisions of section 8 of the Narcotics Manufacturing Act of 1960, 74 Stat. 62 (21 U.S.C. 506) and 21 CFR 307.93, that an application for a license to manufacture the narcotic drug Methadone, basic class No. 22, has been submitted by S. B. Penick and Co., Unit of CPC International Inc., 100 Church Street, New York, N.Y. 10008, and that such application is being favorably considered.

Within 20 days from the date of publication of this notice in the FEDERAL REGISTER, any interested person may file a written protest with both the Director of the Bureau of Narcotics and Dangerous Drugs and the applicant, S. B. Penick and Co., Unit of CPC International Inc., against favorable consideration of the application. Written protests should be sent to the Director, Bureau of Narcotics and Dangerous Drugs, 1405 I Street NW., Washington, D.C. 20537. Any such protest shall specify with particularity the facts relied upon as showing that a license, if granted to the applicant, would not be in the public interest. As provided in 21 CFR 307.93, an interested person at the time of filing may request a hearing as to his protest. If no written notice of a desire to be heard shall be received within 20 days from the date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held.

Dated: November 9, 1970.

JOHN E. INGERSOLL,
Director, Bureau of
Narcotics and Dangerous Drugs.

[F.R. Doc. 70-15406; Filed, Nov. 16, 1970; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

AREA DIRECTORS ET AL.

Delegation of Authority

Correction

In F.R. Doc. 70-15107 appearing on page 17274 in the issue of Tuesday, November 10, 1970, the signature of the Acting Commissioner at the end of the document should read "Anthony P. Lincoln."

Bureau of Land Management

[New Mexico 12479]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 10, 1970.

The Forest Service, U.S. Department of Agriculture, has filed an application, New Mexico 12479, for the withdrawal of lands described below, from location and entry under the general mining laws. The applicant desires the lands for use in connection with further development of the Canon Administrative Site and improving the Trampas Recreation Area.

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

officer of the Bureau of Land Management, Department of the Interior, Land Office Manager, Post Office Box 1449, Santa Fe, N. Mex. 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN
CARBON NATIONAL FOREST

- T. 21 N., R. 12 E.,
Sec. 16, lot 5, and unsurveyed portion
S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21, lot 1, NE $\frac{1}{4}$ lot 2, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
unsurveyed portions of N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 25 N., R. 13 E.,
Sec. 15, W $\frac{1}{2}$ W $\frac{1}{2}$ lot 5, and W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$;
Sec. 16, lots 4, 5, 7 and 8.

The areas described aggregate 224.70 acres, more or less, in Taos and Rio Arriba Counties.

MICHAEL T. SOLAN,
Land Office Manager.

[P.R. Doc. 70-15391; Filed, Nov. 16, 1970;
8:45 a.m.]

Office of the Secretary
CARROL M. BENNETT

Statement of Changes in Financial
Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) Bought: Recognition Equipment; Investment Funds, Inc.
- (2) Sold: Telecom; El Chico; B. F. Goodrich.
- (3) No change.
- (4) No change.

This statement is made as of October 11, 1970.

Dated: October 15, 1970.

CARROL M. BENNETT.

[P.R. Doc. 70-15394; Filed, Nov. 16, 1970;
8:46 a.m.]

Oil Import Administration

[Oil Import Administration Bulletin No. 5]

CANADIAN NATURAL GAS
LIQUIDS

Imports Into Districts I-IV

Section 1A(e) of Proclamation 3279 (24 F.R. 1781), as amended (see particularly Proclamation 4018) (35 F.R. 16357), provides that:

On and after October 1, 1970, any natural gas liquids, as defined in subparagraph (1) of paragraph (a) of section 2 of this proclamation, derived solely from Canadian natural gas, may be transported other than by sea into the United States from Canada without license and without reducing the quantities of crude oil, unfinished oils, or finished products that may be imported into the United States under the provisions of section 1, section 1A, and section 2 of this proclamation.

Natural gas liquids are specifically defined in Proclamation 3279, as amended. The term includes only those light liquid hydrocarbons that are recovered from wet natural gas in order to prepare such natural gas for pipeline deliveries to consumers. These natural gas liquids are usually identifiable by having physical characteristics such as higher API gravities (above most crude oils) and a high vapor pressure. These materials, which are derived solely from Canadian natural gas, may be imported without an allocation and license.

All natural gas liquids that are tendered by importers to U.S. Customs for entry into the United States without allocation or license must be consistent with the general physical characteristics outlined above. Accordingly, no hydrocarbons which are to be further processed, except those that are inevitably mixed in small quantities with natural gas liquids at the interface in the pipeline or in tank bottoms, will be deemed to be natural gas liquids for the purpose of identifying material that may be imported without allocation and license.

An officer of the importing company proposing to import natural gas liquids from Canada shall certify to the appropriate Customs' officers at the port of entry, that the shipment tendered for entry without an allocation or license, meets the definition of natural gas liquids as set forth in the Proclamation and that such liquids were derived solely from Canadian natural gas.

Liquid hydrocarbons, derived from dissolved (solution) gas and which are to be further processed, may not be imported without allocation and license.

All importers making certification to the Customs' officers for entry of natural gas liquids for the purpose of exempting such liquids from allocations and licenses

shall maintain records and other evidence by which representatives of the Oil Import Administration may verify such certifications.

All Customs' officers are requested to submit monthly to the Oil Import Administration a report of the quantities of exempt natural gas liquids which were imported during the preceding month. Such reports should be made available to the Oil Import Administration within 15 days following the month in which the imports were made.

RALPH W. SNYDER, JR.,
Acting Administrator,
Oil Import Administration.

NOVEMBER 12, 1970.

[P.R. Doc. 70-15456; Filed, Nov. 13, 1970;
12:40 p.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

COLORADO

Designation of Areas for Emergency
Loans

On the basis of the September 22, 1970, declaration by the President of a major disaster and the October 20, 1970, areas determination by the Director, Office of Emergency Preparedness, the following counties in the State of Colorado are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1969 (42 U.S.C. 1855fff):

COLORADO

Alamosa. San Miguel.
Costilla.

Emergency loans will not be made in these counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November 1970.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[P.R. Doc. 70-15404; Filed, Nov. 16, 1970;
8:47 a.m.]

MISSOURI

Designation of Areas for Emergency
Loans

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

MISSOURI

Adair.	Mississippi.
Butler.	New Madrid.
Cape Girardeau.	Pemiscot.
Dallas.	Perry.
Dunklin.	Polk.
Gentry.	Schuyler.
Knox.	Scotland.
Lewis.	Scott.
Linn.	Shelby.
Livingston.	Stoddard.
Macon.	Worth.
Marion.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1971, except to applicants who previously received emergency or special livestock loan assistance and can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of November, 1970.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 70-15433; Filed, Nov. 16, 1970;
8:49 a.m.]

OKLAHOMA

Designation of Areas for Emergency Loans

On the basis of the October 14, 1970, declaration by the President of a major disaster and the October 19, 1970 (as amended Oct. 26, 1970) areas determination by the Director, Office of Emergency Preparedness, the following counties in the State of Oklahoma are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1969 (42 U.S.C. 1855fff):

OKLAHOMA

Adair.	Lincoln.
Atoka.	McClain.
Carter.	Murray.
Cleveland.	Pittsburg.
Coal.	Pontotoc.
Garvin.	Pottawatomie.
Jefferson.	Seminole.
Latimer.	

Emergency loans will not be made in these counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November 1970.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 70-15434; Filed, Nov. 16, 1970;
8:49 a.m.]

PUERTO RICO

Designation of Areas for Emergency Loans

On the basis of the October 12, 1970, declaration by the President of a major disaster and the October 19, 1970 (as amended Oct. 26, 1970) areas determination by the Director, Office of Emer-

gency Preparedness, the following municipalities in the Commonwealth of Puerto Rico are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1969 (42 U.S.C. 1855fff):

PUERTO RICO

Adjuntas.	Juncos.
Aguas Buenas.	Las Piedras.
Aibonito.	Loiza.
Arecibo.	Luquillo.
Arroyo.	Manati.
Barceloneta.	Maunabo.
Barranquitas.	Morovis.
Bayamon.	Naguabo.
Caguas.	Naranjito.
Carolina.	Orocovia.
Catano.	Patillas.
Cayey.	Penuelas.
Ceiba.	Ponce.
Ciales.	Salinas.
Cidra.	San Juan.
Coamo.	San Lorenzo.
Comerio.	San Sebastian.
Corozal.	Santa Isabel.
Dorado.	Toa Alta.
Fajardo.	Toa Baja.
Guanica.	Trujillo Alto.
Guayama.	Utua.
Guaynabo.	Vega Alta.
Gurabo.	Vega Baja.
Humacao.	Vieques.
Jayuya.	Villalba.
Juana Diaz.	Yabucoa.

Emergency loans will not be made in these municipalities under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November 1970.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 70-15405; Filed, Nov. 16, 1970;
8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Consideration

Notice is hereby given that the Bureau of the Census is planning to conduct its usual annual survey of inventories covering 30 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1970, under the provisions of title 13, United States Code, sections 181, 224, and 225. This survey, together with the previous surveys, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry, and the distributive trades, and governmental agencies and are not publicly available

from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Reports will not be required from all firms but will not be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." (In addition, multiunit firms reporting separately by establishment will be requested to update the list of their establishments maintaining canned food stocks.)

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of this proposed survey should be submitted in writing to the Director of the Census within 30 days after the date of this publication and will receive consideration.

Dated: November 3, 1970.

GEORGE H. BROWN,
Director, Bureau of the Census.

[F.R. Doc. 70-15425; Filed, Nov. 16, 1970;
8:48 a.m.]

National Bureau of Standards

PORTABLE PICNIC COOLERS

Notice of Recommended Standard

The National Bureau of Standards hereby gives public notice of the following recommended standard: TS 196, "Portable Picnic Coolers."

This notice is made in accordance with the provisions of § 10.5 of the Department of Commerce Procedures for the Development of Voluntary Product Standards (15 CFR Part 10, as amended; 35 F.R. 8349, dated May 28, 1970). The purpose of this recommended standard is to establish nationally recognized safety requirements for portable picnic coolers. This standard is needed to prevent the accidental entrapment of small children in portable picnic coolers.

The initiation of this standard was undertaken by the Department of Commerce in accordance with provisions of § 10.1(e) of the referenced procedures with the cooperation of the manufacturers of portable picnic coolers.

This recommended standard is being distributed for acceptance or rejection to a list representative of producers, distributors, and users and consumers, for the purpose of determining general concurrence. Distribution of this recommended standard for comment will be made to any party filing a written request for a copy.

Copies of this recommended standard may be obtained from the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234. Written comments or objections concerning the standard should be addressed to the Office of Engineering Standards Services within 45 days following publication of this notice.

Issued: November 12, 1970.

R. S. WALLEIGH,
Acting Director.

Approved:

MYRON TRIBUS,
*Assistant Secretary for
Science and Technology.*

[F.R. Doc. 70-15424; Filed, Nov. 16, 1970;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

3,5-DICHLORO-N-(1,1-DIMETHYL-2- PROPYNYL)BENZAMIDE

Notice of Extension of Temporary Tolerances

The Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105, was granted temporary tolerances for residues of the herbicide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide and its metabolites calculated as 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide in or on the raw agricultural commodities alfalfa, clover, lespedeza, trefol, and vetch at 3 parts per million; lettuce at 1 part per million; kidney and liver at 0.2 part per million (negligible residue); and milk at 0.01 part per million (negligible residue) on August 29, 1969. (Notice was published in the FEDERAL REGISTER of Sept. 9, 1969; 34 F.R. 14183.)

The firm has requested a 1-year extension of the temporary tolerances to permit obtaining additional experimental data. The Commissioner of Food and Drugs has determined that such extension will protect the public health.

A condition under which these temporary tolerances are extended is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Rohm & Haas Co. name.

As extended, these temporary tolerances expire August 29, 1971.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 5, 1970.

R. E. DUGGAN,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 70-15390; Filed, Nov. 16, 1970;
8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

CHEMAGRO CORP. ET AL.

Special Permits Issued

NOVEMBER 12, 1970.

Pursuant to Docket No. HM-1, Rule-making Procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 F.R. 8277) 49 CFR 170, following is a list of new DOT Special Permits upon which Board action was completed during October 1970:

Special permit No.	Issued to—Subject	Mode or modes of transportation
6284	Chemagro Corp. for shipments of organic phosphate compound dry mixture, class B poison, in DOT-21C fiber drums with inside polystyrene bottles.	Passenger-carrying aircraft.
6301	Shippers registered with this Board for shipments of compressed air in modified DOT-3HT cylinders.	Highway, Rail, Water, Cargo-only aircraft.
6324	Shippers registered with this Board for shipments of fissile and large quantities of radioactive materials in the NBL Laboratory Sample (Dissolve Fuel) Cask/Overpack.	Highway, Rail.
6325	Shippers registered with this Board for shipments of certain oxidizing material solutions in a non-DOT specification cargo tank.	Highway.
6327	Shippers registered with this Board for shipments of ethylene oxide in DOT Specification 105A200ALW tank cars stenciled 105A100ALW.	Rail.
6328	Shippers registered with this Board for shipments of fissile radioactive materials, n.o.s., in the I.I.T. Spent Resin Shield/Uranium Sulfate Solution Package.	Highway.
6329	Shippers registered with this Board for shipments of fissile radioactive materials in Atomic International's Model No. 1233 Cask.	Highway.
6331	Shippers registered with this Board for shipments of fissile radioactive material in the Kerr-McGee Model No. KM-3 container.	Highway, Rail, Cargo-only aircraft.
6333	Allied Chemical Corp. for shipments of perchloric acid not exceeding 72% strength in a glass-lined MC 312 tank motor vehicle.	Highway.
6334	Bell Aerospace Co. for shipments of a corrosive liquid in a DOT Specification MC 310, MC 311, or MC 312 tank motor vehicle.	Highway.
6335	Mitsubishi International Corp. to ship fissile radioactive material in a package described in Mitsubishi's Safety Evaluation Report No. AFSB-44-A047, dated June 1967.	Cargo-only aircraft, Highway.
6336	Welders Supply Service, Inc., San Joaquin Welders Supply Service, Inc., and Industrial Sales and Retail to ship certain gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest period.	Highway, Rail.
6337	Independent Supply Co. to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest period.	Highway, Rail.
6338	De Lillie Oxygen Co. to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest period.	Highway.
6339	Shippers registered with this Board for shipments of liquid high explosives, class A, in DOT-5B and DOT-6D packages having inside DOT-28 liter.	Highway.
6340	Shippers registered with this Board for shipments of liquid high explosives, class A, in a converted DOT-17E drum with inside container.	Highway.
6341	Shippers registered with this Board for shipments of liquefied methane in non-DOT insulated cylinders.	Highway, Rail.
6342	General Electric Co. to ship certain compressed gases in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Rail.
6343	Shippers registered with this Board for shipments of certain flammable liquids and gases in DOT Specification 105A200W tank car tanks designed with a weld joint efficiency of E=1.0 and fabricated from AAR Specification TC-128B steel.	Highway, Water.
6344	Shippers registered with this Board for shipments of whiskey in non-DOT specification portable tanks.	Highway.
6345	Shippers registered with this Board for shipments of fissile, and special form radioactive materials in ANL uranium-shielded cask.	Highway, Water.
6349	Shippers registered with this Board for shipments of liquefied helium in insulated portable tanks.	Highway, Water.

C. B. SMITH,
Acting Chairman,

Hazardous Materials Regulations Board.

[F.R. Doc. 70-15397; Filed, Nov. 16, 1970; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-371]

GULF ENERGY & ENVIRONMENTAL SYSTEMS, INC.

Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that Gulf Energy & Environmental Systems, Inc., San Diego, Calif., has submitted an application dated September 17, 1970, for a license to authorize the export of a 1,000-kilowatt thermal TRIGA Mark III nuclear research reactor to Gesellschaft für Strahlenforschung, Munich, West Germany.

Upon finding that the reactor proposed for export is within the scope of and consistent with the terms of the Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Agency and, unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a hearing is filed with the U.S. Atomic Energy Commission by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected by the proceeding, the Director of Regulation will cause to be issued to Gulf Energy & Environmental Systems, Inc., a facility export license and cause to be published in the FEDERAL REGISTER a notice of issuance of the license. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice,

the Secretary will issue a notice of hearing or an appropriate order.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10 Ch. 1, Code of Federal Regulations, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations as set forth in Title 10 Ch. 1, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated September 17, 1970, is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of October 1970.

For the Atomic Energy Commission,

EBER R. PRICE,
Director, Division of
State and Licensee Relations.

[P.R. Doc. 70-15401; Filed, Nov. 16, 1970;
8:46 a.m.]

[Docket No. 50-238]

FIRST ATOMIC SHIP TRANSPORT, INC.

Indemnity Agreement Termination Order

The Atomic Energy Commission having found that the Maritime Administration is qualified to be a holder of Facility License NS-1 and that the transfer of the license from First Atomic Ship Transport, Inc., is otherwise consistent with applicable provisions of law, regulations and orders issued by the Commission, and having executed Amendment 7 to Facility License NS-1, such that the Maritime Administration becomes the licensee and First Atomic Ship Transport, Inc., ceases to be the licensee under said license, the Agreement of Indemnification between First Atomic Ship Transport, Inc., and the Atomic Energy Commission entered into August 5, 1965, as amended, shall be terminated by amendment to said Agreement of Indemnification.

Date of issuance: November 9, 1970.

For the Atomic Energy Commission,

CLIFFORD K. BECK,
Deputy Director of Regulation.

[P.R. Doc. 70-15402; Filed, Nov. 16, 1970;
8:46 a.m.]

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Notice of Hearing on an Operating License

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the

regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held at 10 a.m. local time, on December 17, 1970, in the New York State Armory, 955 Washington Street, Peekskill, N.Y., to consider the application filed under section 104(b) of the Act by Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Generating Unit No. 2) (applicant), for an operating license which would authorize the operation of a pressurized water nuclear power reactor (facility) at steady-state power levels up to a maximum of 2,758 megawatts thermal at the applicant's Indian Point plant in the town of Buchanan in Westchester County, approximately 24 miles north of New York City, N.Y. The applicant on October 6, 1970, requested that this public hearing should be held, and the Atomic Energy Commission has determined that the request for a hearing should be granted.

The hearing will be conducted by an atomic safety and licensing board designated by the Atomic Energy Commission (Commission), consisting of Dr. John C. Geyer, Baltimore, Md.; Mr. R. B. Briggs, Oak Ridge, Tenn.; and Samuel W. Jensch, Esq., Washington, D.C., Chairman. Dr. Walter H. Jordan, Oak Ridge, Tenn., has been designated as a technically qualified alternate, and J. D. Bond, Esq., Derwood, Md., has been designated as an alternate qualified in the conduct of administrative proceedings.

Construction of the reactor was authorized by Provisional Construction Permit No. CPPR-21 issued by the Commission on October 14, 1966, following a public hearing.

A prehearing conference will be held on December 1, 1970, at 10 a.m. local time at the Hendrik Hudson High School Auditorium, Albany Post Road, Montrose, N.Y., to consider pertinent matters in accordance with the Commission's "Rules of Practice," 10 CFR Part 2, including Section II of Appendix A.

The issues to be considered at the hearing will be the following:

1. Whether construction of the facility has been substantially completed, in conformity with the construction permit and the application as amended, the provisions of the Act, and the rules and regulations of the Commission;

2. Whether the facility will operate in conformity with the application as amended, the provisions of the Act, and the rules and regulations of the Commission;

3. Whether there is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations of the Commission;

4. Whether the applicant is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the regulations of the Commission;

5. Whether the applicable provisions of 10 CFR Part 140, "Financial Protection

Requirements and Indemnity Agreements," of the Commission's regulations have been satisfied; and

6. Whether the issuance of the license will be inimical to the common defense and security or to the health and safety of the public.

While the matter of the full power license is pending before the atomic safety and licensing board, the board may, upon motion in writing, consider and act upon such request as the applicant may make for an operating license authorizing fuel loading and low power testing (operation at not more than one percent of full power for the testing of the facility). Any request for authorization for fuel loading and low power testing will be expeditiously considered and acted upon when it is made. Any such action by the atomic safety and licensing board shall be taken with due regard to the rights of all parties to the proceeding including the right of any party to be heard to the extent that his contentions are relevant to the activity to be authorized. Prior to taking any such action, the atomic safety and licensing board shall, with respect to any contested activity to be authorized, make appropriate findings in the form of an initial decision on the issues specified in this notice of hearing. If no party opposes the motion, the board will issue an order pursuant to 10 CFR 2.730(e) of the Commission's "Rules of Practice," authorizing the Director of Regulation to make appropriate findings on the matters specified in this notice of hearing and to issue a license for the requested operations.

As they become available, the application, the proposed operating license, the applicant's summary of the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS) and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where they will be available for inspection by members of the public. Copies of this notice of hearing, the proposed operating license, the ACRS report, the applicant's summary of the application and the regulatory staff's Safety Evaluation will also be available at the Hendrik Hudson High School, Albany Post Road, Montrose, N.Y., for inspection by members of the public on Mondays to Fridays between the hours of 7:30 a.m. and 4:30 p.m., and Monday evening between the hours of 7 p.m. and 9 p.m. Copies of the proposed operating license, the ACRS report and the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this proceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of 10 CFR § 2.715 of the Commission's "Rules of Practice." Limited appearances will be permitted at the time of the hearing in the discretion of the board, within such limits and on such conditions as

may be fixed by the board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, by November 27, 1970.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of 10 CFR 2.714 of the Commission's "Rules of Practice," must be received in the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than November 27, 1970. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contentions of the petitioner in reasonably specific detail. A petition which sets forth contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely filed will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission's "Rules of Practice," must be filed by the applicant on or before November 27, 1970.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708 of the Commission's "Rules of Practice," an

original and 20 confirmed copies in each such paper with the Commission.

With respect to this proceeding, the Commission has delegated to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission has established the Appeal Board pursuant to 10 CFR 2.785 of the Commission's "Rules of Practice" and has made the delegation pursuant to subparagraph (a)(1) of this section. The Appeal Board is composed of the Chairman and Vice-Chairman of the Atomic Safety and Licensing Board Panel and a third member who is technically qualified and designated by the Commission. The Commission has designated Dr. Lawrence Quarles, Dean of the School of Engineering and Applied Science, the University of Virginia, as this third member.

Dated at Washington, D.C., this 13th day of November 1970.

UNITED STATES ATOMIC
ENERGY COMMISSION,

W. B. McCool,

Secretary of the Commission.

[P.R. Doc. 60-15521; Filed, Nov. 16, 1970;
9:44 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22525; Order 70-11-35]

AMERICAN AIRLINES, INC., ET AL.

Order Regarding Limitation of Capacity in Certain Markets

Agreement between American Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc., filed pursuant to section 412 of the Federal Aviation Act of 1958, relating to the limitation of capacity in certain markets.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of November 1970.

American, TWA, and United have requested our approval of an agreement, entered into without prior Board-authorized and supervised discussions, under which each carrier would limit its available seat-miles in scheduled nonstop service in 15 named markets.¹

¹ New York/Newark-Los Angeles/Ontario; New York/Newark-San Francisco/Oakland/San Jose; Washington/Baltimore-Los Angeles/Ontario; Boston-Los Angeles/Ontario; Philadelphia-Los Angeles/Ontario; New York/Newark-Phoenix; St. Louis-Los Angeles/Ontario; Chicago-Phoenix; Chicago-Tucson; New York/Newark-San Diego; Washington/Baltimore-San Diego; Chicago-San Diego; Memphis-Los Angeles/Ontario; Washington/Baltimore-San Francisco/Oakland/San Jose; Philadelphia-San Francisco/Oakland/San Jose. The first five of these markets are served by all three of these carriers. The remaining 10 markets are served by two of the three carriers.

The carriers allege that overcapacity exists in these markets, that individually each carrier cannot reduce its schedules because of fear of losing its market share to the others, and that agreed reduction of capacity under the formula proposed would eliminate \$50 million of unnecessary costs to the three carriers.

On September 8, 1970, the Board by Order 70-9-42 deferred action on the agreement and invited comments thereon. Numerous comments have been filed in response to Order 70-9-42, the majority requesting the Board either to disapprove all or a portion of the agreement, or to hold hearings on the agreement.²

Of the parties commenting on the agreement, only one other carrier (Mohawk) urges immediate approval. Strenuous concern for the possible effects of the agreement has been registered by the majority of the scheduled carriers as well as by local and Federal government agencies. The Department of Justice asserts that the agreement violates antitrust principles, and opposes approval without a full public hearing.

We have carefully considered and evaluated all of the comments and reply comments and have concluded that approval of the agreement before us is not warranted, both because of the manner in which it was reached and because of certain of its substantive features. We shall accordingly disapprove it, without prejudice to the submission of other capacity-limitation agreements lacking these objectionable features and arrived at through discussions approved and monitored by the Board.

Discussions and proposed agreements involving scheduling and capacity reduction reach to the very heart of a competitive air transportation system. Discussions of this nature may serve to inform air carriers of competitive attitudes, policies, and intentions with respect to future scheduling, and may of themselves inhibit competition without there being any agreements reached or submitted for the Board's consideration, thus thwarting the very purpose for which the competitive authorizations were issued. In these circumstances, and in areas so fraught with antitrust considerations, the Board is not prepared to approve agreements of the type here present when the discussions between the carriers have not been approved and monitored by the Board. The Board is authorized to approve intercarrier discussions under the provisions of section 412; it frequently has done so; and in any event can conclude only that agreements of the nature here present are adverse to the public interest unless reached after discussions held with the

² See the appendix for a list of persons submitting comments filed as part of the original document.

approval and under the auspices of the Board.²

We also have a number of substantive problems with the present agreement. In the first place, we are concerned over the agreement's duration. We would not approve a 2-year agreement such as here proposed. Six months would appear to be adequate for the affected carriers to take corrective steps to conform capacity to indicated market demands over the longer term.

We also believe that the very "flexibility" built into the agreement is one of its major defects. Under the agreement, no carrier is bound to reduce service in any particular market—it could even increase its frequencies. So long as in the aggregate of markets the agreed-upon capacity reduction is put into effect, the agreement is being complied with. Given the extremely competitive history of the carriers in such major markets as New York-Los Angeles, for example, it is highly possible that the carriers would choose to maintain their competitive pressures in these markets and comply with their agreement by reducing service in their two-carrier markets (e.g., Memphis-Los Angeles) or in satellite-type markets (e.g., Newark-San Jose). In such latter instances, satellites like Ontario or San Jose could lose the relatively little transcontinental service they now have.

Of the 15 markets chosen by the carriers for inclusion in the agreement, 10 are two-carrier markets. These markets, by the carriers' admissions, are not unprofitable. The effect of two carriers reducing their service in such markets could have a serious impact on the quantity and quality of service available to the public—more so than in the three-carrier markets, which are all larger. Moreover, the carriers do not justify their choice of markets in terms of load factors being experienced in individual markets, but lump them together. Some

of the markets, such as New York-Los Angeles,⁴ are extremely large markets in which load factors have been strikingly low, and in which a reasonable reduction in capacity, if achieved by acceptable means, should have no serious adverse effect on the traveling public. Others, however, are markets of only moderate size, in which it is by no means clear that capacity could be substantially reduced without injury to the public.

Because of these factors, any concerted reduction in capacity, even on a temporary basis, should be definite, precise, and in markets of substantial size having low load factors. Generally these would be markets with three or more carriers, but there may be a few with only two carriers which meet these criteria. We believe that markets such as New York-Chicago, Chicago-Los Angeles, New York-Los Angeles, New York-San Francisco, and New York-Atlanta are representative of those in which the problem is most acute.⁵ Any capacity reduction agreement seeking our approval would have to justify individually the inclusion of each market proposed to be covered thereby, on the basis of a showing that excessive and unneeded capacity was in fact being offered in that particular market, and that the reduction in capacity proposed would not be injurious to the traveling public.

We are fully cognizant of the economic plight of some of the air carriers, due in substantial part to the overcapacity presently being operated in certain large markets. We believe that unilateral action should be taken by the carriers to reduce that overcapacity. We note that a number of carriers have already taken substantial action unilaterally to reduce their systemwide schedules. Under our competitive system, this is by far the preferable way. Not only are individual management decisions in response to the play of competitive forces inherently more efficient and more responsive to market demand than decisions made collusively, but any proliferation of capacity-limitation agreements would inevitably draw the Board, in order to protect the public interest, into detailed scrutiny and regulation of operating decisions that should properly be made by individual carrier managements. Nevertheless, while normal competitive forces might well resolve the problem of overcapacity, they might do so too slowly to avert serious injury to some of the carriers and to the air transporta-

⁴ We note that this market alone accounts for approximately one-fourth of the total available seat-miles in nonstop service offered by the three carriers in the 15 markets as a group during the base period (fourth quarter 1969). The five three-carrier markets together account for nearly three-fourths of the total ASM's offered.

⁵ Excluded would be such presently underserved satellite airports as Oakland, San Jose, and Ontario, and markets in which competition has only recently been certificated to remedy prior service deficiencies, such as Memphis-Los Angeles and New York, Washington/Baltimore, and Chicago-San Diego.

tion system as a whole. Accordingly, we would be prepared to consider applications for authority to engage in discussions, under appropriate safeguards,⁶ looking toward multilateral agreements to reduce capacity in markets in which excess capacity is presently being operated. Upon a proper showing, short-term approval of such agreements might be found warranted. We emphasize, however, that the approval of any such new agreement will depend upon our appraisal of its particular terms and upon a clear showing by the carriers that it is "required by a serious transportation need, or in order to secure important public benefits."⁷

For the above reasons, we find that Agreement CAB 21965 is adverse to the public interest.

Accordingly, it is ordered, That:

1. Agreement CAB 21965 be and hereby is disapproved;
2. All other outstanding requests be and they hereby are dismissed; and
3. This order shall be served upon all U.S. certificated scheduled air carriers; each community listed in the agreement; and the Departments of Justice, Post Office, Transportation, and Defense.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board,⁸

[SEAL]

HARRY J. ZINK,
Secretary.

[P.R. Doc. 70-15429; Filed, Nov. 16, 1970;
8:40 a.m.]

[Docket No. 22362]

ON-ROUTE CHARTER AUTHORITY OF FOREIGN AIR CARRIER PERMITS

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on December 3, 1970, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Greer M. Murphy.

Statements of proposed issues, proposed procedural dates, and any requests for evidence and information shall be

⁶ Of course, any discussions would be subject to appropriate limitations such as that any authority to hold such discussions would be granted only for limited periods; that any meeting would be held in Washington with advance notice provided; that interested persons could have observers present; that a transcript of the meeting would be kept; that suitable opportunity would be provided for communities and other persons with legitimate interests to be heard; that carrier participation in any agreement could be open-ended, but would be limited to a specific period; that only those matters be discussed which are authorized by the Board; and that any agreements resulting from the discussions would be subject to Board approval.

⁷ Local Carriage Agreement Case, 15 C.A.B. 850, 853 (1952).

⁸ Dissenting statement of Vice Chairman Gilliland and statement of concurrence and dissent by member Adams filed as part of the original document.

² The parties to the agreement contend, inter alia, that the Federal Aviation Act does not contemplate Board authority for discussions and that Board approval of such discussions would not relieve the parties from the operations of the antitrust laws. We disagree.

The Board has frequently held that it has the power to approve intercarrier discussions leading to agreements, and thereby to immunize the carriers from any antitrust liability which might otherwise result from participation in such discussions (see e.g., Air Freight Tariff Agreement Case, 14 C.A.B. 424, 430-431 (1951)). In 1957, this view was officially sanctioned by a formal opinion of the Attorney General (41 Op. A.G. 333). The Attorney General focused on the provisions of what is now section 204(a) which authorizes the Board to issue "such orders . . . pursuant to and consistent with the provisions of this Act, as it shall deem necessary to carry out the provisions of, and to exercise and perform its powers and duties under this Act." He concluded that orders approving discussions were "necessary to carry out" the provisions of section 412 and that such discussions consequently were granted antitrust immunity under section 414.

filed with the Examiner and parties on or before November 25, 1970.

Dated at Washington, D.C., November 12, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-15430; Filed, Nov. 16, 1970;
8:49 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

CRUDE OIL AND GASOLINE

Notice of Investigation of Recently Announced Increases in Prices

Section 6 of Proclamation No. 3279, as amended, requires the Director of the Office of Emergency Preparedness to maintain constant surveillance of imports of petroleum and its primary derivatives in respect to the national security and to inform the President of any circumstances which, in the opinion of the Director, might indicate the need for further Presidential action under section 232 of the Trade Expansion Act of 1962. That section also provides that in the event prices of crude oil or its products or derivatives should be increased after the effective date of that Proclamation " * * * such surveillance shall include a determination as to whether such increase or increases are necessary to accomplish national security objectives * * *."

Notice is hereby given that the Office of Emergency Preparedness, with the assistance of the Department of Justice and the several Departments referred to in section 6 of Proclamation No. 3279, as amended, will conduct an investigation of increases in prices of crude oil and gasoline recently announced by certain producers and refiners of petroleum. Interested parties may file information or comments concerning the subject matter of this investigation until December 1, 1970. All such information and comments should be submitted in writing, and 25 copies of each such submission should be provided. All such submissions should be addressed to:

Director, Office of Emergency Preparedness,
Washington, D.C. 20504.

Information which would disclose confidential business data or operations within the meaning of section 1905 of title 18 of the United States Code or section 552(b)(4) of title 5 of the United States Code, will be accorded confidential treatment if submitted in confidence. All information submitted in confidence must be on separate pages marked "Business Confidential." All information and comments submitted pursuant to this notice, except "Business Confidential" information submitted in accordance with the preceding sentence, will be available for inspection or copying. A list of persons submitting information pursuant to this notice will be maintained and

will be available for inspection and copying.

Dated: November 16, 1970.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[F.R. Doc. 70-15548; Filed, Nov. 16, 1970;
11:09 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 18899, 18900; FCC 70R-376]

JACKSONVILLE BROADCASTING CO. AND UNIVERSITY BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In regard application J. Millard Lecroy, James M. Davis, Will V. Roberson, and Thomas J. Roberson doing business as Jacksonville Broadcasting Co., Jacksonville, Ala., Docket No. 18899, File No. BP-17747; James M. Lessley, George J. Lessley, and James C. Vice, doing business as University Broadcasting Co., Jacksonville, Ala., Docket No. 18900, File No. BP-17756; for construction permit.

1. This proceeding involves mutually exclusive applications of Jacksonville Broadcasting Co. (Jacksonville) and University Broadcasting Co. (University) for authority to construct a new standard broadcast station at Jacksonville, Ala.¹ The applications were designated for hearing under issues by Order, FCC 70-704, released July 9, 1970. Presently before the Review Board is a motion to enlarge issues, filed August 28, 1970, by University seeking the addition of three factual issues relating to the requisite qualifications of Jacksonville.²

2. Petitioner first requests an issue to determine whether Jacksonville has maintained a copy of its application available for public inspection as required by § 1.526(a)(1) of the Commission's rules. In support of this request, petitioner submits the sworn affidavit of one of its principals, James C. Vice, wherein Vice alleges that on August 20 and 21, 1970, he made six attempts during normal business hours to inspect the Jacksonville application at 1001 Roberson Street only to find that it was a dwelling-type trailer in which Will Roberson, a principal of Jacksonville, lives. Thus, University maintains, since the application was placed in a dwelling-type house and was not available for inspection during regular business hours, an issue is warranted. We agree with the Broadcast Bureau that,

¹ By Order, FCC 70M-1460, released Oct. 23, 1970, the mutually exclusive application of Heart of Dixie Broadcasting Co. (Docket No. 18898) was dismissed by the Hearing Examiner.

² The Broadcast Bureau is the only party to file a responsive pleading. The Bureau's comments regarding the motion were filed on Sept. 10, 1970.

without adequate explanation by Jacksonville, an issue is warranted to explore the circumstances surrounding Jacksonville's apparent failure to have its application available for inspection during regular business hours.

3. Petitioner next requests the addition of an issue to determine whether Jacksonville ignored the lawful requirement of a Hearing Examiner to produce certain documents for inspection on August 21, 1970. As support for the second requested issue, University again relies on Vice's affidavit, in which he states that while Jacksonville had a duty to produce certain documents pursuant to an Examiner's order, it did nothing to prepare for inspection and, in fact, willfully and without reasonable cause failed to appear. Such failure, avers University, causing delay and needless expense, requires the addition of the requested issue. The Broadcast Bureau, in opposing the request, states that since University has filed a motion with the Hearing Examiner for contempt and to hold the applicant in default based upon these same facts, this matter should be acted upon by the Examiner in the first instance; if University is not satisfied with his decision, an appeal to the Board would then be appropriate.

4. The Board initially notes that subsequent to the filing of these pleadings, the Hearing Examiner denied University's motion,³ finding that Jacksonville's failure to comply with his order was due in part to the rather short notice afforded respondent and the illness of Roberson. The Examiner indicated that he believed that this was not a case where his authority was deliberately flaunted and that Jacksonville is willing to cooperate. No appeal from this ruling has been filed. We have examined the Examiner's ruling and the pleadings which were filed before him, and we agree with the Examiner that no substantial question of bad faith in this regard on the part of Jacksonville has been raised. Therefore, no further inquiry into this matter is required, and the requested issue will be denied.

5. University's final request for an issue is based on an alleged misstatement made by Jacksonville in its opposition to University's motion for production of documents. In that opposition, Jacksonville stated that " * * * one of the parties, Thomas J. Roberson is confined in a hospital and had an operation performed on him to-wit August 10, 1970", and that " * * * Mr. Tom Roberson has been seriously, but we think, temporarily ill." While these statements appear to indicate that Roberson would remain in the hospital or be at home recovering throughout the period of inspection, University asserts, Roberson was discharged from the hospital 1 week before the proposed inspection of documents and was not even at home on the date in which such inspection was supposed to occur; therefore, concludes University, an issue should be added to determine whether an attempt was made

³ FCC 70M-1268, released Sept. 15, 1970.

to misrepresent the seriousness of Roberson's illness. As an additional basis for an inquiry into "misleading information", petitioner submits that Jacksonville, in its application, specified that the application would be kept at 2000 Roberson Street when, in fact, it was kept at 1001 Roberson Street. Rather than speculate as to the reasons for this mistake, University concludes that a general issue should be added to determine whether misleading information was provided in the Jacksonville application. Regarding the alleged misstatement as to the seriousness of Roberson's illness, the Board again agrees with the Bureau in that it can find no reasonable basis for questioning the good faith of these statements. Thus, there is no indication that the statements were not accurate when made; nor do they necessarily imply, as petitioner suggests, that the individual involved would remain incapacitated for any particular length of time. Finally, the apparent discrepancy between the place Jacksonville specified for public inspection of its application and the place where it was finally found can be resolved under the § 1.526(a)(1) issue being added herein.⁴

6. Accordingly, it is ordered, That the motion to enlarge issues, filed August 28, 1970, by University Broadcasting Company is granted to the extent indicated herein, and is denied in all other respects;

7. It is further ordered, That the issues in this proceeding are enlarged to include the following issue: To determine whether J. Millard Lecroy, James M. Davis, Will V. Roberson, and Thomas J. Roberson, doing business as Jacksonville Broadcasting Co. have maintained a copy of their application for public inspection as required by § 1.526(a)(1) of the rules, or, if not, the effect on this applicant's requisite and comparative qualifications to be a Commission licensee.

8. It is further ordered, That the burden of proceeding with introduction of evidence shall be on University Broadcasting Co. and the burden of proof under the issue added herein shall be on Jacksonville Broadcasting Co.

Adopted: November 4, 1970.

Released: November 10, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-15411; Filed: Nov. 16, 1970;
8:47 a.m.]

⁴ University also requests a cumulative disqualifying issue. The request will be denied as repetitive of the other requests which have already been discussed and decided above. National Broadcasting Company, 21 FCC 2d 195, 18 RR 2d 74 (1970).

⁵ Board Member Pincock absent and Board Member Nelson abstaining.

[Docket Nos. 18906, 18907; FCC 70R-377]

**SOUTHERN BROADCASTING CO. AND
FURNITURE CITY TELEVISION CO.,
INC.**

**Memorandum Opinion and Order
Enlarging Issues**

In regard applications of Southern Broadcasting Company (WGHP-TV), High Point, N.C., for renewal of broadcast license, Docket No. 18906, File No. BRCT-574; Furniture City Television Co., Inc., High Point, N.C., for construction permit for new television broadcast station, Docket No. 18907, File No. BPCT-4302.

1. The mutually exclusive applications of Southern Broadcasting Co. (Southern) for renewal of license of its television broadcast Station WGHP-TV, operating on Channel 8 in High Point, N.C., and of Furniture City Television Co., Inc. (Furniture City) for a construction permit to establish a new television broadcast station, operating on the same channel in High Point, were designated for hearing on a standard comparative issue by Commission Order, FCC 70-706, 35 F.R. 11277, published July 14, 1970. Presently before the Review Board is a petition to enlarge issues, filed July 29, 1970, by Southern,¹ seeking the addition of a Suburban issue against Furniture City and a comparative efforts issue.

2. While acknowledging the Commission's statement in the designation order that both applicants have satisfactorily complied with the requirements of being aware of, and responsive to, local community needs and interests, Southern asserts that a review of Furniture City's application indicates that it is defective as to the method by which that applicant attempted to ascertain the needs of the community. Petitioner further asserts that the Review Board has the authority to change the findings of the Commission in this case, pursuant to Atlantic Broadcasting Co., 5 FCC 2d 717, 8 RR 2d 991 (1966), and WTAR Radio-TV Corp., — FCC 2d —, 19 RR 2d 661 (1970), because there is no reasoned analysis of the matter in the designation order. According to Southern, the alleged deficiencies in Furniture City's survey are: (1) The survey contains no demographic study, statistical survey, or any other yardstick to indicate awareness of the structure of the community; (2) the list of people surveyed contains no breakdown of age or ethnic groups; (3) the list of community leaders relied upon by Furniture City is comprised of leaders who were contacted in January 1970, at least 2 months after the original filing of its application; (4) of the community leaders contacted, only three out of approximately 150 were listed as residents

¹ Also before the Board for consideration are: (a) Opposition, filed Aug. 10, 1970, by Furniture City; (b) reply, filed Aug. 17, 1970, by Southern; (c) comments, filed Sept. 11, 1970, by the Broadcast Bureau; and (d) reply, filed Sept. 17, 1970, by Southern.

of Winston-Salem, one of the three largest cities served by Channel 8; (5) certain groups, such as religious leaders and Negroes, are missing from the list of community leaders; and (6) there is no indication that any consideration was given to the problems of Negroes living in the service area. Southern then maintains that its ascertainment efforts stand in sharp contrast to those of Furniture City. Petitioner avers that the first step in its survey was to obtain knowledge of the cross section of groups making up the viewing community; it then proceeded with a systematic and thorough survey of community leaders and the general public throughout the viewing area, considering the factors of age, income, religion, race, etc., and, as a result of these efforts, it was able to obtain a comprehensive and reliable list of community needs. Southern concludes that Furniture City's deficiencies in ascertaining community needs warrant the addition of both Suburban and comparative efforts issues.

3. In opposition, Furniture City first asserts that petitioner may not rely on its failure to conduct a demographic survey as support for the requested issues since, in the proposed Primer on Ascertainment of Community Problems by Broadcast Applicants, 34 F.R. 20292, 20 FCC 2d 880 (1969), the Commission stated that there is no pat answer as to how an applicant determines the composition of the area to be served, and that a showing of consultation with group leaders is a prima facie indication that those consulted are representative. In describing its own ascertainment survey, respondent submits that over 1,000 personal interviews with individuals comprising 24 different professions and occupations were conducted from which it developed a detailed list of community needs. Furniture City then maintains that its local ownership (all 17 stockholders are longtime High Point residents) is an important consideration, and should be part of the total structure upon which responsive programing proposals rest. Furniture City stresses that petitioner's demographic survey contains only statistical data garnered from public documents, such as the Standard Metropolitan Statistical Area and the Comparative Guide to American Colleges,² that it has failed to connect its demographic statement with its survey, and that its "man-on-the-street" survey, comprising interviews with some 222 persons, cannot sustain its request for a comparative efforts issue. Southern's "man-on-the-street" survey, asserts Furniture City, covered the same population as did its survey; thus, it seems reasonable that, during the survey, Furniture City collected opinions from Negroes, women, and other important segments of the population. In sum, Furniture City alleges that petitioner has failed to

² Respondent asserts that this information is clearly within the knowledge of its own stockholders.

show that the High Point community differs from the average or that the groups consulted are not representative, and insists that its consultations with approximately 1,160 people, including approximately 150 community leaders, is a prima facie indication that those consulted are representative. Finally, respondent argues that Southern has violated the Commission's Policy Statement on Comparative Hearings Involving Regular Renewal Applicants, 22 FCC 2d 424, 18 RR 2d 1901 (1970), by attempting to upgrade its operation of Station WGHP-TV after Furniture City's competing application was filed.²

4. In reply, Southern reiterates the alleged deficiencies of Furniture City's ascertainment survey and asserts that respondent at no time denied such defects but instead "lashed back with a deluge of misrepresentations, incomplete facts, and outright misstatements of fact." While recognizing that an applicant may use any valid method of ascertaining community needs, Southern alleges that Furniture City has failed to indicate anywhere that it used any method. In Southern's opinion, in order for consultations with community leaders to constitute a prima facie indication that those consulted are representative, the method used must cut across the entire spectrum of the community, which Furniture City's did not do. Furniture City's list of occupations of those individuals contacted in its general survey is questioned by petitioner, who claims that conspicuously absent are members of the entertainment media and labor leaders, and that this list contains several leaders who are not listed in Furniture City's list of community leaders filed with its application. Next, Southern attacks respondent's statement that since it conducted five times more interviews than Southern, it must have collected opinions from Negroes, women, etc.; the true facts can never be known, insists Southern, because Furniture City, unlike Southern, has no subdivision in its survey to indicate how many individuals of any specific group were consulted. Petitioner then takes issue with Furniture City's reliance on the Policy Statement on Comparative Hearings, supra, arguing that just because a competing application is filed, the incumbent licensee is not prohibited from continuing to survey his viewing audience regarding community problems. In light of the allegations contained in its petition and Furniture City's alleged failure to refute them, Southern concludes (citing Massanutten Broadcasting Co., FCC 70-719, 24 FCC 2d 210, and Heart of Dixie Broadcasting Co., FCC 70-704, 35 F.R. 11307) that the need to explore these matters at hearing is warranted.

5. The Broadcast Bureau opposes petitioner's requests procedurally on the ground that the Commission's discussion

² Furniture City points out that Southern deleted all of its needs and program exhibits submitted as part of its original application on Sept. 2, 1969, and amended this part of its application on Nov. 3, 1969. Furniture City's application was filed on Oct. 31, 1969.

in the designation order was "deliberate and thorough", and, substantively on the grounds that Furniture City has made a substantial and extensive good faith effort to ascertain needs and interests and that Southern has failed to show a significant disparity between the two surveys. Southern, in reply, maintains the Bureau has misinterpreted Atlantic Broadcasting, supra, and reasserts its argument that Furniture City has failed to meet the Suburban requirements.

6. Southern's petition to enlarge issues will be granted. Initially, the Review Board agrees with Southern that the Commission's discussion of the applicants' community survey showings in the designation order does not constitute a reasoned analysis of those showings. The Commission merely stated: In our Notice of Inquiry in Docket No. 18664, 20 FCC 2d 880 (1969), we set forth tentative standards concerning the ascertainment of community problems by broadcast applicants. We find that both applicants have satisfactorily complied with those standards.

We do not believe that this statement is what the Commission means when it speaks of a "reasoned analysis" or "thorough consideration". Atlantic Broadcasting, supra; South Carolina Educational Television Commission, 20 FCC 2d 342, 17 RR 2d 772 (1969). Compare Jefferson Standard Broadcasting Co., 25 FCC 2d 599, 20 RR 2d 62 (1970). Regarding the requested comparative efforts issue, we have previously held that a request for such an issue is not governed by a discussion in the designation order of the necessity for a Suburban issue. WTAR, supra. Also see WPIX, Inc., 23 FCC 2d 245, 19 RR 2d 182 (1970). Therefore, we will consider the merits of Southern's petition.

7. A review of Furniture City's survey reveals several basic deficiencies. First, we cannot judge from its application whether Furniture City did in fact contact a representative cross-section of the community. Although a demographic study is not required if the applicant shows that it has consulted with leaders of groups and organizations which constitute a cross-section of an average community,³ no such showing appears to have been made here. Further, we find little or no systematic attempt to contact representatives of various local groups, e.g., no interviews with blacks⁴ or labor leaders are indicated. See Chapman Radio and Television Co., 24 FCC 2d 279, 19 RR 2d 589 (1970). As the Commission stated in City of Camden, supra:

³ In Atlantic, the Commission held that where the designation order does not contain a reasoned analysis or thorough consideration of a particular matter, the subordinate official should make such an analysis and rule on the merits of the petition.

⁴ City of Camden, 18 FCC 2d 412, 16 RR 2d 55 (1969).

⁵ There is absolutely no basis for Furniture City's argument that, because it interviewed five times the number of people interviewed by Southern, there must necessarily be a certain percentage of blacks who were consulted. See City of Camden, supra.

The applicant should indicate, by cross-sectional survey, statistically reliable sampling, or other valid method that the range of groups, leaders and individuals consulted is truly representative of the economic, social, political, cultural, and other elements of the community. 18 FCC 2d at 420, 16 RR 2d at 566.

Respondent has failed to demonstrate any valid method of ascertainment and its survey does not identify the significant groups in the area; therefore, it cannot be considered a prima facie indication that those consulted are representative. See Communications Associates, Inc., FCC 70-074, 35 F.R. 14745. Second, Furniture City does not appear to have adequately canvassed its entire service areas to garner opinions of community leaders. While the survey outside the principal city of service does not have to be as extensive as the survey within the city, the applicant is still required to interview a sufficient number of community leaders in the outlying areas to establish the needs of those areas. See Southern Minnesota Supply Co. (KYSM), 18 FCC 2d 824, 825, 16 RR 2d 950, 952 (1969), review denied 21 FCC 2d 531, reconsideration denied 22 FCC 2d 917, 18 RR 2d 1205 (1970). Neither Furniture City's large number of interviewees nor its reliance upon its local stockholders' knowledge of local community needs can detract from the deficiencies in its survey. The Commission does not play a "numbers game" with respect to community leader surveys, but a representative cross-section of informed community opinion must be made. Cosmos Broadcasting Co., 21 FCC 2d 729, 18 RR 2d 538 (1970). While Furniture City is correct in arguing that the local residence of its stockholders is to be considered in determining the sufficiency of the ascertainment effort, City of Camden, supra, it is well established that residence in the community and familiarity therewith does not diminish the need for an adequate survey. North American Broadcasting Co., 21 FCC 2d 631, 18 RR 2d 452 (1970). Moreover, since the applicant's stockholders are all residents of High Point, the need for an adequate survey of the other areas proposed to be served is even greater.⁷ Finally, there is no indication of who conducted the survey. The Primer, supra, indicates that principals or top-level employees are to conduct the survey to enable a dialogue to be established between responsible parties of the applicant and community leaders and the general public; thus, without knowledge of who conducted the survey, it is impossible to determine whether this important aspect of ascertaining community needs has been satisfied. See City of Camden, supra. Thus, the apparent deficiencies in Furniture City's survey raise a serious question as to whether that applicant satisfactorily ascertained the community needs and interests of the areas to be served; therefore the addition of a Suburban issue is warranted.

⁷ Here, those "outlying areas" include other cities of sizable population.

8. Specification of a Suburban Issue does not preclude the Board from adding a comparative efforts issue, Regal Broadcasting Corp., 14 FCC 2d 849, 14 RR 2d 411 (1968), if there is a showing of "significant disparity" in the efforts of the applicant to ascertain community needs. Chapman Radio & Television Co., 7 FCC 2d 213, 9 RR 2d 635 (1967). We believe that such a showing has been made in this case. In our view, more important than the larger number of people interviewed by Furniture City, are the substantial qualitative differences between its efforts and those of Southern. See Viking Television Inc., 16 FCC 2d 1018, 15 RR 2d 954 (1969). A comparison of the surveys denotes the differences: (1) Southern's survey was conducted by its principals, while we have no indication of who conducted Furniture City's; (2) Southern's survey was based on a detailed demographic study, Furniture City's apparently was not; and (3) Southern's interviews indicate contact with a representative cross-section of community leaders and the general population, Furniture City's will does not. Although Furniture City will have to address itself to these matters under the Suburban issue being added herein, correction of the deficiencies will not necessarily eliminate the need for a comparative inquiry into the applicants' efforts. Cf. Regal Broadcasting Corp., supra. In view of the dearth of information submitted by Furniture City, we are of the opinion that an evidentiary inquiry may establish significant differences in the quality of the applicants' efforts, and an appropriate issue will therefore be added.*

9. Accordingly, it is ordered, That the petition to enlarge issues, filed July 29, 1970, by Southern Broadcasting Co., is granted; and

10. It is further ordered, That the issues in this proceeding are enlarged to include the following issues:

(a) To determine the efforts made by Furniture City Television Co., Inc., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(b) To determine on a comparative basis the significant differences between Southern Broadcasting Co. and Furniture City Television Co., Inc., with respect to the efforts made by each applicant to ascertain the needs, interests and problems of the community it proposes to serve; and

11. It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof

* Furniture City's assertion that Southern's survey is faulty or that Southern has violated the Commission's Renewal Policy Statement by updating its community survey showing is without merit. The Renewal Policy Statement proscribes the upgrading of a renewal applicant's broadcast record after a competing application has been filed, but it does not prohibit the updating of community survey showings.

under Issue (a) added herein shall be on Furniture City Television Co., Inc.

Adopted: November 4, 1970.

Released: November 10, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-15412; Filed, Nov. 16, 1970;
8:47 a.m.]

FEDERAL RESERVE SYSTEM

BANCOHIO CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (3)), by Banc-Ohio Corp., which is a bank holding company located in Columbus, Ohio, for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of The Adams Bank, Millersburg, Ohio.

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

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

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

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

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

* Board Member Pincock absent.

By order of the Board of Governors,
November 9, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-15387; Filed, Nov. 16, 1970;
8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Temporary
Regulation F-76]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a water rate proceeding.

2. *Effective date.* This regulation is effective November 9, 1970.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Atlanta Board of Aldermen in Georgia in a proceeding involving water rates of the city of Atlanta Water Department.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIG,
Administrator of General Services.

NOVEMBER 9, 1970.

[F.R. Doc. 70-15422; Filed, Nov. 16, 1970;
8:48 a.m.]

[Federal Property Management Temporary
Regulation F-77]

SECRETARY OF DEFENSE

Delegation of Authority

NOVEMBER 9, 1970.

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a telecommunications rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205

(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Colorado Public Utilities Commission in a proceeding (Docket No. 24578 et al.) involving telecommunications rates of the Mountain States Telephone and Telegraph Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-15423; Filed, Nov. 16, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3895, etc.]

GENERAL AMERICAN OIL COMPANY OF TEXAS ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

NOVEMBER 5, 1970.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before November 27, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without

further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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 Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-3895 D 10-2-70	General American Oil Co. of Texas (Operator) et al., Meadows Bldg., Dallas, Tex. 75206 (partial abandonment).	Arkansas Louisiana Gas Co., Haynesville Field, Claiborne Parish, La.	Depleted	
G-4820 10-5-70 ¹	Texaco, Inc., Post Office Box 53332, Houston, Tex. 77052.	Natural Gas Pipeline Co. of America, Old Ocean Field, Brazoria County, Tex.	16.4077	14.65
G-10191 E 9-21-70	National Cooperative Refinery Association (successor to United States Smelting Refining & Mining Co.), 404 Lincoln Tower Bldg., Denver, Colo. 80233.	El Paso Natural Gas Co., Ignacio (Mesa Verde-Dakota) Field, La Plata County, Colo.	14.0	15.025
CI63-356 C 10-12-70	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	Lone Star Gas Co., East Durant Field, Bryan County, Okla.	15.0	14.65
CI63-743 C 9-22-70	Forest Oil Corp. (Operator) et al., 1800 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	Clinton Oil Co., East Blackwell Field, Kay County, Okla.	7.2	14.65
CI64-1550 E 9-3-70	Waco Industries (successor to Ray A. Jones), Post Office Box 187, Glenville, W. Va. 26351.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI67-1623 C 10-14-70	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	Cascade Natural Gas Corp., Dragon Trail Area, Rio Blanco County, Colo.	14.0	15.025
CI70-897 C 9-5-70	Royal Resources Corp., 1100 Kermae Bldg., Oklahoma City, Okla. 73102.	Arkansas Louisiana Gas Co., Kluta Field, Pittsburg County, Okla.	15.0	14.65
CI70-1052 C 9-8-70	Syndex, Inc., et al., c/o John S. Holy, attorney, Post Office Box 643, Weston, W. Va. 26452.	Equitable Gas Co., acreage in Gilmer County, W. Va.	28.0	15.325
CI71-45 (CI60-569) F 9-8-70	Rock Hill Industries, Inc. (successor to Alfred E. McLane et al.), Post Office Box 607, Dallas, Tex. 75221.	El Paso Natural Gas Co., Ignacio Field, La Plata County, Colo.	13.0	15.025
CI71-84 (CI60-492) C&F 10-14-70 ¹	Jerome P. McHugh et al. (successor to Gulf Oil Corp.), 930 Petroleum Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	14.0536	14.65
CI71-209 B 9-23-70	Texaco, Inc. (Operator), et al., Post Office Box 53332, Houston, Tex. 77052.	Lone Star Gas Co., Danville Field, Gregg and Rusk Counties, Tex.	(9)	
CI71-270 B 9-23-70	do	Lone Star Gas Co., Willow Springs Field, Gregg County, Tex.	(9)	
CI71-271 B 9-23-70	Texaco, Inc.	Lone Star Gas Co., Henderson Field, Rusk County, Tex.	(9)	
CI71-272 B 9-23-70	Texaco, Inc. (Operator), et al.	Lone Star Gas Co., West Chapel Hill Field, Smith County, Tex.	(9)	
CI71-273 B 9-23-70	Texaco, Inc.	Lone Star Gas Co., Manziel Field, Wood County, Tex.	(9)	
CI71-275 (CI62-1503) (CI61-1620) F 9-21-70	Wessely Petroleum, Ltd. (successor to Samedan Oil Corp. and Union Oil Co. of California), 2092 Republic National Bank Bldg., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America, Putnam Field, Dewey County, Okla.	19.5	14.65
CI71-276 A 9-23-70	Poverty Gas Co., c/o Richard Stalnaker, agent, Box 398, Glenville, W. Va. 26351.	Equitable Gas Co., De Kalb District, Gilmer County, W. Va.	16.0	15.325
CI71-286 F 9-28-70 ¹	LVO Corp. (successor to Skelly Oil Co.), Post Office Box 2848, Tulsa, Okla. 74101.	Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Area, Hamilton County, Kans.	13.5	14.65
CI71-296 A 10-5-70	Travis Oil Co., Operator, Post Office Box 24186, Los Angeles, Calif. 90024.	Kansas-Nebraska Natural Gas Co., Inc., Glaesner Field, Fremont County, Wyo.	15.0	14.65
CI71-300 A 10-1-70	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Southern Union Gathering Co., Fulcher-Kutz Pictured Cliffs Field, San Juan County, N. Mex.	13.0	15.025
CI71-301 A 10-1-70	do	do	13.0	15.025
CI71-302 A 10-1-70	do	do	13.0	15.025
CI71-303 A 10-1-70	do	Southern Union Gathering Co., Basin Dakota and Fulcher-Kutz Pictured Cliffs Fields, San Juan County, N. Mex.	13.0	15.025
CI71-304 A 10-1-70	do	Southern Union Gathering Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI71-305 (G-12868) F 10-2-70	Texas Oil & Gas Corp., Operator (successor to Pan American Petroleum Corp.), 2700 Fidelity Union Tower, Dallas, Tex. 75201.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	19.5	14.65
CI71-306 (CI65-259) F 10-2-70	Texas Oil & Gas Corp., Operator (successor to Southwest Oil Industries, Inc.)	Northern Natural Gas Co., acreage in Beaver County, Okla.	17.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

¹This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Price per Mcf base
CIT-317 A 10-9-70	Swansea Oil Corp. et al., Post Office Box 993, Ardmore, Okla. 73401.	Panhandle Eastern Pipe Line Co., Buffalo Willow Field, Hemphill County, Tex.	23.0	14.65
CIT-318 B 10-9-70	Continental Oil Co., Post Office Box 2067, Houston, Tex. 77001.	United Fuel Gas Co., Northeast Kayser Field, Aradula Parish, La.	Depleted	
CIT-319 F 10-9-70	S & G Oil Co., Inc. (successor to Shely Oil Co.), c/o Patricia M. Bales, attorney, 200 McFarlin Bldg., Tulsa, Okla. 74102.	Northern Natural Gas Co., McKinney Field, Meade and Clark Counties, Kans.	13.0	14.65
CIT-320 B 10-9-70	Patrick A. Doherty (operator), et al.	Kansas-Northern-Natural Gas Co., Inc., Xenia Field, Washington County, Mo.	Depleted	
CIT-321 A 10-9-70	Aden Carpenter, Orma W. Va. 26288.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	28.0	15.25
CIT-322 A 10-9-70	Allen Oil Co., Suite 616, Union Trust Bldg., Parkersburg, W. Va. 26101.	Consolidated Gas Supply Corp., Troy District, Glimmer County, W. Va.	28.0	15.25
CIT-323 A 10-9-70	do.	do.	28.0	15.25
CIT-324 A 10-9-70	Walter E. Smith, Box 465, Grantsville, W. Va. 26147.	Consolidated Gas Supply Corp., Sherburne District, Calhoun County, W. Va.	28.0	15.25
CIT-325 A 10-9-70	D. B. Cartwright, Box 4, Box 141, Weston, W. Va. 26457.	Consolidated Gas Supply Corp., Greensburg District, Lewis County, W. Va.	28.0	15.25
CIT-326 B 10-9-70	Phillips Petroleum Co., Bertlesville, Okla. 74038.	United Gas Pipe Line Co., West Edna Field, Harrison County, Tex.	Depleted	
CIT-327 A 10-9-70	Kerr-McGee Corp., Box 7310, Oklahoma City, Okla.	Michigan Wisconsin Pipe Line Co., Block 283, Supreme Road Block 172 Field, Opaoka Louisiana.	27.0	15.05
CIT-328 A 10-12-70	Apache Corp., Post Office Box 2299, Tulsa, Okla. 74101.	Arkansas Louisiana Gas Co., South-More Area, Phillips County, Okla.	20.0	14.65
CIT-329 A 10-12-70	Chandler & Associates, Inc. (operator), et al., 1401 Deveret Club Bldg., Denver, Colo. 80202.	Mainland Fuel Supply Co., North Wyo. Field, Sweetwater County, Wyo.	15.0	15.05
CIT-330 (G-1717)	Howard E. Berry, et al., Post Office Box 23592, Jackson, Miss. 39203.	United Gas Pipe Line Co., Owayville Field, Jefferson Davis County, Miss.	20.6	15.05
CIT-331 F 10-9-70	Howard E. Berry (successor to Gulf Oil Corp.).	do.	17.0	15.05
CIT-332 A 10-9-70	Cotton Petroleum Co., 2121 South Columbia, Tulsa, Okla. 74114.	Northern Natural Gas Co., Northwest Lovelock Field, Harper County, Okla.	17.0	14.65
CIT-333 A 10-12-70	Chandler & Associates, Inc. (operator), et al.	Mountain Fuel Supply Co., Spear Lead Field, Madison County, Okla.	15.0	15.05
CIT-334 A 10-12-70	Cities Service Oil Co., Post Office Box 800, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., F. C. Bloodett Unit, Lacey Ave., Kingfisher County, Okla.	17.8	14.65
CIT-335 A 10-12-70	Texaco, Inc.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Keyes Field, Cimarron County, Okla.	11.2	14.65
CIT-336 B 10-12-70	Phillips Petroleum Co.	Tennessee Gas Pipeline Co., a division of Tennessee Inc., South Owayville Field, Terrell Parish, La.	Depleted	
CIT-337 B 10-7-70	Hasel Woodford, Agent for Gulf & Woodard Gas Co., 120 North Spring St., Harrisville, W. Va. 25921.	Pennell United, Inc., average in Ritchie County, W. Va.	Depleted	
CIT-338 (G-12928)	A. W. Mounzund (successor to John H. Hill).	Panhandle Eastern Pipe Line Co., Northwest Six Mile Field, Beaver County, Okla.	17.0	14.65
CIT-339 A 10-8-70	E. Lyle Johnson, et al., 629 North Broadway, Moore, Okla. 73060.	Arkansas Louisiana Gas Co., Klinta Field, Haskell County, Okla.	15.0	14.65
CIT-340 (CIBI-1228)	The Shadow Water Refining Co. (successor to Herman Geo. Kaiser), 23 Mill Creek Bldg., 4828 J. C. Nichols Parkway, Kansas City, Mo. 64112.	Northern Natural Gas Co., Engstrom Field, Finney County, Kans.	13.0	14.65
(G-12928)	do.	do.	12.0	14.65
(G-16254)	do.	do.	13.0	14.65
F 10-9-70	do.	do.	13.0	14.65

[F.R. Doc. 70-15222; Filed, Nov. 16, 1970; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

GLOBUS INTERNATIONAL, LTD.

Order Suspending Trading

NOVEMBER 9, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Globus International, Ltd., a Delaware corporation, and all other securities of Globus International, Ltd. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 9, 1970, through November 18, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 70-15407; Filed, Nov. 16, 1970;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 190]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 10, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2900 (Sub-No. 206 TA), filed November 3, 1970. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Post Office Box 2408, Jacksonville, Fla. 32203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carbon black*, in packages, from Cabot, La., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan (Lower Peninsula), New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee (except Memphis), Virginia, West Virginia, Wisconsin, and St. Louis, Mo., and its commercial zone, for 180 days. Supporting shipper: Cabot Corp., 125 High Street, Boston, Mass. 02110. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 42487 (Sub-No. 765 TA), filed November 5, 1970. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Gene T. West (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), between Memphis, Tenn., and New Orleans, La., serving the intermediate point of Jackson, Miss., from Memphis over U.S. Highway 51 to junction U.S. Highway 51 and U.S. Highway 61 near Laplace, La., thence over U.S. Highway 61 to New Orleans, and return over the same route. Between Memphis, Tenn., and New Orleans, La., serving the intermediate point of Baton Rouge, La., and serving Geismar and Plaquemine, La., as off-route points, from Memphis over U.S. Highway 61 to New Orleans, and return over the same route. Between the junction of U.S. Highway 190 and U.S. Highway 61 (at or near Baton Rouge, La.) and the junction of U.S. Highway 190 and U.S. Highway 51 (near Hammond, La.), as an alternate route for operating convenience only, from the junction of U.S. Highway 190 and U.S. Highway 61 over U.S. Highway 190 to the junction of U.S. Highway 190 and U.S. Highway 51, and return over the same route, for 180 days. Supported by: There are approximately 119 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 66129 (Sub-No. 5 TA), filed November 5, 1970. Applicant: HUGHES

BROS. TRANSPORTATION COMPANY, INC., 113 Metropolitan Avenue, Brooklyn, N.Y. 11211. Applicant's representative: Elinore Hughes, 113 Metropolitan Avenue, Brooklyn, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Printing ink*, in bulk, in tank vehicles, from Lodi, N.J., to Atglen, Pa., and contaminated and returned shipments of printing ink, from Atglen, Pa., to Lodi, N.J., for 150 days. Supporting shipper: Inmont Corp., 1133 Avenue of the Americas, New York, N.Y. 10036. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 73165 (Sub-No. 286 TA), filed November 5, 1970. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 134, Birmingham, Ala. 35201. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber and flooring*, from the plantsite of Birmingham Forest Products, Inc., at or near Cordova, Ala., to points in Illinois, Kentucky, Louisiana, Mississippi, Tennessee, Texas, Virginia, and West Virginia, for 180 days. Supporting shipper: U.S. Plywood-Champion Papers, Inc., Knightsbridge Drive, Hamilton, Ohio 45011. Attention: George R. Johansen, Traffic Analyst, Commercial Truck Section. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 114632 (Sub-No. 31 TA) (Correction), filed October 21, 1970, published FEDERAL REGISTER, issue October 29, 1970, and republished in part as corrected this issue. Applicant: APPLE LINES, INC., Post Office Box 507, 225 South Van Epps, Madison, Wis. 57024. Applicant's representative: Robert A. Appelwick (same address as above). Note: The purpose of this partial republication is to show that the shipments are destined to points in Illinois. This was omitted from the previous publication. The rest of the notice remains unchanged.

No. MC 116273 (Sub-No. 132 TA), filed November 5, 1970. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William Lavery (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid ethylene*, in bulk, in tank vehicles, from Bay City, Mich., to the plantsite of Northern Petrochemical Co., located in Grundy County, Ill., for 150 days. Supporting shipper: Northern Petrochemical Co., 2200 East Devon Avenue, Des Plaines, Ill. 60018. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219

Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 117765 (Sub-No. 113 TA), filed November 3, 1970. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth, Post Office Box 75267, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages* (nonalcoholic) in containers, from the plantsite of Shasta Beverages, Granite City, Ill., to points in Arkansas, Kansas, Kentucky, Iowa, Indiana, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Shasta Beverages, Murray H. Crossen, Vice President, Post Office Box 5445, Lenexa, Kans. 66215. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 119777 (Sub-No. 194 TA) (Correction), filed October 23, 1970, published FEDERAL REGISTER, issue October 31, 1970, and republished in part as corrected this issue. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box Drawer L, Madisonville, Ky. 42431. Applicant's representative: William G. Thomas (same address as above). NOTE: The purpose of this partial republication is to include North Dakota as a destination State, which was inadvertently omitted from previous publication. The rest of application remains the same.

No. MC 119789 (Sub-No. 39 TA) (Correction), filed October 6, 1970, published FEDERAL REGISTER, issue October 15, 1970, and republished in part as corrected this issue. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Moore (same address as above). NOTE: The purpose of this partial republication is to add the State of Michigan to the destination States proposed to be served, which was inadvertently omitted from previous publication, and to omit Wisconsin which was included twice. The rest of the notice remains the same.

No. MC 126956 (Sub-No. 2 TA) (Correction), filed October 23, 1970, published FEDERAL REGISTER, issue October 31, 1970, and republished in part as corrected this issue. Applicant: NORTHLAND TRANSPORT, INC., 1803 42d Avenue East, Superior, Wis. 54884. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. NOTE: The purpose of this partial republication is to reflect the return movement as follows: and *materials, equipment, and supplies* used in the manufacture of paper and paper products, on return. The rest of the notice remains as previously published.

No. MC 133686 (Sub-No. 5 TA), filed November 5, 1970. Applicant: TOM SAWYER, Box 3, Kingston, Idaho 83339. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority

sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, transported in vehicles equipped with mechanical refrigeration, from points in Idaho, Oregon, and Washington, to Bismarck and Fargo, N. Dak., under contracts with Cass-Clay Creamery, Inc., Fargo, N. Dak., Big Red Grocery Co., Fargo, N. Dak., and Albrecht's Frozen Foods, Bismarck, N. Dak., for 180 days. Supporting shippers: Albrecht's Frozen Foods, Post Office Box 1373, Bismarck, N. Dak. 58502; Big Red Grocery Co., Post Office Box 1856, Fargo, N. Dak. 58103; Cass-Clay Creamery, Inc., 200 North 20th Street, Fargo, N. Dak. 58102. Send protests to: Interstate Commerce Commission, Bureau of Operations, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 135038 (Sub-No. 1 TA), filed November 11, 1970. Applicant: VEECO SERVICE, INC., 65 Ninth Avenue, New York, N.Y. 10011. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shoes and other footwear*, from New York, N.Y., to Totowa, N.J., for 150 days. Supporting shipper: Felsway Corp., Totowa, N.J. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[P.R. Doc. 70-15426; Filed, Nov. 16, 1970;
8:48 a.m.]

[Notice 191]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 12, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30837 (Sub-No. 412 TA), filed November 9, 1970. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Post Office Box 160, Kenosha, Wis. 53140. 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: *Seat cabs*, from De Witt, Iowa, to points in Illinois, Indiana, South Dakota, Wisconsin, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, and Pennsylvania, for 180 days. Supporting shipper: (John M. Cherba, Vice President—Manufacturing) Stolper Industries, Inc., Menomonee Falls, Wis. 53051. Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 94876 (Sub-No. 8 TA), filed November 6, 1970. Applicant: RICHARD ACERRA, INC., 43-49 Vernon Boulevard, Long Island City, N.Y. 11101. Applicant's representative: Andrew Acerra (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, in containers, from New York, N.Y., to Albany, N.Y., and Pittsfield, Mass., and *state bakery products*, returned from Albany, N.Y., and Pittsfield, Mass., to New York, N.Y., for 180 days. Supporting shipper: Borden, Inc., Foods Division/Drake Bakeries, 75 Demarest Drive, Wayne, N.J. 07470. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 102982 (Sub-No. 20 TA), filed November 6, 1970. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Post Office Box 6064, Ellet Station, Akron, Ohio 44312. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and refractory products, and materials and supplies used in the installation thereof* (except commodities in bulk), from Carol Stream and Streator, Ill., and to the commercial zones thereof, to points in North Carolina, for 150 days. Supporting shipper: Clow Corp., Streator Division, 300 South Gary Avenue, Carol Stream, Ill. Send protests to: G. J. Baccet, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 140 East Ninth Street, Cleveland, Ohio 44199.

No. MC 111729 (Sub-No. 303 TA), filed November 6, 1970. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delaney, care of American Courier Corp., 2 Nevada Drive, Lake Success, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and audit and*

accounting media of all kinds, and advertising material moving therewith; (a) between points in Virginia, on the one hand, and, on the other, Byrd Field, Richmond; National Airport, Alexandria; Dulles International Airport; Municipal Airport, Norfolk; Patrick Henry Airport, Newport News; Woodrum Field, Roanoke; and Tri-City Airport, Bristol, Va.; on traffic having an immediately prior or subsequent movement by air; (b) between Milwaukee, Wis., on the one hand, and, on the other, Belleville, Bloomington, Decatur, Elgin, and Kankakee, Ill., and Davenport, Iowa; (2) proofs, cuts, copy, artwork, advertising posters and materials related thereto, from Terre Haute, Ind., to Buffalo and Rochester, N.Y.; Detroit, Mich.; Milwaukee, Wis.; Pittsburgh, Pa.; and points in Illinois, Kentucky, Missouri, Ohio, and West Virginia; (3) small new and used repair parts for farm equipment, machinery and trucks, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day; between Columbus, Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, and West Virginia; and (4) computer parts, business machine parts, assemblies and supplies pertaining thereto, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day; (a) from Cincinnati, Ohio, to Indianapolis, Evansville, and Terre Haute, Ind., and Charleston, W. Va.; (b) between Minneapolis, Minn., on the one hand, and, on the other, points in North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shippers: J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019; Loewi & Co., Inc., 225 East Mason Street, Milwaukee, Wis. 53202; Thomson Symon Co., Inc., Terre Haute, Ind. 47808; White Farm Equipment, 195 Phillip Road, Columbus, Ohio 43228; International Business Machines Corp., 801 West Eighth Street, Cincinnati, Ohio 45203; International Business Machines Corp., 5075 Wayzata Boulevard, Minneapolis, Minn. 55416. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 114789 (Sub-No. 30 TA), filed November 6, 1970. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: B. R. Veach (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dairy products and other commodities distributed by dairies (except commodities in bulk), from Chicago, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commission to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New

Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Land O'Lakes, Inc., 2215 Kennedy Street NE., Minneapolis, Minn. 55413. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 115669 (Sub-No. 117 TA), filed November 6, 1970. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Salt, salt products, and mineral mixtures, when transported in auger or belt unloading equipment, from Lyons, Kans., to points in New Mexico and Texas, for 180 days. Supporting shipper: American Salt Corp., 3142 Broadway, Kansas City, Mo. 64111. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 116858 (Sub-No. 10 TA), filed November 6, 1970. Applicant: J & M CARRIERS CORP., 43-06 54th Road, Maspeth, N.Y. 11378. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is distributed by a premium stamp redemption center, from points in Nassau and Suffolk Counties, N.Y., to Jersey City, N.J., for 180 days. Supporting shipper: The Sperry & Hutchinson Co., The Sperry & Hutchinson Building, 330 Madison Avenue, New York, N.Y. 10017. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 118282 (Sub-No. 32 TA), filed November 6, 1970. Applicant: TRANSSYSTEMS, INC., Post Office Drawer 1030, Hialeah, Fla. 33011. Applicant's representative: H. R. Marlane, 6801 Northwest 74th Avenue, Miami, Fla. 33166. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen grape concentrates and frozen ice tea, from the plantsite of Keystone Cooperative Grape Association at North East, Pa., to Hillside, Newark, Secaucus, and Moorestown, N.J., and Mount Kisco, Waterford, and New York, N.Y., for 180 days. Supporting shipper: Keystone Cooperative Grape Association, North East, Pa. 16428. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, 5720 Southwest 17th Street, Room 105, Miami, Fla.

No. MC 124796 (Sub-No. 76 TA), filed November 6, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., Post Office Box 1257, 15045 East Salt Lake Avenue, City of Industry, Calif. 91747. Applicant's representative: William J. Monheim (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over

irregular routes, transporting: Buffing, polishing, cleaning, scouring, and washing compounds; solvents, sponges, starch, lubricating oils, and racks moving with the described commodities for the account of Morton-Norwich Products, Inc., from Piscataway, N.J., to points in and west of the States of Michigan, Ohio, Kentucky, Arkansas, and Louisiana, for 150 days. Supporting shipper: Texize Chemicals, Inc., Post Office Box 368, Greenville, S.C. 29602. Send protests to: John E. Nance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 127505 (Sub-No. 36 TA), filed November 6, 1970. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route No. 2, Mendota, Ill. 61342. Applicant's representative: Walter J. Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum sheet from Amax Aluminum Mill Products, Inc., near Channahon, Ill., to Faribault, Minn., for 180 days. Supporting shipper: Robert Michalak, Traffic Manager, Amax Aluminum Mill Products Inc., Post Office Box 143, Morris, Ill. Send protests to: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 129459 (Sub-No. 7 TA), filed November 6, 1970. Applicant: KEARNEY'S TRUCKING SERVICE, INC., Alternate Route U.S. 611, Post Office Box 264, Portland, Pa. 18331. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Salt, from Kearney, N.J., to points in New York, New Jersey, Pennsylvania, Delaware, Connecticut, Massachusetts, and Rhode Island for 180 days. Supporting shipper: Diamond Crystal Salt Co., 916 South Riverside Avenue, St. Clair, Mich. 48079. Send protests to: F. W. Dyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Custom House, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 129713 (Sub-No. 5 TA), filed November 6, 1970. Applicant: CHESTERFIELD STEEDE AND EDWIN STEEDE, a partnership, doing business as STEEDE TRUCKING, 194-55 111th Road, Hollis, N.Y. 11412. Applicant's representative: Edward Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Hospital and laboratory instruments, equipment, and materials, for the account of IPCO Hospital Supply Corp., and wholly owned subsidiaries, between Piscataway, N.J., on the one hand and, on the other, New York, N.Y., and points in Nassau County, N.Y., for 150 days. Supporting shipper: IPCO Hospital Supply Corp., 161 Sixth Avenue, New

York, N.Y. 10013. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 129886 (Sub-No. 5 TA), filed November 6, 1970. Applicant: CALVIN E. SUMMERS, 112 Spruce Street, Elizabethville, Pa. 17023. Applicant's representative: John W. Frame, Box 626, Camp Hill, Pa. 17011. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Meat and meat products*, requiring refrigeration, and *frozen foods* in vehicles equipped with mechanical refrigeration, from the cold storage warehouse of Calvin E. Summers, Elizabethville, Pa., to Traverse City, Hillsdale and Detroit, Mich., for 180 days. Supporting shipper: Servomation Mathias, Inc., 803 Glencoe Court, Baltimore, Md. 21204. Send protests to: Robert W. Ritenour, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 508 Federal Building, Post Office Box 869, Harrisburg, Pa. 17108.

No. MC 134477 (Sub-No. 6 TA), filed November 6, 1970. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Paul Schanno (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C, appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, restricted against the transportation of commodities in bulk, in tank vehicles and hides from the plant and warehouse facilities of Needham Packing Co., Inc., located at West Fargo, N. Dak.; Fargo, N. Dak.; and Sioux City, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Needham Packing Co., Inc., Sioux City, Iowa 51107. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 135047 TA, filed November 6, 1970. Applicant: GRADY MOVING & STORAGE, INC., Post Office Box 53, Jacksonville, N.C. 28541. Applicant's representative: Robert J. Gallagher, 350 Fifth Avenue, Suite 3020, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in North Carolina. Restriction: The operations authorized are restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized. Said operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and de-

containerization of such traffic, for 180 days. Supporting shipper: Alaska HHG Movers, Inc., Post Office Box 88728, Tukwila Station, Seattle, Wash. 98168. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 26896, Raleigh, N.C. 27611.

No. MC 135049 TA, filed November 6, 1970. Applicant: KEARNEY'S INC., Alternate Route U.S. 611, Portland, Pa. 18331. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded crushed slate*, in dump-type semitrailers, and *crushed slate powder*, from Bangor, Pa., to New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y., and points in New Jersey, for 180 days. Supporting shipper: Pennsylvania Lightweight Aggregate, Inc., Post Office Box 222, Bangor, Pa. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 135050 TA, filed November 6, 1970. Applicant: JOSEPH R. ZANNI, doing business as ZANNI TRANSFER & STORAGE COMPANY, 820 Soltman Avenue, Fort Pierce, Fla. 33450. Applicant's representative: Joseph R. Zanni (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies*, having a prior or subsequent movement in Interstate Commerce, between Fort Pierce, Fla., and points in Martin, Indian River, Okeechobee, and St. Lucie Counties, Fla., for 180 days. Supporting shipper: Western Electric Co., Inc., 6701 Roswell Road NE., Atlanta, Ga. Send protests to: District Supervisor Joseph B. Teichert, Bureau of Operations, Interstate Commerce Commission, 5720 Southwest 17th Street, Room 105, Miami, Fla. 33155.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-15419; Filed, Nov. 16, 1970;
8:48 a.m.]

[Notice 614]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 12, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of

the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72420. By order of November 2, 1970, the Motor Carrier Board approved the transfer to David L. Hall, Greene, R.I., of the operating rights in certificate No. MC-35896 issued September 6, 1962, to Lloyd C. Albro, Washington, R.I., authorizing the transportation of livestock, other than ordinary livestock, and, in connection therewith, personal effects of attendants, and supplies and equipment used in the care or exhibition of such animals, and ordinary livestock, between points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and Virginia. Russell B. Curnett, 36 Circuit Drive, Edgewood, R.I. 02905, representative for transferee. James F. Murphy, Post Office Box 328, Coventry, R.I. 02816, representative for transferor.

No. MC-FC-72443. *Republication.** By order of October 27, 1970, the Motor Carrier Board approved the transfer to James D. Shockey, Jr., doing business as Cedar Express, Philadelphia, Pa., of the operating rights in certificate No. MC-61632, issued January 1, 1943, to James Donald Shockey, doing business as Cedar Express, 6527 Woodland Avenue, Philadelphia, Pa. 19142, authorizing the transportation, over irregular routes, of household goods, between Philadelphia, Pa., on the one hand, and, on the other, points in Pennsylvania, New Jersey, New York, Delaware, Maryland, and the District of Columbia. John T. Mulligan, Esquire, 6750 Market Street, Upper Darby, Pa. 19082, attorney for transferee.

No. MC-FC-72463. By order of November 9, 1970, the Motor Carrier Board approved the transfer to J. W. Poole, Inc., Wytheville, Va., of permit No. MC-127962 (Sub-No. 2) issued to James W. Poole, doing business as J. W. Poole, Wytheville, Va., authorizing the transportation of: Metal screws, nuts, bolts, and wire, from Norfolk, Va., to Wytheville, Va. Robert R. Tierman, 1712 N Street NW., Washington D.C. 20036, attorney at law.

No. MC-FC-72487. By order of November 9, 1970, the Motor Carrier Board approved the transfer to Raymond J. Hochstetler and Jane B. Hochstetler, a partnership, doing business as R J Trucking, Downey, Calif., of the operating rights in certificate No. MC-32066 issued November 21, 1968, to Charles Warehouse Co., Inc., Los Angeles, Calif., authorizing the transportation of auto parts and accessories, garage equipment, materials and supplies, and office fixtures and supplies between points in Los Angeles, Calif. Phil Jacobson, 510 West Sixth Street, Los Angeles, Calif. 90014, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-15420; Filed, Nov. 16, 1970;
8:48 a.m.]

*Republished to correct the MC-FC-number. The time for filing petitions will expire Nov. 23, 1970.

[Notice 614A]

**MOTOR CARRIER TRANSFER
PROCEEDINGS**

NOVEMBER 12, 1970.

Application filed for temporary authority under section 210(a) (b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-72498. By application filed November 10, 1970, TORREY DELIVERY, INC., 219 Brigham Road, Post Office Box 508, Dunkirk, N.Y. 14048, seeks temporary authority to lease the operating rights of L-A-D TRUCK LINES, INC., under distraint of U.S. Treasury Department, INTERNAL REVENUE SERVICE, NOMINAL TRANSFEROR, Post Office Box 266, Niagara Square Station, Buffalo, N.Y. 14201, under section

210a(b). The transfer to TORREY DELIVERY, INC., of the operating rights of L-A-D TRUCK LINES, INC., is presently pending.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.[F.R. Doc. 70-15421; Filed, Nov. 16, 1970;
8:48 a.m.]**CUMULATIVE LIST OF PARTS AFFECTED—NOVEMBER**

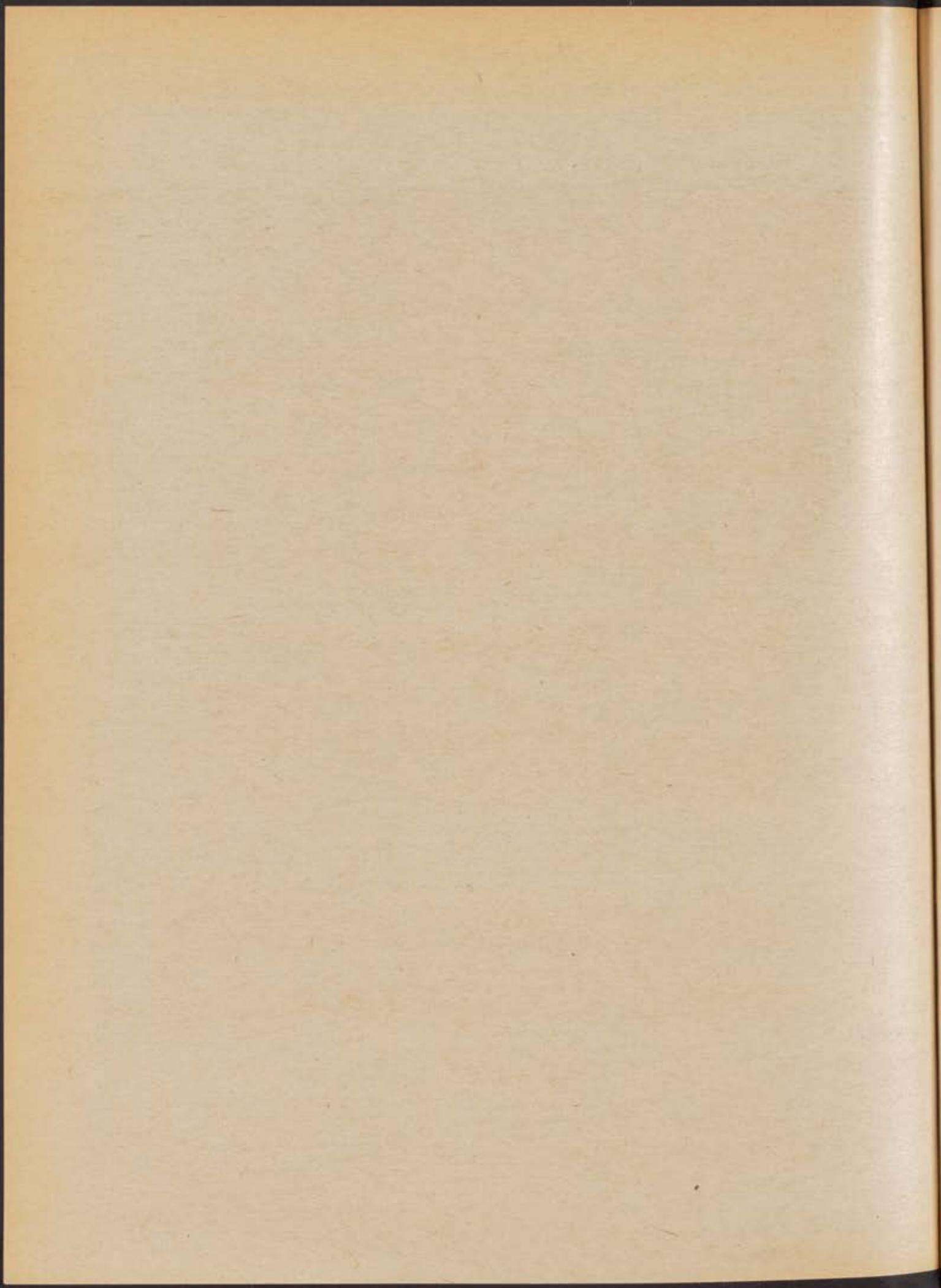
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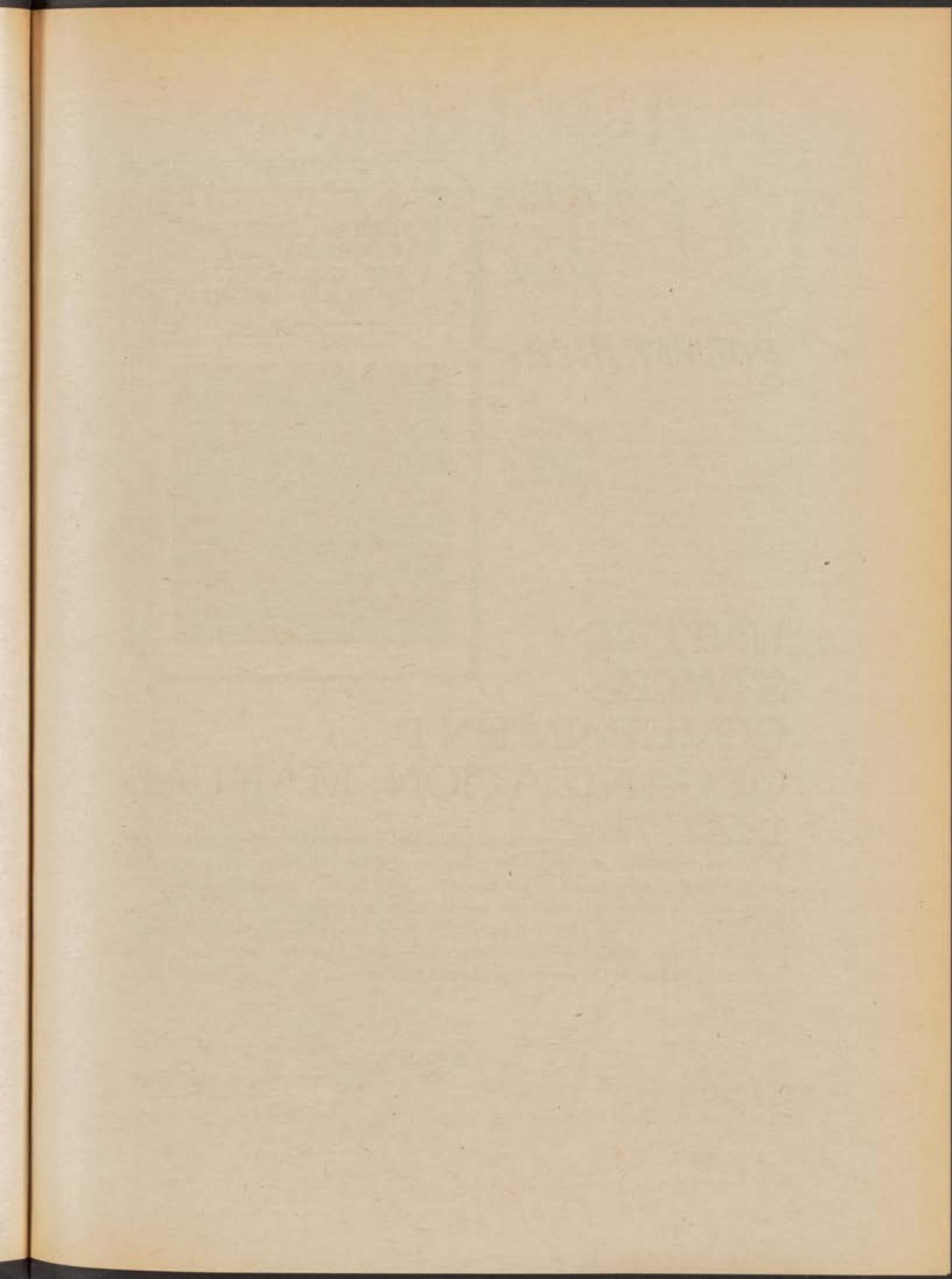
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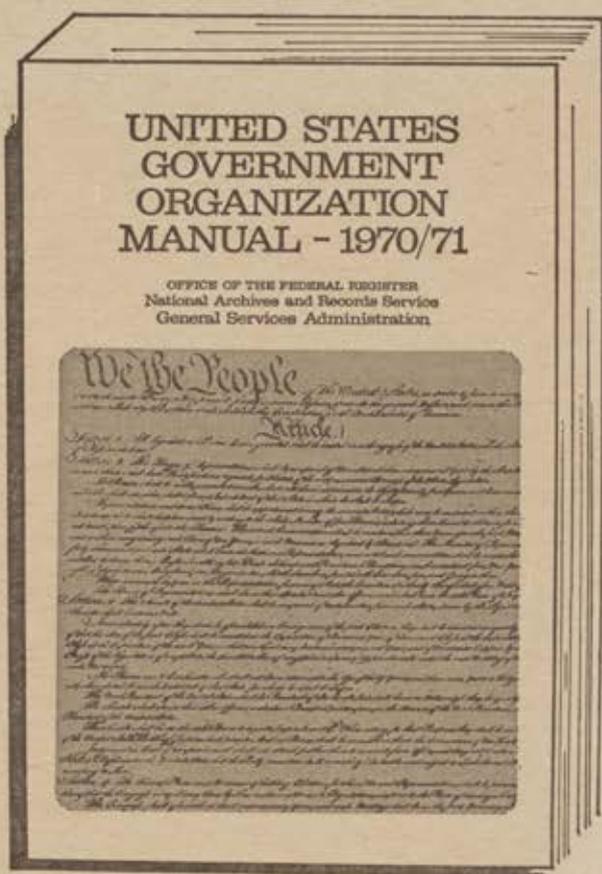


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