

FEDERAL REGISTER

THE NATIONAL ARCHIVES
 OF THE UNITED STATES
 1934

VOLUME 28 NUMBER 135

Washington, Friday, July 12, 1963

Contents

Agricultural Marketing Service

NOTICES:	
Fresh Irish potatoes; purchase program	7192
RULES AND REGULATIONS:	
Shipment limitations:	
Irish potatoes grown in Colorado	7119
Nectarines grown in California	7119

Agriculture Department

See also Agricultural Marketing Service; Commodity Credit Corporation.

NOTICES:	
Great Plains area of ten Great Plains States; counties where Great Plains Conservation Program is specifically applicable	7192

Atomic Energy Commission

NOTICES:	
General Electric Co.; proposed issuance of facility license	7193
Hamlin Testing Laboratories, Inc.; license renewal application; order and hearing notice	7193

Civil Aeronautics Board

NOTICES:	
Hearings etc.:	
Frontier Airlines, Inc.	7194
Northwest Airlines, Inc.	7194

Civil Service Commission

RULES AND REGULATIONS:	
Position classification; miscellaneous amendments	7119

Commerce Department

See Maritime Administration.

Commodity Credit Corporation

RULES AND REGULATIONS:	
Wheat export program; payment in kind and terms and conditions	7120

Customs Bureau

NOTICES:	
Slide fastener chain in long lengths; complaint of American manufacturers	7189

Federal Aviation Agency

RULES AND REGULATIONS:	
Aircraft certification and operation rules for supplemental air carriers, commercial operators using large aircraft, and certificated route air carriers engaging in charter flights and other special services	7124
Certification and operation rules, commercial operators, air taxis and small aircraft; miscellaneous amendments	7158
Security control of air traffic; correction	7159
Standard instrument approach procedures; miscellaneous amendments (3 documents)	7159, 7167, 7176
Transition area; designation	7158

Federal Communications Commission

NOTICES:	
Hearings, etc.:	
Calhio Broadcasters et al.	7194
Helfman, Stanley	7195
Northern California Educational Television Association, Inc.	7195
Page Boy Radio Corp. and New York Technical Institute of Cincinnati, Inc.	7196
Wallerstein, Harry, et al.	7197
Williams, Albert John (KTYM) ..	7197
RULES AND REGULATIONS:	
Radio broadcast services; table of assignments, television broadcast stations; Pennsylvania	7187

Federal Maritime Commission

NOTICES:	
John V. Carr & Son, Inc., et al.; agreements filed for approval ..	7198
Pacific Westbound Conference; filing of agreement	7197

Federal Power Commission

NOTICES:	
Hearings, etc.:	
Continental Oil Co. et al. (2 documents)	7200, 7202
Graridge Corp. et al.	7200
Hope Natural Gas Co.	7201
Jonnell Gas, Inc., et al.	7203
Kennebec River Pulp & Paper Co., Inc.	7203
New York State Natural Gas Corp.	7202
Town of Poseyville, Ind.	7203
Transwestern Pipeline Co.	7204

Federal Trade Commission

RULES AND REGULATIONS:	
Interstate Engineering Corp. et al.; prohibited trade practices	7182

Food and Drug Administration

RULES AND REGULATIONS:	
Color additives and certification; citrus red and oranges	7183

General Services Administration

RULES AND REGULATIONS:	
Contract administration; audit of contractors' records, and renegotiation	7184

Health, Education, and Welfare Department

See Food and Drug Administration; Social Security Administration; Vocational Rehabilitation Administration.

Indian Affairs Bureau

RULES AND REGULATIONS:	
Indian fishing in Alaska	7183

Interior Department

See also Indian Affairs Bureau; Land Management Bureau; National Park Service; Reclamation Bureau.

(Continued on next page)

Interior Department—Continued**NOTICES:**

Commissioner of Fish and Wildlife; delegation of authority to enforce regulations governing Indian fishing in Alaska..... 7192

Interstate Commerce Commission**NOTICES:**

Fourth section applications for relief..... 7205
Mississippi; drouth order; transportation of hay and livestock feed at reduced rates..... 7205
Motor carrier transfer proceedings..... 7205

Labor Department

See Wage and Hour Division.

Land Management Bureau**NOTICES:**

Alaska; opening of public lands... 7189
California; termination of proposed withdrawal and reservation of lands..... 7189

Maritime Administration**NOTICES:**

Lykes Bros. Steamship Co., Inc.; application for amendment to agreement..... 7192

National Park Service**NOTICES:**

Superintendents et al.; authority delegation..... 7191

Reclamation Bureau**NOTICES:**

Columbia Basin Project, Washington; sale of full-time farm units (10 documents)..... 7190, 7191

Small Business Administration**NOTICES:**

Regional director; delegation of authority to conduct program activities in regional offices.... 7204

RULES AND REGULATIONS:

Business loans; correction..... 7124

Social Security Administration**RULES AND REGULATIONS:**

Federal old-age, survivors, and disability insurance; representative payee..... 7182

Treasury Department

See also Customs Bureau.

NOTICES:

Southwest Casualty Insurance Co., Fayetteville, Ark.; expiration of authority to qualify as surety on Federal bonds..... 7189

Vocational Rehabilitation Administration**RULES AND REGULATIONS:**

Rehabilitation program, vending stands for the blind, and administrative procedure; miscellaneous amendments..... 7187

Wage and Hour Division**NOTICES:**

Certificates authorizing employment of learners at special minimum rates..... 7204

Codification Guide

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

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

5 CFR

36..... 7119

7 CFR

916..... 7119
948..... 7119
1483..... 7120

13 CFR

122..... 7124

14 CFR

42 (2 documents)..... 7124, 7158
42a..... 7158
45..... 7158
71 [New]..... 7158
99..... 7159
609 (3 documents)..... 7159, 7167, 7176

16 CFR

13..... 7182

20 CFR

404..... 7182

21 CFR

8..... 7183
9..... 7183

25 CFR

88..... 7183

41 CFR

5-53..... 7184

45 CFR

401..... 7187
403..... 7187
404..... 7187

47 CFR

3..... 7187

Announcing: Volume 76A**UNITED STATES
STATUTES AT LARGE****Containing****THE CANAL ZONE CODE**

Enacted as Public Law 87-845 during the Second Session of the Eighty-seventh Congress (1962)

Price: \$5.75

Published by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
Government Printing Office,
Washington 25, D.C.



Telephone

WOrth 3-3261

prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

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

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 36—POSITION CLASSIFICATION

Miscellaneous Amendments

Effective upon publication in the FEDERAL REGISTER, with respect to any classification-appeal decision released by a regional office on or after that date, § 36.312 is revoked and §§ 36.310 and 36.311 are amended as set out below.

§ 36.310 Finality of decision.

An appeal decision made by the Commission is final. There is no further right to appeal. The appeal decision shall constitute a certificate which is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officers of the Government.

§ 36.311 Bureau of Inspections.

The Commission's Bureau of Inspections may, in its discretion, reopen and reconsider any appeal decision made by a Commission regional office under this subpart.

(Sec. 1101, 63 Stat. 971, as amended; 5 U.S.C. 1072)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 63-7333; Filed, July 11, 1963;
8:50 a.m.]

Title 7—AGRICULTURE

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

[Nectarine Order 7]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.313 Nectarine Order 7.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein pro-

vided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on July 3, 1963.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 13, 1963, and ending at 12:01 a.m., P.s.t., November 1, 1963, no handler shall handle any package or container of Freedom, Grandeur, Le Grand, Late Le Grand, Golden Grand, Gold King, Red Grand, Marigold, September Grand, or Regal Grand nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 88 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-quarter (2¼) inches in diameter: *Provided*, That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used in this section, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

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

Dated: July 9, 1963.

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

[F.R. Doc. 63-7333; Filed, July 11, 1963;
8:51 a.m.]

[948.340]

PART 948—IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments, Area No. 3

Findings. (a) Pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Area No. 3 Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the limitation of shipments hereinafter set forth, will tend to maintain orderly marketing conditions and increase returns to producers of such potatoes.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) shipments of 1963 crop potatoes grown in Area No. 3 will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to all such shipments during the effective period,

(3) producers and handlers have operated under said marketing order since 1949 so special preparation on the part of handlers is not required, and (4) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area.

§ 948.342 Limitation of shipments.

During the period July 15, 1963, through May 31, 1964, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c) and (d) of this section.

(a) *Minimum grade and size requirements*—(1) *Round varieties*. U.S. No. 2, or better, grade, 2 inches minimum diameter.

(2) *Long varieties*. U.S. No. 2, or better, grade, 2 inches minimum diameter or 4 ounces minimum weight.

(b) *Minimum maturity (skinning) requirements*. (1) All varieties: Not more than "slightly skinned."

(2) Not to exceed a total of 100 hundredweight of such potatoes may be shipped for any producer without regard to the aforesaid maturity requirements if the handler thereof reports to the area committee for Area No. 3, prior to such handling, the name and address of the producer of such potatoes, and each shipment hereunder is handled as an identifiable entity.

(3) For the purpose of determining who shall be entitled to the exception set forth in subparagraph (2) of this paragraph, "producer" means any individual, partnership, corporation, association, landlord-tenant relationship, community property ownership, or any other business unit engaged in the production of potatoes for market, and it is intended that such exception shall apply separately to each farm of a producer and only to the potatoes grown on such farm.

(c) *Special purpose shipments*—(1) Chipping stock: Potatoes may be handled for chipping if they meet the requirements of U.S. No. 2, or better, grade, 1 7/8 inches minimum diameter, if such potatoes are handled in accordance with paragraph (d) of this section.

(2) The quality and maturity requirements of paragraphs (a) and (b) of this section and the inspection and assessment requirements of this part shall not be applicable to shipments of potatoes for:

(i) Livestock feed; and

(ii) Charity.

(3) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for:

(i) Chipping; and

(ii) Prepeeling.

(4) The quality and maturity requirements of paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for seed (§ 948.6) but such shipments shall be subject to assessments.

(d) *Safeguards*—(1) Each handler making shipments of potatoes for chip-

ping or prepeeling pursuant to paragraph (c) of this section shall,

(i) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee,

(ii) Furnish the committee such reports and documents as requested, including certification by the buyer or receiver on the use of such potatoes, and

(iii) Bill each shipment directly to the applicable processor or receiver.

(2) Potatoes shipped for livestock feed pursuant to paragraph (c) of this section shall be mutilated so as to render them unfit for commercial tablestock markets.

(e) *Definitions*. The terms "U.S. No. 1," "U.S. No. 2," and "slightly skinned," shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes §§ 52.2421-52.2433 of this title). Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended and this part. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated July 9, 1963, to become effective July 15, 1963.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-7357; Filed, July 11, 1963;
8:57 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. III; Amdt. 2]

PART 1483—WHEAT AND FLOUR

Subpart—Wheat Export Program—Payment in Kind (GR-345) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of the Wheat Export Program—Payment in Kind (GR-345) (27 F.R. 6415), as amended (27 F.R. 10741), are further amended by adding six new sections (§§ 1483.111 through 1483.116) which provide for export payment rates on Durum wheat to be established by competitive bidding among exporters. In addition, other changes of a minor nature are included in this amendment.

EXPORT PAYMENTS ON DURUM WHEAT

§ 1483.111 General provisions.

(a) Exporters desiring to receive an export payment on exportations of Durum wheat under this program shall submit offers as provided in § 1483.112 for exportation to any designated country (as defined in § 1483.187) during a specified

period at a stated export payment rate. CCC will consider offers on a competitive basis. Export payments under this program will be made on the basis of the net quantity, excluding dockage, of Durum wheat exported.

(b) Durum wheat exported under this program must be exported within an export period, designated in the offer submitted by the exporter. The export periods shall be as follows:

(1) The period beginning with the date of the opening of the offer and ending the last day of the next succeeding calendar month.

(2) The two calendar months next succeeding the last day of the period described in subparagraph (1) of this paragraph.

(3) The two calendar months next succeeding the last day of the period described in subparagraph (2) of this paragraph.

(4) Any modification of the periods described above as specified by CCC in the announcement of rates referred to in § 1483.120. Modifications will be made to accommodate the export periods to such seasonal considerations as the opening of Great Lakes navigation, anticipated availability of new crop wheat, etc.

(c) The provisions of §§ 1483.105 (a), (b), (d), (f), (g) and (h), 1483.106, 1483.107, 1483.108, 1483.109, 1483.121, 1483.125, 1483.126, 1483.127, 1483.140 and 1483.141 are not applicable to the exportation of Durum wheat under this program. All provisions of this subpart not specifically made inapplicable by this paragraph (c) are applicable to Durum wheat exported under this program.

(d) Exports of Durum wheat grading sample because of total damage of thirty percent or more, or because it is musty, sour, heating or unfit for human consumption shall not be eligible for payment under this program. Exports of Durum wheat grading sample because of other factors shall not be eligible for payment if CCC determines that they are not in the best interests of the program.

(e) Export payment will not be made on any exportation of Durum wheat prior to receipt by CCC of the notice of sale described in § 1483.114 and acknowledgement by CCC giving notification of the sale number assigned.

§ 1483.112 Submission of offers.

(a) *Place and time*. Exporters desiring to participate in this program shall submit offers in writing, by letter, telegram, TWX or teletypewriter to the office indicated in § 1483.178. Such offers must be received in the Department of Agriculture by 3:30 p.m. (e.s.t. or e.d.t. whichever is in effect) of the day on which the exporter desires the offer to be opened, i.e. considered by CCC for acceptance. Offers will be considered daily except that offers will not be considered for any Saturday, National Holiday or day upon which the major grain exchanges are closed, unless otherwise specified in the announcement described in § 1483.120.

(b) *Form*. All offers must be signed by the exporter or his authorized agent and shall specifically state the following:

(i) The offer is subject to all of the terms and conditions of this subpart as detailed in § 1483.111(c). The use of the term "GR-345" in the offer shall signify that it is submitted subject to all such terms and conditions.

(ii) The date for which the offer is submitted for opening.

NOTE: This date must show on the offer and may also appear in the lower left hand corner of the envelope in which written offers are submitted.

An offer will be considered for acceptance only on the day specified and will not be considered on any other day unless the offer is re-submitted.

(iii) The offer applies to Durum wheat.

(iv) The net quantity of Durum wheat to be exported in bushels.

(v) The export payment expressed in whole cents per bushel for which the Durum wheat will be exported.

(vi) The period within which the Durum wheat will be exported.

(vii) The name and address of the offeror.

Example. The following represents an offer to export 100,000 bushels of Durum wheat during July and August for an export payment of 10 cents per bushel submitted by John Doe Export Company.

GR-345 Durum Wheat—Open May 8.
100,000 bushels.
July–August, 10 cents bushel.

Signed: John Doe Export Company,
By: Richard Doe, President,
400 Blank Street,
New York, New York.

(c) An offer shall not specify more than one quantity of Durum wheat, one export payment rate, and one export period. An exporter may separately submit more than one offer for opening on any stated date. CCC reserves the right to accept or reject any or all offers or to waive any informality in connection with such offers. Offers will be considered in their entirety only, and offers containing conditions other than those authorized in this subpart will not be considered.

§ 1483.113 Acceptance by CCC.

If CCC accepts an exporter's offer CCC will attempt to notify the exporter by telephone by 4:30 p.m. (e.s.t. or e.d.t. whichever is in effect) of the day on which the exporter desires the offer to be opened, and by the close of business of such day will forward to the exporter Form CCC-422 "Acceptance of Offer to Export Durum Wheat" which shall constitute CCC's written acceptance of exporter's offer. The contract resulting from such acceptance shall consist of the exporter's offer, CCC's written acceptance, the applicable terms and conditions of this subpart and any amendments in effect on the date of submission of the offer.

§ 1483.114 Notice of sale of Durum wheat.

(a) Time. The exporter shall file a Notice of Sale with the office specified in § 1483.178 as soon as possible after the date on which the Durum wheat was sold to a foreign buyer for export to any designated country (as defined in

§ 1483.187) or the date on which he successfully bid for an export payment, whichever is later. The exporter may file the Notice of Sale either by telegram or by letter.

(b) Information required. The Notice of Sale filed by the exporter must contain the following information:

(1) Date of sale.

(2) Contract quantity in bushels and the contract loading tolerance, if any.

(3) The sale price must be shown on an f.o.b. vessel bulk basis. The f.o.b. price shown shall include all charges and commissions necessary to the sale and moving of the wheat to the f.o.b. position. For example, a selling agent's commission would be included, whereas guaranteed outturn insurance would not be included.

(4) Coast or coasts of export (specify Atlantic, Great Lakes, St. Lawrence River ports, etc.) and any options to be exercised by the exporter or the foreign buyer.

(5) Designated country.

(6) Name of purchaser or purchasers.

(7) Delivery period.

(8) Acceptance Number assigned by CCC.

(9) Any changes subsequently made in the information previously furnished in subparagraphs (1) through (8) of this paragraph should be reported to CCC as soon as possible.

(c) Acknowledgement. CCC will acknowledge the notice of sale by wire and furnish the exporter with a sale number which shall be shown on the Application for Wheat Export Payment, CCC Form 357, and all correspondence with reference to the transaction. CCC will determine which sales of Durum wheat are considered eligible for recording under the International Wheat Agreement, and will report such sales to the Wheat Council. Final determination of recordability rests with the Wheat Council. An exporter's rights under this subpart will not be impaired if any transaction is not ultimately recorded by the Wheat Council.

§ 1483.115 Exportation requirements.

(a) The exporter shall export or cause exportation of the Durum wheat to the designated country shown in the Notice of Sale (See § 1483.114(c) (5)) in accordance with his contract with CCC and within the period of time specified therein. Exportation to a designated country other than that shown in the Notice of Sale may be made if the Director is promptly notified of the change. Exportation in a different period will be acceptable only if approved in writing by the Director, before or after such exportation, subject to such reduction in the export payment (expressed in a rate per bushel) as may be specified by the Director.

(b) The exporter shall promptly furnish to CCC evidence of exportation as specified in § 1483.147. Failure to furnish evidence of exportation on or before 30 calendar days from the final date of export for application to a contract pursuant to paragraph (c) of this section, shall constitute prima facie evidence of failure to export.

(c) Failure of the exporter to export Durum wheat in accordance with the provisions of his contract with CCC shall constitute a default of his obligations to CCC. Exportation to a designated country without transshipment through Canada (unless transshipment is via the Great Lakes through a port on the St. Lawrence River) within the period of time specified in the exporter's contract with CCC or approved in writing by the Director, is of the essence of the contract and is a condition precedent to any right to payment under this program. Exportation to other than a designated country, or transshipment through Canada (unless transshipment is via the Great Lakes through a port on the St. Lawrence River) or exportation during a period of time other than that specified in the exporter's contract with CCC or approved in writing by the Director, as provided in subparagraph (a) of this section, shall not entitle the exporter to any payment under this subpart. Moreover, if the exporter does not export the quantity of Durum wheat specified in the exporter's contract with CCC, except as provided in § 1483.116, such breach shall give rise to liquidated damages. Inasmuch as failure of the exporter to export will cause serious and substantial losses to CCC, such as damages to CCC's export and price support programs, and the incurrence of storage, administrative and other costs, and it will be difficult, if not impossible, to prove the exact amount of such damages, the exporter shall pay to CCC liquidated damages of 25 cents per bushel promptly upon demand for each bushel of such Durum wheat not exported. The foregoing rate is agreed by the exporter and CCC to be a reasonable estimate of the probable actual damages that would be incurred by CCC. For the purposes of assessing liquidated damages, an exportation which has not been made within 120 calendar days after the expiration date of the export period provided in § 1483.111(b) (1) or within 90 calendar days after the expiration date of the export period provided in § 1483.111(b) (2) or within 60 calendar days after the expiration date of the export period provided in § 1483.111(b) (3) shall be deemed not to have been made at all. In addition to the foregoing, an exporter may be denied the right to continue participating in this program for his failure to export in accordance with the provisions of his contract with CCC.

(d) If any quantity of Durum wheat exported pursuant to the exporter's contract with CCC is re-entered into the United States, including Alaska, Hawaii, or Puerto Rico, whether or not such re-entry is caused by the exporter, or if any quantity of Durum wheat exported is transshipped or caused to be transshipped by the exporter to any country excluded by § 1483.187, the exporter shall be in default, shall refund any payment made by CCC with respect to such quantity of wheat, and shall also pay to CCC with respect to any Durum wheat re-entered into the United States, liquidated damages of 25 cents per bushel of such wheat. The exporter shall not be liable for such liquidated damages if he establishes to

the satisfaction of CCC that (1) the re-entry resulted from causes without his fault or negligence and promptly after he received notice of re-entry he exported the Durum wheat or a quantity equivalent to that required to be exported under his contract with CCC to a designated country, without benefit of an export payment by CCC, or (2) the Durum wheat re-entered was lost, damaged or destroyed and the physical condition is such that its re-entry into the United States will not impair CCC's price support program.

§ 1483.116 Quantity tolerance.

If an exporter exports or causes exportation in accordance with the requirement of § 1483.115 of a net quantity of Durum wheat less than the net quantity provided in the exporter's contract with CCC, but not less than 95 percent of such quantity, he shall not be required to pay liquidated damages for failure to export the under shipped quantity. If an exporter exports or causes exportation in accordance with requirement of § 1483.115 of a net quantity greater than the net quantity provided in the exporter's contract with CCC, but not in excess of 105 percent of such quantity, he may include such quantity in his application for export payment and receive payment for the quantity overshipped at the same rate as provided in his contract with CCC.

Section 1483.120 is amended to read as follows:

§ 1483.120 Announcement of rates.

Export payment rates will be announced from Washington, D.C. daily or at intervals of up to 7 days. Rates will be announced at approximately 3:31 p.m., e.s.t. (see § 1483.199), and will remain in effect through 3:30 p.m., e.s.t., on the expiration date stated in the announcement at which time a new announcement will be made. No rates will be announced on Saturday, and rates effective at 3:31 p.m., e.s.t. on Friday will be in effect through 3:30 p.m., e.s.t., of the market day succeeding Saturday unless the announcement specifically provides otherwise. Announcements will be released through the press, ticker service, Agricultural Stabilization and Conservation Service Offices at Kansas City (Missouri) and Evanston (Illinois), and through representatives of the Office of the General Sales Manager, Foreign Agricultural Service (FAS), located at San Francisco and New York. Different rates of payment for separate coasts or ports, various classes of wheat, destinations, periods of exportation, modification of export periods for Durum wheat, etc., may be announced simultaneously.

§ 1483.125 [Amendment]

Section 1483.125(b)(9) is amended to read as follows:

(9) If under subparagraph (4) of this paragraph, more than one coast of export is shown, indicate the ASCS Commodity Office (Evanston for exports from East Coast, Great Lakes or St. Lawrence River ports or Kansas City for exports from Gulf or West Coast ports), to which the exporter will submit Application for Wheat Export Payment.

§ 1483.127 [Amendment]

Section 1483.127(b)(11) is amended to read as follows:

(11) ASCS Commodity Office to which Application for Wheat Export Payment will be submitted (specify Evanston for exports from East Coast, Great Lakes or St. Lawrence River ports or Kansas City for exports from Gulf or West Coast ports).

Section 1483.127(d) is amended to read as follows:

(d) *Evidence of sale.* Supporting evidence of sale, in one copy only, must be filed with each Declaration of Sale. Such evidence may be in the form of certified true copies of offer and acceptance or other documentary evidence of sale including contracts between exporter and buyer. In transactions involving an intermediate party (see § 1483.121(g)) the evidence required shall consist of certified true copies of all documents evidencing the sales which are exchanged between the exporter, the intermediate party and the buyer shown in the Declaration of Sale, provided such evidence includes all information required under paragraph (b) of this section, and any additional documentation specifically requested by the Contracting Officer, CCC. For all transactions the supporting evidence of sale includes, in addition to the contract documents specified above, any subsequent amendment to the contract. One copy of each amendment shall be submitted to the office specified in § 1483.178 as soon as it is made.

Section 1483.145 is amended to read as follows:

§ 1483.145 Application for wheat export payment.

For exportations of wheat other than Durum, an original and two (2) copies of Application for Wheat Export Payment, CCC Form 357, must be prepared and submitted together with the evidence of export as provided in § 1483.147, to the ASCS Commodity Office shown on the acknowledged copy of the Declaration of Sale which is returned to the exporter. For exportation of Durum wheat, an original and two (2) copies of Application for Wheat Export Payment, CCC Form 357, must be prepared and submitted together with the evidence of export as provided in § 1483.147, to the Evanston ASCS Commodity Office. The exporter should submit the application as soon as possible after exportation as the face value of the certificate is subject to discount as provided in § 1483.146(b). Supplies of CCC Form 357 and detailed instructions regarding the preparation and submission of the form may be obtained from the ASCS Commodity Offices in Evanston and Kansas City.

§ 1483.146 [Amendment]

Section 1483.146(a) is amended to read as follows:

(a) *Payee.* (1) For all exportations of wheat, other than Durum wheat, except as provided in § 1483.176, the Certificate will be issued only to the exporter who has filed a Declaration of Sale and

has obtained the Registration Number which shall be shown in the space provided in the Certificate.

(2) For exportations of Durum wheat only, except as provided in § 1483.176, the Certificate will be issued only to the exporter whose offer to export Durum wheat has been accepted by CCC and who has obtained the sale Number which shall be shown on the Certificate.

Section 1483.146(d) is amended to read as follows:

(d) *General provisions.* The Certificate will be redeemable in wheat which Commodity Credit Corporation makes available from its stocks for sale under this program. The Certificate may be presented to the Evanston or Kansas City offices of the Agricultural Stabilization and Conservation Service, as provided in § 1483.155, for wheat handled by the Office to which submitted. The Certificate may be transferred by endorsement subject to all terms and conditions, contained in this section and §§ 1483.155 through 1483.199 inclusive, applicable to the person or firm to whom it was originally issued.

§ 1483.147 [Amendment]

Section 1483.147(a) is amended to read as follows:

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading issued at point of export signed by an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed, that the wheat is destined for the buyer and the country of destination identified on the Declaration of Sale, or to a different consignee or country determined pursuant to § 1483.106, and the Purchase Authorization Number if exported under Public Law 480 (83d Congress), as amended. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading. If the country of destination shown on the ocean bill of lading differs from that shown on the Declaration of Sale or the country of destination approved by the Contracting Officer, CCC, pursuant to § 1483.106, the exporter shall also furnish one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom Official, showing that the country of destination is, in fact, the country to which the wheat is required to be exported. In the circumstances described in the preceding sentence, if the export shipment is made from a Canadian port, the exporter shall furnish one copy of a document, in lieu of the Shipper's Export Declaration, authenticated by the appropriate Canadian Customs official showing that the country of destination is in fact the country to which the wheat is required to be exported.

Section 1483.147 is further amended by adding new paragraphs (k) and (l) to read as follows:

(k) With respect to exportations of Durum wheat, paragraphs (a), (g) and (j) of this § 1483.147 do not apply. Documentary evidence of export with respect to exportations of Durum wheat shall consist, as applicable, of all except the above three paragraphs and the following:

(1) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading, issued at point of export and signed by an agent of the ocean carrier, must be submitted as evidence of exportation. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the Durum wheat, the number or description of the hold or tank in which the Durum wheat was stowed and the designated country to which the wheat was shipped. Where loss, destruction or damage to the Durum wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading. If the country of destination shown on the ocean bill of lading differs from that shown in the Notice of Sale or from that shown in the notice of change furnished to the Director, pursuant to § 1483.115, the exporter shall also furnish one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Customs Official, showing that the country of destination is, in fact, the country to which the wheat is required to be exported. In the circumstances described in the preceding sentence, if the export shipment is made from a Canadian port, the exporter shall furnish one copy of a document, in lieu of the Shipper's Export Declaration, authenticated by the appropriate Canadian Customs official showing that the country of destination is in fact, the country to which the wheat is required to be exported.

(2) If the shipper or consignor named in the evidence of export is other than the exporter named in the Form CCC-422, "Acceptance of Offer to Export Durum Wheat," waiver by such shipper or consignor of any interest in the claim in favor of such exporter is required. Such waiver must clearly identify the document which is submitted to evidence export.

(3) If the export shipment of Durum wheat is made by vessel, plane, truck or other carrier, operated by a United States Government agency, then in lieu of the bill of lading described in subparagraph (1) of this paragraph or Shipper's Export Declaration provided for in paragraph (b) of § 1483.147, the exporter may submit a certificate issued by an authorized official or employee of such agency showing the date of shipment(s), type of carrier used, identification of the commodity, the quantity, the export destination, a certification by the exporter that shipment is not by or to a U.S. Government agency, and such other information required in paragraph (a) of § 1483.147 as may be applicable hereto.

(1) Such additional evidence of export as may be required by CCC.

Section 1483.155 is amended to read as follows:

§ 1483.155 Submission of offers.

Offers to purchase CCC wheat with certificates may be submitted by letter, telegram, or orally to Evanston or Kansas City ASCS Commodity Office from which the exporter desires delivery. The offeror must specify the class, grade, quality and quantity desired, and the desired point of delivery. CCC reserves the right to determine the classes, grades, qualities and quantities and point of delivery for which offers will be considered, and to reject any offer in whole or in part.

§ 1483.162 [Amendment]

Section 1483.162 is amended to add a new paragraph (k) to read as follows:

(k) Such additional evidence of export as may be required by CCC.

Section 1483.176 is amended to read as follows:

§ 1483.176 Assignments and setoffs.

(a) No assignment shall be made by an exporter of the exporter's agreement, or of any rights thereunder, except that the exporter may assign the payments due the exporter under an Application for Wheat Export Payment, Form CCC-357, to any bank, trust company, Federal lending agency, or other financing institution, and, subject to the approval of the Contracting Officer, CCC, assignment may be made to any other person or firm: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of the assignment together with a signed copy of the instrument of assignment, in accordance with the instructions on Form CCC-251, "Notice of Assignment," which form must be used in giving notice of assignment to CCC: *And Provided further*, That any such assignment shall cover all amounts payable and not already paid under the contract and shall not be made to more than one party and shall not be subject to further assignment except that any such assignment may be made to one party as agent or trustee for two or more parties participating in such financing. The "Instrument of Assignment" may be executed on Form CCC-252 or the assignee may use his own form of assignment. Forms may be obtained from the Contracting Officer, CCC, or any ASCS Commodity Office.

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under an Application for Wheat Export Payment, Form CCC-357. In the case of an assignment, and notwithstanding such assignment, CCC may set off (1) any amounts due CCC under the Application for Wheat Export Payment pursuant to the terms and conditions of this program and (2) any other amounts due CCC or the United States if CCC notified the assignee of such amounts to be set off at the time acknowledgment was made of receipt of notice of such assignment. Setoff as provided herein

shall not deprive the exporter of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

Section 1483.178 is amended to read as follows:

§ 1483.178 Submission of reports.

The Notice of Sale, Declaration of Sale, Notice of Export, offer to export (Durum Wheat) and related reports required under this subpart to be submitted to the Director should be addressed as follows:

Chief, Subsidy and Market Price Analysis Branch,
Procurement and Sales Division,
Agricultural Stabilization and Conservation Service,
U.S. Department of Agriculture,
Washington 25, D.C.

Delivery to the above office of telegraphic Notices of Sale will be expedited if addressed as follows:

Substaff, USDA (AG) Washington, D.C.

Exporters calling this office by long distance telephone may do so by direct dialing. The long distance area number for Washington, D.C. is 202. The telephone numbers of this office are DUDLEY 8-3261, -3262, -3927 and -3928. For example, exporters may dial 202 DU 8-3261.

Section 1483.180 is amended to read as follows:

§ 1483.180 ASCS Commodity Offices.

Information concerning this program may be obtained from ASCS Commodity Offices listed below:

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 2201 Howard Street, Evanston, Illinois.

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 8930 Ward Parkway, P.O. Box 205, Kansas City, Missouri.

Section 1483.188 is amended to read as follows:

§ 1483.188 Director.

"Director" means the Director of the Procurement and Sales Division, Agricultural Stabilization and Conservation Service, Washington, D.C., or his designee.

The effective date is the date on which this amendment is filed for public inspection by the Office of the Federal Register.

NOTE: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Secs. 4 and 5, 62 Stat. 1070 and 1072; sec. 2, 63 Stat. 945, as amended; sec. 407, 63 Stat. 1051 as amended; sec. 201(a), 70 Stat. 188; 15 U.S.C. 1641, 1427, 1851)

Signed at Washington, D.C., on July 9, 1963.

E. A. JAENKE,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 63-7378; Filed, July 11, 1963; 8:57 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 2]

PART 122—BUSINESS LOANS

Correction

In F.R. Doc. 63-6994 appearing in the issue for Wednesday, July 3, 1963, at page 6823, the bracket preceding the part heading was inadvertently omitted. It should appear as set forth above.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER A—CIVIL AIR REGULATIONS

[Regulatory Docket No. 1347]

PART 42—AIRCRAFT CERTIFICATION AND OPERATION RULES FOR SUP- PLEMENTAL AIR CARRIERS, COM- MERCIAL OPERATORS USING LARGE AIRCRAFT, AND CERTIFI- CATED ROUTE AIR CARRIERS EN- GAGING IN CHARTER FLIGHTS OR OTHER SPECIAL SERVICES

Presently effective Part 42, which was adopted March 23, 1949, contains certification and operation rules which apply to irregular (supplemental) air carriers operating in interstate, overseas, or foreign air transportation; to Alaskan air carriers when authorized by the Administrator under the provisions of § 41.1(a); to air carriers holding scheduled air carrier operating certificates when engaged in charter flights or other special services; to air carriers authorized by the Civil Aeronautics Board to engage in scheduled air transportation of cargo; to commercial operators operating under the authority of Part 45; and to air taxi operators operating pursuant to Special Civil Air Regulation No. SR-395A.

Special Civil Air Regulation SR-395B, promulgated simultaneously with this part, continues the certification and operating rules of presently effective Part 42 in effect for operators of small aircraft and redesignates it as Part 42a of the Civil Air Regulations, until such time as Part 125 [New] of the Federal Aviation Regulations is to specifically cover those operations.

Part 42 as set forth herein will apply to the following operators of aircraft: Supplemental air carriers, commercial operators using large aircraft, certificated route air carriers when conducting charter flights or other special services, and air carriers conducting scheduled all-cargo operations when authorized under the provisions of Part 40 or 41.

A complete revision of Part 42 has been under consideration for several years. The initial draft release 54-5 was issued by the Civil Aeronautics Board on February 25, 1954 (not published in the FEDERAL REGISTER). The Civil Aeronau-

tics Board's proposal took cognizance of those areas wherein irregular air carrier operations differed from those of certificated route air carriers (scheduled). It also recognized the many areas in which these operations were similar, and attempted to achieve as much uniformity in such areas as was practicable between the provisions of Part 42 and those contained in Parts 40 and 41 of this chapter (Civil Air Regulations).

The rules prescribed in Part 42 on March 23, 1949, for large aircraft and those proposed in Draft Release 54-5 did not in all respects provide a level of safety comparable to that prescribed for scheduled operations. Accordingly, a notice, incorporating Federal Aviation Agency proposals with regard to Part 42, was circulated as Civil Air Regulations Draft Release No. 62-39 dated August 22, 1962 (27 F.R. 8356). The FAA proposal was designed to establish such equivalent standards as the inherent differences between scheduled operations and operations under this part permit. New rules were proposed to insure financial responsibility of commercial operators, capable management personnel, operational control, and safe maintenance and operating practices.

Comments received concurred, in general, with the Federal Aviation Agency proposal as published. However, comments were received from interested persons in opposition to certain of the rules proposed and pointed to the need for clarification of certain proposed rules.

A number of the proposals contained in Draft Release No. 62-39 have been changed in this enactment of Part 42 as a result of comments received and in view of certain amendments to currently effective Parts 42 and 45 of the Civil Air Regulations which have been adopted since the circulation of the draft release.

The following is a discussion of major issues raised in comments received in response to Draft Release No. 62-39 and changes made in the proposed rules:

1. Section 42.1 *Applicability of this part*. Since Draft Release No. 62-39 was released, the Federal Aviation Act of 1958 has been amended by Public Law 87-528, sections 7 and 9, which permits supplemental air carriers, under interim authority and upon authorization from the Civil Aeronautics Board, to perform individually ticketed and individual way-billed services in air transportation. Representatives of the certificated route air carriers urged in their comments that supplemental air carriers authorized by the Board to engage temporarily in air transportation between two named points be required to conduct such operations under the provisions of Part 40 or 41 of the Civil Air Regulations. Since it appears that, if any special authorization to permit a supplemental air carrier to engage in air transportation between two named points, as issued by the Board, will be of a temporary nature, Part 42 is being made applicable to all supplemental air carriers when they engage in the carriage in air commerce of persons or property for compensation or hire in aircraft. However, commercial operators conducting scheduled intrastate operations are required to conduct such

operations in accordance with the provisions of Part 40, as in the past.

2. Section 42.10 *Certificate required*. Representatives of certificated route air carriers, who are required to hold Part 40, 41, or 46 operating certificates, objected to paragraph (a) (1) of § 42.10 for the reason that it would preclude such air carriers from obtaining an additional air carrier operating certificate issued under this revised Part 42.

The Agency has determined that there is no justification for a certificated route air carrier which is required to hold an air carrier operating certificate for scheduled passenger operations issued under Part 40, 41, or 46 of the Civil Air Regulations to hold, in addition thereto, an air carrier operating certificate issued under Part 42 to conduct charter flights or other special services. To obtain authority to conduct such operations under Part 42, a certificated route air carrier need only obtain an appropriate amendment to the operations specifications issued to it under Part 40, 41, or 46 of the Civil Air Regulations. Accordingly, the Agency intends to issue an individual Part 42 air carrier operating certificate to only supplemental air carriers, and only those certificated route air carriers who hold economic authority from the Board to engage in scheduled cargo-only operations and are subject to Part 40, or Part 41 of the Civil Air Regulations, but who have been authorized by the FAA to conduct scheduled cargo-only operations under the certification and operation rules of this Part 42 rather than Part 40 or Part 41, as the case may be.

3. Section 42.12 *Application for original certification and renewal of certificates*. It will be noted that the application provisions of § 42.12 apply only to those persons required to obtain an air carrier operating certificate or commercial operator certificate under this revised part. It does not, therefore, apply to certificated route air carriers certificated under Part 40, 41, or 46 of the Civil Air Regulations, since they are not required to obtain a Part 42 operating certificate to conduct those operations of certificated route air carriers which are governed by Part 42 (see § 42.10).

4. Section 42.13 *Commercial operator, financial information required for original issuance or renewal of certificate*. This section incorporates the substance of a proposal circulated for comment in Draft Release 62-53 December 13, 1962 (27 F.R. 12376) and adopted in Revised Part 45 (28 F.R. 2001), effective May 1, 1963.

5. Section 42.15 *Commercial operator—supplemental periodic financial report*. This section incorporates the substance of a proposal circulated for comment in Draft Release 62-53, December 13, 1962 (27 F.R. 12376) and adopted in Revised Part 45 (28 F.R. 2001), effective May 1, 1963.

6. Section 42.17a *Duration of certificate*. Certain supplemental air carriers, and representatives of such air carriers, expressed opposition to paragraph (b) of § 42.17a. The paragraph states, as a matter of policy, that the Administrator may take action to suspend or revoke an air carrier or commercial operator certificate issued under Part 42

for any cause which, at the time of suspension or revocation, would have been grounds for denying the holder of the certificate an application for a like certificate. Those opposed to this provision expressed the view that it is unreasonable and will make technical discrepancies grounds for automatic revocation of a certificate without a hearing.

This view is in error. The Agency considers it only reasonable to require air carriers and commercial operators certificated under Part 42 to continue to comply with all of those requirements which they had to meet initially in order to qualify for original certification. Failure to continue to meet the requirements prescribed for original certification would defeat the safety objectives they are designed to achieve and render them useless.

If the Administrator takes any action to suspend or revoke an air carrier or commercial operator certificate for the reasons stated in § 42.17a(b), it will be accomplished in accordance with section 609 of the Act and the applicable procedures of Part 13 [New] of the Federal Aviation Regulations. Section 42.17a(b) has been clarified in this respect.

7. Section 42.18 *Operations Specifications required.* The Air Transport Association suggested that airports and routes be made a part of the operating certificate. After studying this problem it has been determined that a change of this nature is not necessary since airports and routes are not normally listed for persons conducting operations under this part.

8. Section 42.19 *Contents of operations specifications.* As a result of comments received, it was determined that paragraph (d) should be modified to require an airport to be listed in the operations specifications only if special authorizations and limitations have been imposed on operations at the airport. In addition, proposed paragraph (g) has been deleted since there is no interline equipment interchange involved in operations conducted under this part. This section has been renumbered accordingly.

9. Section 42.22 *Inspection authority.* Industry was generally opposed to the inspection or examination of financial books and records on the basis that such inspections would duplicate the responsibility of the Civil Aeronautics Board (CAB) in this area. The Federal Aviation Agency has experienced a number of situations where the financial condition of an operator was an important factor in its ability and desire to conduct a safe operation. For this reason, the Agency believes that it must have certain information about the financial condition of supplemental air carriers and commercial operators who operate under this part.

It is recognized that the CAB has access to financial records of supplemental air carriers, and has facilities for their examination and evaluation beyond the capability of this Agency. Nevertheless, there may be certain instances when financial information available to the CAB will not cover a particular area of interest to the FAA which, in this Agency's opinion, might

have a bearing upon the safety with which operations are conducted by a supplemental air carrier. For this reason the Agency believes it necessary to require such air carriers to make their financial books and records available to the FAA for examination if the information sought by the FAA in the interest of safety cannot be obtained from the CAB.

10. Section 42.25 *Deviation authority.* Paragraph (b) of this section incorporates the waiver provisions adopted in Revised Part 45 (28 F.R. 2001) effective May 1, 1963.

11. Sections 42.27 and 42.28, *Management personnel requirements.* The industry was generally opposed to the provisions of §§ 42.27 and 42.28 on the grounds that the establishment of management positions and management personnel requirements by regulation constitutes an unnecessary invasion of company prerogatives and responsibilities.

The Agency cannot agree with the view that the provisions of §§ 42.27 and 42.28 are unnecessary, insofar as supplemental air carriers and commercial operators are concerned, in light of past violation and accident records. These records indicate the adverse effect which deficiencies in the organization and qualifications of management personnel have had in certain instances upon the safety of operations conducted by some supplemental air carriers and commercial operators. Under the circumstances, we believe the measures taken in this regulation to cope with the deficiencies found to exist will provide greater assurance that all supplemental air carriers and commercial operators will employ a sufficient number of qualified management personnel to conduct operations with the highest degree of safety.

Upon further consideration, in light of comments received, § 42.28(a) has been modified to allow greater latitude in the selection of a Director of Operations. As modified, it recognizes as qualified for such position a person who has had a minimum of 3 years experience as Director of Operations or in a position of like responsibility with an air carrier or commercial operator using large aircraft in its operations.

12. Section 42.30 *General area and route requirements.* In light of comments received, the provisions of paragraph (b) of this section have been changed to require the operator to show that it is equipped and competent to conduct operations over, and use the navigational facilities associated with, Federal airways, foreign airways, or advisory routes (ADR) to be used.

13. Section 42.36 *En route navigational facilities.* The Agency's intent is to list in the operations specifications of the operator those nonvisual ground navigational aids required for the approval of routes outside of controlled airspace. It does not intend to so list the aids required for the approval of routes to alternate airports.

14. Section 42.38 *Flight following systems.* Draft Release No. 62-39 proposed that each operator would be required to establish a dispatch system using certificated dispatchers, or an approved flight following system. In considering this

proposed rule, the Agency has determined that although a dispatch system would be desirable, such a requirement would not be feasible for charter or contract operators.

Some comments received objected to the proposal for a flight following system, on the grounds that the rule proposed would require inflight monitoring. Such a requirement was not intended, and the rule adopted has been modified to make clear that when the operator uses an approved flight following system, it need not provide for inflight monitoring. Also, it has been determined that the dispatch systems used by certificated route air carriers meet the requirements in all respects for a flight following system. Certificated route air carrier dispatchers may perform the flight following functions for off-route operations for their air carriers.

15. Section 42.39 *Flight following system.* Paragraph (a) (2) of this section has been rewritten to make clear that public or private facilities such as, telephone, telegraph, or radio are the only communications facilities necessary for a flight following system.

16. Section 42.207 *Equipment for operations in icing conditions; airplanes.* It is not the intent of § 42.207(a) to require an airplane to be equipped with a different or additional means for the prevention or removal of ice if the airplane is certificated in accordance with those airworthiness provisions of Part 4b of the Civil Air Regulations which pertain to ice protection. Paragraph (a) has been revised to reflect this intent.

17. Section 42.232 *Radio equipment for operations under VFR over routes not navigated by pilotage or for operations under IFR or over-the-top; airplanes.* Following issuance of notices of proposed rule making (26 F.R. 4455, Draft Release No. 61-11 and 26 F.R. 9430, Draft Release No. 61-21) the Agency adopted amendment No. 42-44 to currently effective Part 42 (28 F.R. 482) which prescribes new requirements regarding VOR and DME navigational equipment. The provisions of that amendment have been incorporated in paragraphs (b), (c), and (d) of § 42.232.

18. Sections 42.240 through 42.243, *Maintenance requirements.* To achieve regulatory uniformity, the provisions of §§ 42.240, 42.241, and 42.242 of Part 42 are being adopted as proposed in Draft Release 62-39. However, these provisions, and similar provisions in Parts 40, 41, and 46 of the Civil Air Regulations, will be reconsidered in connection with the amendments proposed in Draft Release 62-51 (27 F.R. 12191, December 8, 1962). Accordingly, the maintenance and inspection personnel duty time limitations of section 42.243 are being adopted as proposed.

19. Section 42.250 *Aircraft fuel, oil, and other fluid servicing requirements.* While the industry concurred in the safety objectives of this proposed rule regarding aircraft fuel and oil facilities, it nevertheless was opposed to the approval requirements of paragraph (a) for the reason that operators could not insure such facilities would continue to qualify for approval when they used them on an

intermittent basis. In light of comments received, the Agency has concluded that adoption of the proposed rule should be held in abeyance pending further Agency study. It is anticipated that the Agency will develop procedures for refueling and publish such procedures for use by interested persons on an interim basis. As a result of this study, it may be possible to achieve the desired level of safety without amending the regulations. However, if the Agency finds that an amendment to the regulations is warranted, appropriate rule making action will be taken. Accordingly, the proposed rule has not been included in this revised part.

20. Sections 42.265 *Flight attendant*, and 42.267 *Assignment of emergency and evacuation functions for each crewmember*. The Agency is adopting § 42.265 as proposed in Draft Release No. 62-39, notwithstanding the fact that the matter of cabin interior requirements and emergency evacuation is being evaluated for the purpose of inaugurating further rule making to develop uniform standards which can be applied to all air carriers and commercial operators. However, if the study indicates the need for a rule that is different from that adopted, the Agency will take appropriate rule making action.

The Agency considers that the number of flight attendants in ratio to the passenger seating capacity of the particular airplane to be a basic minimum standard for the guidance of all operators. However, in the event that the prescription of the fixed ratio imposes an unnecessary burden upon an operator for a particular airplane or operation, § 42.265 further provides that, upon a proper showing by the operator, an authorized representative of the Administrator may approve use of a lesser number of flight attendants. Such approval would be based upon a showing by the operator that the number of passenger seats, compartments, emergency exits and equipment, type of operation, and other trained members of the flight crew not on flight deck duty and whose services may be used in emergencies, permit the functions to be performed adequately.

In order to insure crew coordination and familiarity of all crewmembers with emergency functions, § 42.267 requires adequate training be given all required crewmembers in the course of their participation in the approved training program.

21. Section 42.283 *Flight navigator training; airplanes*. Comments received requested deletion from § 42.283(b) of the phrase "assigned as the navigation crewmember" to achieve regulatory uniformity and to avoid unnecessarily restricting the times when the training of navigators may be done. The comment has merit and, therefore, the phrase objected to has been deleted.

22. Section 42.303 *Pilot in command route certification and airport qualification requirements*. In light of comments received, the Agency is not adopting §§ 42.303 and 42.304 as proposed in Draft Release No. 62-39. In lieu thereof, the Agency is adopting the preflight certification rules of presently effective Part 42 which requires the pilot in command,

who has not flown over a route and into the airport of destination within the preceding 60 days to certify that he is thoroughly familiar with the route's weather characteristics, navigational facilities, communication procedures, terrain and obstruction hazards, minimum safe flight levels, traffic control procedures, instrument approach and departure procedures, and airport conditions which may affect the safety of the flight.

The subject of airport qualifications for Parts 40, 41, and 42 air carriers is being further studied by the Agency. If as a result of the study, there appears to be a need for a change in the rules, the Agency will take appropriate rule making actions.

23. Section 42.350 *Operational control; flight following system*. This section has been revised, in light of comments received, for purposes of clarification and to set forth in greater detail the things which flight following personnel are responsible for monitoring with respect to each flight.

24. Section 42.381 *Necessity for flight release authority*. This section has been revised for purposes of clarification. It will be noted that the provisions of proposed § 42.410 have been incorporated in § 42.381 as revised.

25. Section 42.396 *Fuel supply for all operations; airplanes*. Pursuant to Draft Release No. 62-39A, the original proposal for the exception in paragraph (a)(1)(iii) has been changed to require sufficient fuel to fly at least 30 minutes plus 15 percent of the total time required to fly at normal cruising consumption to the airports specified.

In addition, upon further consideration in the light of comments received, the proposal to increase fuel requirements by 5 percent for airplanes operated under a flight following system has been deleted.

26. Section 42.405 *Airplane takeoff and landing weather minimums; VFR*. Upon further consideration, the Agency has concluded that the provisions of proposed § 42.405 are unnecessary and that their deletion will achieve greater regulatory uniformity. Accordingly, proposed § 42.405 has been omitted from this revised part.

27. Section 42.504 *Load manifest; airplanes*. In light of comments received, this section has been reworded to delete from paragraph (a)(5) the proposal for the addresses of passengers to be included in the load manifest, and to delete from paragraph (b) the proposal to require the pilot in command to prepare the load manifest.

28. Section 42.505 *Disposition of load manifest; flight and maintenance release forms, and flight plans; airplanes*. Certain supplemental air carriers suggested that paragraph (c) be amended so that either the original or a copy of the required documents be retained at the main base for the period specified. Representatives of the scheduled route air carriers suggested that any person authorized by the operator should be permitted to attend to the duty of insuring that copies of required documents are mailed to the principal operations base of the operator. Paragraphs (b) and (c)

have been revised to incorporate these suggestions.

29. Section 42.510 *Alteration and repair reports; airplanes*. In light of comments received, we have concluded that since the accomplishment of major repairs is a routine matter, there is no need to require reports of major repairs to be submitted to the FAA. However, under this final rule the operators will continue to make such reports available to the FAA for inspection in accordance with present requirements.

30. Section 42.513 *Commercial operator—retention of contracts and amendments thereto*. This section incorporates the contract retention provisions adopted in revised Part 45 (28 F.R. 2001) effective May 1, 1963.

The format of this part will be subject to such changes as may be necessary for its recodification under the Agency's Recodification Program, previously announced in Draft Release No. 61-25 (26 F.R. 10698). This recodification will not result in any substantive change in the rules adopted herein.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 42 of the Civil Air Regulations is hereby enacted as set forth below, effective November 11, 1963.

(Secs. 313(a), 601-610, 1102; 72 Stat. 752, 775-780, 797; 49 U.S.C. 1354, 1421-1430, 1502)

Issued in Washington, D.C., on July 8, 1963.

N. E. HALABY,
Administrator.

PART 42—AIRCRAFT CERTIFICATION AND OPERATION RULES FOR SUPPLEMENTAL AIR CARRIERS, COMMERCIAL OPERATORS USING LARGE AIRCRAFT, AND CERTIFICATED ROUTE AIR CARRIERS ENGAGING IN CHARTER FLIGHTS OR OTHER SPECIAL SERVICES

APPLICABILITY AND DEFINITIONS

Sec.	
42.1	Applicability of this part.
42.2	Additional rules applicable to operations subject to this part.
42.5	Definitions.

CERTIFICATION RULES AND OPERATIONS SPECIFICATIONS REQUIREMENTS

42.10	Certificate required.
42.11	Contents of certificate.
42.12	Application for original certification and renewal of certificate.
42.13	Commercial operator—financial information required for original issuance or renewal of certificate.
42.14	Issuance of operating certificate.
42.15	Commercial operator—supplemental periodic financial report.
42.16	Amendment of operating certificate.
42.17	Display of certificate and operations specifications.
42.17a	Duration of certificate.
42.18	Operations specifications required.
42.19	Contents of operations specifications.
42.20	Utilization of operations specifications.
42.21	Amendment of operations specifications.

Sec. 42.22 42.23 42.24 42.25 42.26 42.27 42.28 42.29	Inspection authority. Operations and maintenance base and office. Charter flights or other special service operations by certificated route air carriers. Deviation authority. Helicopter requirements; deviations. Management personnel required. Qualification requirements for management personnel. Operation of small aircraft.	Sec. 42.126 42.127 42.128 42.129 42.130 42.131 42.132 42.133 42.134 42.135 42.136 42.137 42.138	Engine breather line. Firewalls. Firewall construction. Cowling. Engine accessory section diaphragm. Powerplant fire protection. Flammable fluids. Shutoff means. Lines and fittings. Vent and drain lines. Fire-extinguishing systems. Fire-extinguishing agents. Extinguishing agent container pressure relief.	Sec. 42.232 42.233	Radio equipment for operations under VFR over routes not navigated by pilotage or for operations under IFR or over-the-top; airplanes. Radio equipment for extended overwater operations and for certain other operations; airplanes.
REQUIREMENTS FOR APPROVAL OF AREAS AND ROUTES		42.139 42.140 42.141 42.142 42.143	Extinguishing agent container compartment temperature. Fire-extinguishing system materials. Fire-detector systems. Fire detectors. Protection of other airplane components against fire.	MAINTENANCE AND INSPECTION REQUIREMENTS	
42.30 42.31 42.33 42.35 42.36 42.37 42.38 42.39	General area and route requirements. Width of routes. Airports. Weather reporting facilities. En route navigational facilities. Servicing and maintenance facilities. Flight following system. Flight following system; requirements.	42.150 42.151 42.152 42.153	Control of engine rotation. Fuel system independence. Induction system ice prevention. Carriage of cargo in passenger compartments.	42.240 42.241 42.242 42.243	Responsibility for maintenance. Maintenance and inspection requirements. Maintenance and inspection training program. Maintenance and inspection personnel duty time limitations.
MANUAL REQUIREMENTS		42.154	Carriage of cargo in cargo compartments.	AIRMAN AND CREWMEMBER REQUIREMENTS	
42.50 42.51 42.52 42.53	Preparation of Operators Manual. Contents of Operators Manual. Distribution of Operators Manual. Aircraft Flight Manual.	INSTRUMENTS AND EQUIPMENT FOR ALL OPERATIONS		42.260 42.261 42.262 42.263 42.265 42.267	Utilization of airman. Composition of flight crew. Flight navigator; airplanes. Flight engineer; airplanes. Flight attendants. Assignment of emergency and evacuation functions for each crewmember; airplanes.
AIRCRAFT REQUIREMENTS		42.170 42.171 42.172	Airplane instruments and equipment for all operations. Flight and navigational equipment for all airplane operations. Engine instruments for all airplane operations.	TRAINING PROGRAM	
42.60 42.61 42.62 42.63	Aircraft requirements. Aircraft certification requirements. Airplane limitation for type of route. Proving tests.	42.173 42.174 42.175 42.176 42.177 42.178 42.179	Emergency equipment for all airplane operations. Seats and safety belts for all occupants of airplanes. Miscellaneous equipment for all airplanes. Cockpit check procedure for all aircraft operations. Passenger information for all airplane operations. Exterior exit and evacuation markings for all airplane operations. Shoulder harness.	42.280 42.281 42.282 42.283 42.284 42.285	Establishment of approved program; airplanes. Pilot ground training; airplanes. Pilot flight training; airplanes. Flight navigator training; airplanes. Flight engineer training; airplanes. Crewmember emergency training; airplanes.
AIRPLANE PERFORMANCE OPERATING LIMITATIONS: TRANSPORT CATEGORY		42.173 42.174 42.175 42.176 42.177 42.178 42.179	Emergency equipment for all airplane operations. Seats and safety belts for all occupants of airplanes. Miscellaneous equipment for all airplanes. Cockpit check procedure for all aircraft operations. Passenger information for all airplane operations. Exterior exit and evacuation markings for all airplane operations. Shoulder harness.	FLIGHT CREWMEMBER QUALIFICATION	
42.70 42.71 42.72 42.73 42.74 42.75 42.76 42.77 42.78	Transport category airplane operating limitations. Weight limitations. Takeoff limitations to provide for engine failure. En route limitations; all engines operating. En route limitations; one engine inoperative. En route limitations; two engines inoperative. Special en route limitations. Landing distance limitations; airport of destination. Landing distance limitations; alternate airports.	42.200 42.201 42.202 42.202-T 42.203 42.203-T 42.204 42.205 42.206 42.207 42.208 42.209 42.210	Instruments and equipment for all airplane operations at night. Instruments and equipment for airplane operations under IFR or over-the-top. Supplemental oxygen; reciprocating-engine-powered airplanes. Supplemental oxygen for sustenance; turbine-powered airplanes. Supplemental oxygen requirements for pressurized cabin airplanes; reciprocating-engine-powered airplanes. Supplemental oxygen for emergency descent and for first aid; turbine-powered airplanes with pressurized cabins. Equipment standards. Protective breathing equipment for the flight crew. Equipment for extended overwater operations; airplanes. Equipment for operations in icing conditions; airplanes. Equipment for operations over uninhabited terrain; airplanes. Equipment for operations on which specialized means of navigation are required; airplanes. Flight recorders; airplanes.	42.300 42.301 42.302 42.303 42.305 42.306 42.307	Qualification requirements. Pilot recent experience; airplanes. Pilot checks; airplanes. Pilot in command route certification and airport qualification requirements. Proficiency checks; second in command; airplanes. Flight navigator qualification for duty; airplanes. Flight engineer qualification for duty; airplanes.
AIRPLANE PERFORMANCE OPERATING LIMITATIONS: NONTRANSPORT CATEGORY		INSTRUMENTS AND EQUIPMENT FOR SPECIAL OPERATIONS		FLIGHT TIME LIMITATIONS; HELICOPTERS	
42.90 42.91 42.92 42.93 42.94	Nontransport category airplane operating limitations. Takeoff limitations. En route limitations; one engine inoperative. Landing distance limitations; airport of intended destination. Landing distance limitations; alternate airports.	42.200 42.201 42.202 42.202-T 42.203 42.203-T 42.204 42.205 42.206 42.207 42.208 42.209 42.210	Instruments and equipment for all airplane operations at night. Instruments and equipment for airplane operations under IFR or over-the-top. Supplemental oxygen; reciprocating-engine-powered airplanes. Supplemental oxygen for sustenance; turbine-powered airplanes. Supplemental oxygen requirements for pressurized cabin airplanes; reciprocating-engine-powered airplanes. Supplemental oxygen for emergency descent and for first aid; turbine-powered airplanes with pressurized cabins. Equipment standards. Protective breathing equipment for the flight crew. Equipment for extended overwater operations; airplanes. Equipment for operations in icing conditions; airplanes. Equipment for operations over uninhabited terrain; airplanes. Equipment for operations on which specialized means of navigation are required; airplanes. Flight recorders; airplanes.	42.315 42.317 42.318 42.319 42.320 42.321 42.322 42.323	Flight time limitations; helicopters. Pilots. Flight engineer. Overseas and international operations. General; all airmen. Flight crew of two pilots and additional airmen, as required. Flight crew of three or more pilots and additional airmen, as required. Pilots serving in more than one type of flight crew.
SPECIAL AIRWORTHINESS REQUIREMENTS		RADIO EQUIPMENT		FLIGHT TIME LIMITATIONS; AIRPLANES	
42.110 42.111 42.112 42.113 42.114 42.115 42.116 42.117 42.118 42.119 42.120 42.121 42.122 42.123 42.124 42.125	Special airworthiness requirements. Susceptibility of materials to fire. Cabin interiors. Internal doors. Ventilation. Fire precautions. Proof of compliance. Propeller deicing fluid. Pressure cross-feed arrangements. Location of fuel tanks. Fuel system lines and fittings. Fuel lines and fittings in designated fire zones. Fuel valves. Oil lines and fittings in designated fire zones. Oil valves. Oil system drains.	42.230 42.231	Radio equipment; airplanes. Radio equipment for operations under VFR over routes navigated by pilotage; airplanes.	42.350 42.352 42.353 42.354 42.355 42.356 42.357 42.358 42.360 42.361 42.362 42.363 42.364 42.370	Operational control; flight following system. Responsibility of pilots. Operations notices. Flight crewmembers at controls. Manipulation of controls. Admission to flight deck. Flying equipment. Restriction or suspension of operation. Emergency decisions. Reporting potentially hazardous meteorological conditions and irregularities of ground and navigational facilities. Reporting mechanical irregularities. Engine failure or precautionary stoppage; airplanes. Instrument approach and IFR landing procedures; airplanes. Briefing of passengers; airplanes.

Sec.

- 42.371 Drinking and serving of alcoholic beverages.
- 42.372 Minimum altitudes for use of automatic pilot; airplanes.

FLIGHT RELEASE RULES

- 42.381 Necessity for flight release authority; airplanes.
- 42.382 Familiarity with weather conditions; airplanes.
- 42.383 Facilities and services; airplanes.
- 42.384 Airplane equipment required for flight release.
- 42.385 Airplane communications and navigational facilities required for flight release.
- 42.386 Airplane flight release under VFR.
- 42.387 Flight release under IFR, over-the-top, or over water; airplanes.
- 42.388 Alternate airport for departure; airplanes.
- 42.389 Alternate airport for destinations; IFR or over-the-top; airplanes.
- 42.390 Alternate airport weather minimums; airplanes.
- 42.391 Continuance of flight; flight hazards; airplanes.
- 42.392 Operation in icing conditions; airplanes.
- 42.393 Original flight release, and amendment of flight release; airplanes.
- 42.396 Fuel supply for all operations; airplanes.
- 42.397 Factors involved in computing fuel required; airplanes.
- 42.406 Airplane takeoff and landing weather minimums; IFR.
- 42.407 Applicability of reported weather minimums; airplanes.
- 42.408 Airplane flight altitude rules.
- 42.409 Altitude maintenance on initial approach; airplanes.
- 42.411 Preparation of load manifest; airplanes.
- 42.412 VFR and IFR flight plan; airplanes.

REQUIRED RECORDS AND REPORTS

- 42.501 Crewmember records; airplanes.
- 42.503 Flight release form; airplanes.
- 42.504 Load manifest; airplanes.
- 42.505 Disposition of load manifest; flight and maintenance release forms; route certification and flight plans; airplanes.
- 42.506 Maintenance records; airplanes.
- 42.507 Maintenance log; airplanes.
- 42.508 Mechanical reliability reports; airplanes.
- 42.509 Mechanical interruption summary reports; airplanes.
- 42.510 Alteration and repair reports; airplanes.
- 42.511 Maintenance release; airplanes.
- 42.513 Commercial operator—retention of contracts and amendments there-to.

Appendix A—First-Aid Kits.

Appendix B—Minimum Standards for the Approval of Airplane Simulators.

AUTHORITY: §§ 42.1 to 42.513 and Appendices A and B issued under secs. 313(a), 601-610, 1102; 72 Stat. 752, 775-780, 797; 49 U.S.C. 1354, 1421-1430, 1502.

APPLICABILITY AND DEFINITIONS

§ 42.1 Applicability of this part.

(a) This part prescribes the rules governing:

(1) A supplemental air carrier when engaging with aircraft in the carriage of persons or property in air commerce for compensation or hire;

(2) A certificated route air carrier when engaging with aircraft in charter flights or other special services;

(3) A certificated route air carrier when engaging with aircraft in sched-

uled cargo-only operations authorized under the provisions of Parts 40, 41, or 46 of this chapter (Civil Air Regulations) to be conducted under the certification and operation rules of this part; and

(4) A commercial operator when engaging with large aircraft in the carriage of persons or property in air commerce for compensation or hire: *Provided*, That an applicant or commercial operator who carries or intends to carry passengers for compensation or hire as a common carrier between two points entirely within any state with the frequency set forth in subdivision (i) or (ii) of this subparagraph shall demonstrate that he is capable of and will conduct these operations in accordance with Part 40 of this chapter (except §§ 40.1, 40.10, and 40.12 through 40.17) or such other requirements as the Administrator finds necessary to provide an appropriate level of safety for the operation:

(i) Two flights, or one round trip a week on the same day or days of the week for any eight or more weeks in any 90 consecutive days; or

(ii) A total of 36 or more flights, or 18 or more round trips in any 90 consecutive days.

NOTE: In determining whether a person is a commercial operator under circumstances where it is doubtful the operations are for "compensation or hire", the test to be applied is whether the carriage by air is merely incidental to the operator's other business or is, in itself, a major enterprise for profit.

(b) The provisions of this part are also applicable to any airman or other person employed or used by an air carrier or commercial operator in the conduct of its operations subject to this part (including the operation, inspection, maintenance, and overhaul of aircraft), and any person while on board an aircraft operated by an air carrier or commercial operator under the provisions of this part.

§ 42.2 Additional rules applicable to operations subject to this part.

Unless otherwise specified in this part or the operations specifications of the operator, operations subject to the provisions of this part shall be conducted in compliance with the following additional rules:

(a) *Within the United States.* Parts 43 and 60 of this chapter (Civil Air Regulations).

(b) *Over the high seas.* Annex 2 (Rules of the Air) to the Convention on International Civil Aviation, except where any rule of this part is more restrictive and may be followed without violating the rules of Annex 2.

(c) *Within a foreign country.* The air traffic rules of the foreign government and local airport rules, except where any rule of this part is more restrictive and may be followed without violating the rules of such foreign country.

§ 42.5 Definitions.

As used in this part, the terms found herein are defined as follows:

Accelerate-stop distance. Accelerate-stop distance is the distance required to accelerate an airplane to a specified speed and, assuming failure of the critical engine at the instant that speed is

attained, to bring the airplane to a stop. (See the pertinent airworthiness requirements for the manner in which such distance is determined.)

Administrator. The Administrator is the Administrator of the Federal Aviation Agency, or any person to whom he has delegated his authority in the matter concerned.

Air carrier. An air carrier is any citizen of the United States who undertakes directly, or by lease or by other arrangement, to engage in air transportation as defined in the Federal Aviation Act of 1958.

Aircraft. Aircraft means a device that is used or intended to be used for flight in the air.

Airframe. Airframe means any and all kinds of fuselages, booms, nacelles, cowlings, fairings, empennages, airfoil surfaces, and landing gear, and all parts, accessories, or controls, of whatever description, appertaining thereto, but not including engines and propellers.

Airplane. An airplane is a power-driven fixed-wing aircraft, heavier than air, which is supported by the dynamic reaction of the air against its wings.

Airport. An airport is an area of land or water which is used, or intended for use, for the landing and takeoff of airplanes.

Alternate airport. An alternate airport is an approved airport to which a flight may proceed if a landing at the airport to which the flight was dispatched becomes inadvisable.

Appliances. Appliances are instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including communication equipment, electronic devices, and any other mechanism or mechanisms installed in or attached to aircraft during flight, but excluding parachutes), and which are not a part or parts of airframes, engines, or propellers.

Approved. Approved, when used alone or as modifying terms such as means, method, action, equipment, etc., means approved by the Administrator, or his authorized representative.

Authorized representative of the Administrator. An authorized representative of the Administrator is any employee of the Federal Aviation Agency authorized by the Administrator to perform particular duties of the Administrator under the provisions of this part.

Board. Board means the Civil Aeronautics Board.

Cargo aircraft. A cargo aircraft is an aircraft which is used for the carriage of property, cargo, or mail only.

Certificated route air carrier. A certificated route air carrier is an air carrier subject to the certification and operation rules of Part 40, 41, or 46 of the Civil Air Regulations.

Check airman. A check airman is an airman designated by the operator and approved by an authorized representative of the Administrator to examine other airmen to determine their proficiency with respect to procedures and technique and their competence to perform their respective airman duties.

Commercial operator. A commercial operator is a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of Part 375 of this title. It includes a person engaging in operations (1) as a common carrier on an intrastate basis, or (2) as a private (or contract carrier) for hire on either an interstate or intrastate basis; however, it does not include interstate operations as a common carrier, since such operations are air carrier operations as a matter of law.

Crewmember. A crewmember is any individual assigned by an operator for the performance of duty on an aircraft in flight.

Critical engine. Critical engine means the engine whose failure would most adversely affect the performance or handling qualities of an aircraft.

Critical engine failure speed, V_1 (transport category airplanes). The critical engine failure speed is the airplane speed used in the determination of the takeoff distance required at which the critical engine is assumed to fail. (See the pertinent airworthiness requirements for the manner in which such speed is determined).

Flight release. A flight release is an authorization issued in accordance with the provisions of this part specifying the conditions for the origination or continuance of a particular flight.

Effective length of runway.

(1) **Takeoff.** The effective length of runway for takeoff as used in the takeoff operating limitations for nontransport category airplanes is the distance from the end of the runway at which the takeoff is started to the point at which the obstruction clearance plane associated with the other end of the runway intersects the centerline of the runway.

(2) **Landing.** The effective length of the runway for landing as used in the landing operating limitations for both transport and nontransport category airplanes is the distance from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centerline of the runway to the far end thereof.

En route. En route means the entire flight from the point of origination to the point of termination, including intermediate stops.

Exclusive use of aircraft. Exclusive use of an aircraft means the sole possession, control, and use of an aircraft for flight by an operator arising from either: (a) A lease or other agreement or arrangement under which the operator is to have the right to such possession, control, and use for a period of at least 6 consecutive months from the date of such lease or other agreement or arrangement; or (b) ownership of the aircraft.

Extended overwater operations. An extended overwater operation is an operation over water conducted at a distance in excess of 50 miles from the nearest shore line.

FAA. FAA means the Federal Aviation Agency.

Fireproof. Fireproof material means a material which will withstand heat

equally well or better than steel in dimensions appropriate for the purpose for which it is to be used. When applied to material and parts used to confine fires in designated fire zones, fireproof means that the material or part will perform this function under the most severe conditions of fire and duration likely to occur in such zones.

Fire-resistant. When applied to sheet or structural members, fire-resistant material means a material which will withstand heat equally well or better than aluminum alloy in dimensions appropriate for the purpose for which it is to be used. When applied to fluid-carrying lines, this term refers to a line and fitting assembly which will perform its intended protective functions under the heat and other conditions likely to occur at the particular location.

Flame-resistant. Flame-resistant material means a material which will not support combustion to the point of propagating, beyond safe limits, a flame after the removal of the ignition source.

Flammable. Flammable fluids or gases mean those which will ignite readily or explode.

Flash-resistant. Flash-resistant material means material which will not burn violently when ignited.

Flight crewmember. A flight crewmember is a crewmember assigned to duty on an aircraft as a pilot, flight navigator, or flight engineer.

Flight engineer. A flight engineer is an individual holding a valid flight engineer certificate issued by the Administrator and whose primary assigned duty during flight is to assist the pilots in the mechanical operation of an aircraft.

Flight navigator. A flight navigator is an individual holding a valid flight navigator certificate issued by the Administrator and who is responsible to the pilot in command for the safe and efficient navigation of the aircraft.

Flight time. Flight time is the time from the moment the aircraft first moves under its own power for the purpose of flight until it comes to rest at the next point of landing (block-to-block time).

IFR. IFR is the symbol used to designate instrument flight rules.

ILS. ILS is the symbol used to designate instrument landing system.

Large aircraft. A large aircraft is an aircraft of more than 12,500 pounds maximum certificated takeoff weight.

Maximum certificated takeoff weight. Maximum certificated takeoff weight is the maximum takeoff weight prescribed by the terms of the aircraft airworthiness certificate or the Aircraft Flight Manual.

Minimum control speed. The minimum control speed is the minimum speed at which an airplane can be safely controlled in flight after an engine suddenly becomes inoperative. (See pertinent airworthiness requirements for the manner in which such speed is determined.)

Month. A month is that period of time extending from the first day of any month as delineated by the calendar through the last day thereof.

Night. Night is the time between the ending of evening civil twilight and the beginning of morning civil twilight as

published in the American Air Almanac converted to local time for the locality concerned.

NOTE: The American Air Almanac containing the ending of evening twilight and the beginning of morning twilight tables may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Information is also available concerning such tables in the Offices of the Federal Aviation Agency or the United States Weather Bureau.

Obstruction clearance area—(1) Takeoff. A takeoff obstruction clearance area as used in the takeoff operating limitations for nontransport category airplanes is an area on the earth's surface defined as follows: The centerline of the obstruction clearance area in plan view shall coincide with and prolong the centerline of the runway, beginning at the point where the obstruction clearance plane intersects the centerline of the runway and proceeding to a point not less than 1,500 feet from the beginning point. Thereafter the centerline shall proceed in a path consistent with the takeoff procedure for the runway or, where such a procedure has not been established, consistent with turns of at least 4,000-foot radius until a point is reached beyond which the obstruction clearance plane clears all obstructions. The obstruction clearance area shall extend laterally for a distance of 200 feet on each side of the centerline at the point where the obstruction clearance plane intersects the runway and shall continue at this width until the end of the runway; thence it shall increase uniformly to 500 feet on each side of the centerline at a point 1,500 feet from the intersection of the obstruction clearance plane with the runway; thereafter it shall extend laterally for a distance of 500 feet on each side of the centerline.

(2) **Landing.** A landing obstruction clearance area as used in the landing operating limitations for both transport and nontransport category airplanes is an area on the earth's surface defined as follows: The centerline of the obstruction clearance area in plan view shall coincide with and prolong the centerline of the runway, beginning at the point where the obstruction clearance plane intersects the centerline of the runway and proceeding to a point not less than 1,500 feet from the beginning point. Thereafter the centerline shall proceed in a path consistent with the instrument approach procedure for the runway or, where such a procedure has not been established, consistent with turns of at least 4,000-foot radius until a point is reached beyond which the obstruction clearance plane clears all obstructions. The obstruction clearance area shall extend laterally for a distance of 200 feet on each side of the centerline at the point where the obstruction clearance plane intersects the runway and shall continue at this width until the end of the runway; thence it shall increase uniformly to 500 feet on each side of the centerline at a point 1,500 feet from the intersection of the obstruction clearance plane with the runway; thereafter it shall extend laterally for a distance of 500 feet on each side of the centerline.

Obstruction clearance plane. An obstruction clearance plane is a plane which is tangent to or clears all obstructions within the obstruction clearance area and which slopes upward from the runway at a slope of 1:20 to the horizontal as shown in a profile view of the obstruction clearance area.

Operational control. Operational control is the exercise of authority over initiation, continuation, diversion, or termination of a flight.

Operations specifications. Operations specifications are rules of particular applicability issued by an authorized representative of the Administrator to an operator pursuant to the provisions of this part.

Operator. An operator is an air carrier or commercial operator subject to the provisions of this part.

Over-the-top. Over-the-top means the operation of an aircraft above a layer of clouds or obscuring phenomena that is reported as "broken," "overcast," or "obscuration" and not classified as "thin" or "partial."

PAR. PAR is the symbol used to designate precision approach radar.

Passenger-carrying aircraft. A passenger-carrying aircraft is an aircraft carrying any individual other than a flight crewmember or other crewmember, company employee, or an authorized government representative, or individuals accompanying shipments.

Pilot in command. The pilot in command is the pilot designated by the operator as the pilot responsible for the operation and safety of the aircraft during the times defined as flight time.

Pilotage. Pilotage is navigation by means of visual reference to landmarks.

Point-of-no-return. Point-of-no-return means that point at which the aircraft no longer has sufficient fuel under existing conditions to return to the point of departure or any alternate for that point.

Propeller. A propeller is an external device for propelling an airplane through the air, having blades mounted on a power-driven shaft, which when rotated produces by its action on the air a thrust approximately parallel to the longitudinal axis of the airplane.

Rating. A rating is an authorization issued with an airman certificate, and forming a part thereof, delineating special conditions, privileges, or limitations pertaining to such certificate.

Route. A route is the airspace on either side of a course joining those points on the surface of the earth between which an operator engages in air transportation or air commerce.

Route segment. A route segment is a portion of a route each terminus of which is identified by: (1) A continental or insular geographic location, or (2) a point at which a definite radio fix can be established.

Runway. A runway is a clearly defined area of an airport suitable for the safe landing or takeoff of aircraft.

Second in command. Second in command means a pilot other than the pilot in command who is designated by the operator to act as second in command of an aircraft.

Show. Show (or shows) means to demonstrate or prove to the satisfaction

of the Administrator or his authorized representative prior to the issuance of the operator's operating certificate and at any time thereafter upon request.

Supplemental air carrier. A supplemental air carrier is an air carrier holding economic authority from the Board which authorizes it to engage in supplemental air transportation.

Synthetic trainer. A synthetic trainer is a device, the use of which is approved to simulate certain operating conditions.

Takeoff safety speed, V_2 . The takeoff safety speed is the airplane speed used in the determination of the takeoff flight path at which the climbout following takeoff can be safely executed with one engine inoperative and with the airplane in the takeoff configuration. (See the pertinent airworthiness requirements for the manner in which such speed is determined.)

Time in service. Time in service, as used in computing maintenance time records, is the time from the moment an aircraft leaves the ground until it touches the ground at the end of a flight.

Transport category airplane. A transport category airplane is an airplane which has been type certificated in accordance with the requirements of Part 4b of this chapter (Civil Air Regulations) or the transport category requirements of Part 4a of this chapter (Civil Air Regulations).

Type. With regard to airman qualifications, type means all aircraft of the same basic design, including all modifications thereto except those modifications which the Administrator has found result in a substantial change in characteristics pertinent to the airman concerned.

VFR. VFR is the symbol used to designate visual flight rules.

V_{SO} . V_{SO} is the symbol used to designate the true indicated stalling speed or the minimum steady flight speed in the landing configuration.

Week. A week is that period of time extending from the first day of any week as delineated by the calendar through the last day thereof.

Year. A year is that period of time extending from the first day of any year as delineated by the calendar through the last day thereof.

CERTIFICATION RULES AND OPERATIONS SPECIFICATIONS REQUIREMENTS

§ 42.10 Certificate required.

No person shall conduct operations to which this part is applicable without, or in violation of the terms of, the operating certificate required by this section. Certificates currently in force on the effective date of this part shall be deemed to be certificates issued under this section, but shall expire on the date specified thereon.

(a) Air carrier operating certificate.

(1) An air carrier operating certificate issued under this part is required in order to conduct operations as an air carrier in air transportation, except that a certificated route air carrier required to be certificated under Part 40, 41, or 46 of this chapter (Civil Air Regulations) is not eligible for or required to obtain an air carrier operating certificate issued under this part. Such an air carrier must obtain authority to conduct sched-

uled all-cargo flights, charter flights or other special services by appropriate amendments to its certificate and operations specifications issued to it as the holder of an air carrier operating certificate issued under Part 40, 41, or 46 of this chapter (Civil Air Regulations).

NOTE: See § 42.24 for authorization to conduct on-route and off-route charter flights and special services.

(b) Commercial operator certificate.

A commercial operator certificate issued under this part is required in order to engage with large aircraft in the carriage of persons or property for compensation or hire in air commerce, except that the holder of an air carrier operating certificate is not eligible for or required to obtain a commercial operator certificate to engage in such carriage.

§ 42.11 Contents of certificate.

An operating certificate issued under this part contains the name of the operator, a description of the type of operations authorized, and the date on which the certificate is issued and terminates.

§ 42.12 Application for original certification and renewal of certificate.

(a) An application for the original issuance or renewal of an air carrier operating certificate or commercial operator certificate required by this part is made on an FAA application form which may be obtained at any FAA Air Carrier District Office and is submitted at least 60 days prior to the date of intended operations or to the expiration date of the certificate in the case of an application for renewal to the FAA Air Carrier District Office in whose area the applicant proposes to establish, or has established, his principal base of operations.

(b) The applicant for original issuance or renewal of an air carrier operating certificate or commercial operator certificate shall submit with the application a signed statement showing:

(1) If the applicant is a corporation:

(i) The name and address of each stockholder who owns five percent or more of the total voting stock of the corporation, and in the event such stockholder is not the sole beneficial owner of the stock, the name and address of the beneficial owner thereof. An individual shall be considered as owning the stock owned, directly or indirectly, by or for his spouse, his children, grandchildren and his parents;

(ii) The names and addresses of all directors and officers, and those persons employed or who will be employed in the management positions described in § 42.27; and

(iii) The names and addresses of all persons directly or indirectly controlling or controlled by the applicant, and all persons under direct or indirect control with the applicant.

(2) If the applicant is not a corporation:

(i) The names and addresses of all persons having a financial interest therein and the nature and extent of such interest; and

(ii) The names and addresses of all persons who will be in the management positions described in § 42.27.

(c) The applicant for original issuance or renewal of a commercial operator certificate shall submit with the application a signed statement showing:

(1) The financial information set forth in § 42.13; and

(2) The nature and scope of its intended operation, including the name and address of each person, if any, with whom the applicant has a contract to provide services as a commercial operator and the scope, nature, date, and duration of each such contract.

(d) The applicant for, or holder of, an air carrier operating certificate or commercial operator certificate shall notify the Administrator within 10 days after the occurrence of:

(1) A change in the persons, or the names and addresses of the persons, submitted to the Administrator under paragraph (b) (1) or (2) of this section; or

(2) A change in the financial information submitted to the Administrator under § 42.13 occurring while the application for certification issuance or renewal is pending before the FAA which would make the applicant's financial situation substantially less favorable than originally reported.

§ 42.13 Commercial operator—financial information required for original issuance or renewal of certificate.

(a) The following is the financial information required to be submitted, under § 42.12(c) (1), by each applicant for the original issuance or renewal of a commercial operator certificate:

(1) A Balance Sheet which shows assets, liabilities, and net worth, as of a date not exceeding 60 days before the date of application.

(2) In the case of an application for renewal, a Profit and Loss Statement for a fiscal year ending at a date not more than 60 days before the date of the application, with separation of items relating to applicant's commercial operator activities from his other business activities. The applicant shall submit in support of the operating income shown on the profit and loss statement a listing and brief description of the nature and scope of the commercial operator contracts which gave rise to the operating income shown, including the names of the contracting parties and the date and duration of each contract. However, if the applicant's regular fiscal year for income tax purposes ends on a date more than 60 days before the date of application, the applicant may submit a Profit and Loss Statement covering such normal fiscal year, plus a supplementary Profit and Loss Statement for the period from the end of the regular fiscal year to a date not more than 60 days before the date of application.

(3) An itemization of over-due liabilities showing amounts, names and addresses of creditors, description of indebtedness, and due date of obligations.

(4) An itemization of claims in litigation against the applicant showing the amounts claimed, the names and address of the claimants, and a description of the claims.

(5) A detailed analysis covering the first 3 months of the proposed operation subsequent to the possible issuance or

renewal of the certificate applied for which shows:

(i) Estimated amount and source of both operating and non-operating revenue, including identification of all presently existing and anticipated income producing contracts and estimated revenue per mile or hour of operation by aircraft type;

(ii) Estimated amount of operating and non-operating expenses by expense objective classification; and

(iii) Estimated profit or loss.

(6) An estimate of the cash that will be needed during the first 3 months of the proposed operation after the possible issuance or renewal date of the certificate applied for to cover:

(i) Acquisition of property and equipment,

(ii) Retirement of debt,

(iii) Additional working capital,

(iv) Operations (losses),

(v) Other (explain).

(7) An estimate of the cash that will be available from the following sources during the first 3 months of the proposed operation after the possible issuance or renewal of the certificate applied for which shows:

(i) Sale of property or flight equipment,

(ii) New debt,

(iii) New equity,

(iv) Working capital reduction,

(v) Operations (profits),

(vi) Depreciation and amortization,

(vii) Other (explain).

(8) Such other financial information as may be required by the Administrator to enable him to determine that the applicant has sufficient financial resources to conduct its operations with the degree of safety required in the public interest.

(b) All financial statements filed with the FAA under this part of the Civil Air Regulations shall be based on accounts prepared and maintained on an accrual basis in accordance with generally accepted accounting principles applied on a consistent basis, and shall contain the name and address of the applicant's public accounting firm, if any.

§ 42.14 Issuance of operating certificate.

(a) An air carrier operating certificate or commercial operator certificate is issued to an applicant who is a citizen of the United States if the Administrator after investigation, including such verification of financial and other information submitted as may be necessary, finds that the applicant:

(1) Has such economic authority as the Board may require;

(2) Is not disqualified under the provisions of paragraph (b) of this section; and

(3) Is properly and adequately equipped and able to conduct a safe operation in accordance with the requirements of this part and the operations specifications provided for in this part.

(b) The Administrator may deny an application for an air carrier operating certificate or commercial operator certificate if he finds:

(1) That an air carrier operating certificate or commercial operator certifi-

cate previously issued to the applicant has been revoked;

(2) That a person who was employed in a management position similar to any specified under § 42.27 with (or has exercised control with respect to) any operator whose air carrier operating certificate or commercial operator certificate has been revoked, will be employed in any of those positions or a similar position (or will be in control of or have a substantial ownership interest in the applicant) and that the person's employment or control contributed materially to the reasons for which that certificate was revoked; or

(3) In the case of an applicant for a commercial operator certificate, that for financial reasons the applicant is not able to conduct a safe operation.

§ 42.15 Commercial operator—supplemental periodic financial report.

(a) Each holder of a commercial operator certificate shall, within 45 days after his certificate has been in effect for 4 months after the date of its original issuance, and each subsequent renewal, under this revised part, submit a signed financial statement to the FAA which shows profit and loss for:

(1) The 4-month period after the date the certificate was issued or renewed, as the case may be; and

(2) The period immediately preceding the date of certificate issuance or renewal which was not covered by the preceding financial statement filed under § 42.12(c) (1).

(b) The applicant shall submit in support of the operating income shown on the Profit and Loss Statement required by paragraph (a) of this section a listing and brief description of the nature and scope of the contracts which gave rise to the operating income shown, including the names of the contracting parties, the date and duration of each such contract; and shall submit all of the other information required for original issuance of a certificate under § 42.12(c) (1).

§ 42.16 Amendment of operating certificate.

(a) An air carrier operating certificate or commercial operator certificate may be amended by the Administrator in accordance with section 609 of the Federal Aviation Act of 1958, and the applicable procedures of Part 13 [New] of the Federal Aviation Regulations, whenever he determines that safety in air commerce or air transportation and the public interest so require.

(b) Upon application by an operator, an authorized representative of the Administrator may amend an air carrier operating certificate or commercial operator certificate if he determines that safety in air commerce or air transportation and the public interest permit such an amendment. Within 30 days after the refusal of an authorized representative of the Administrator to approve an operator's application for amendment, the operator may petition the Administrator for a review of such refusal.

(c) Application for amendments to air carrier operating certificates or commercial operator certificates shall be

submitted to the local FAA Air Carrier District Office charged with the overall inspection of the operator at least 15 days prior to the proposed effective dates of such amendments, unless an authorized representative of such office approves a shorter filing period.

§ 42.17 Display of certificate and operations specifications.

An air carrier operating certificate or commercial operator certificate and operations specifications issued under this part shall be available at the principal operations office of the operator for inspection by any authorized representative of the Administrator.

§ 42.17a Duration of certificate.

(a) An air carrier operating certificate or commercial operator certificate issued under this part shall remain in effect for a period of one year, unless sooner surrendered, revoked, or otherwise terminated by order of the Administrator, or upon the termination of any economic authorization required by the Board. Upon suspension, revocation, or other termination, it shall be returned to the Administrator.

(b) An air carrier operating certificate or commercial operator certificate issued under this part may be suspended or revoked by the Administrator in accordance with section 609 of the Federal Aviation Act of 1958, and the applicable procedures of Part 13 [New] of the Federal Aviation Regulations, for any cause which, at the time of suspension or revocation, would have been grounds for denying the holder of such certificate an application for a like certificate.

§ 42.18 Operations specifications required.

(a) All operations specifications issued pursuant to the provisions of Part 42 before November 11, 1963, shall cease to be a part of an air carrier operating certificate or a commercial operator certificate.

(b) No person shall conduct operations subject to this part without, or in violation of, currently effective operations specifications issued under this part or its predecessor part. Operations specifications in force on November 10, 1963, shall be deemed to be currently effective operations specifications issued under this part.

NOTE: Forms for initial applications for operations specifications are furnished upon request to an FAA Air Carrier District Office.

§ 42.19 Contents of operations specifications.

The operations specifications issued to a certificated route air carrier (scheduled all-cargo), supplemental air carrier, or commercial operator contain the following:

- (a) Types of operations authorized;
- (b) Types and registration numbers of aircraft authorized for use;
- (c) En route authorizations and limitations, including areas of operations;
- (d) Special airport authorizations and limitations;
- (e) Time limitation for overhauls, inspections, and checks of airframes, rotors, engines, propellers, and appli-

ances, or standards by which such time limitations shall be determined;

(f) Procedures used to maintain control of weight and balance of aircraft; and

(g) Such additional items as the Administrator determines under the enabling provisions of this part are necessary to cover a particular situation.

§ 42.20 Utilization of operations specifications.

The operator shall keep its personnel informed with respect to the contents of the operations specifications and all amendments thereto applicable to the individual's duties and responsibilities. A set of specifications shall be maintained by the operator as a separate and complete document. Pertinent excerpts from the specifications or references thereto shall be inserted in the manual issued by the operator in such a manner that they do not lose their identity in any respect.

§ 42.21 Amendment of operations specifications.

The following procedures apply to the amendment of operations specifications issued to an operator under the provisions of this part:

(a) Upon application by the operator an authorized representative of the Administrator may amend an operations specification if he determines that safety in air transportation and the public interest permit such an amendment;

(b) Applications for amendments of operations specifications shall be submitted to the local FAA Air Carrier District Office charged with the overall inspection of the operator's operations at least 15 days prior to the proposed effective dates of such amendments, unless an authorized representative of such office approves a shorter filing period;

(c) Within 30 days after a notice of refusal to approve an operator's application for amendment, the operator may petition the Administrator to reconsider the refusal to amend;

(d) An authorized representative of the Administrator may amend an operations specification if he determines that safety in air transportation and the public interest require such an amendment. In such instances, the supervising inspector of the FAA Air Carrier District Office shall give notice in writing to the operator of a proposed amendment in the operations specifications, fixing a reasonable period, not less than 7 days, within which the operator may submit written data, views, and arguments concerning the proposed amendment. After consideration of all relevant matter presented, the supervising inspector shall notify the operator of any amendment adopted, or a rescission of the notice. The amendment shall become effective not less than 30 days after receipt by the operator of the notice of the amendment, unless the operator petitions the Administrator for reconsideration of the amendment, in which case, the effective date of the amendment shall be stayed pending a decision by the Administrator. If the supervising inspector finds that an emergency exists requiring immediate action

with respect to safety in air transportation which makes the provisions prescribed by this paragraph impracticable, or contrary to the public interest, he may notify the operator of an amendment to the operations specifications without giving prior notice, and such amendment shall become effective without stay upon receipt by the operator of notice thereof. In such instances he will incorporate the finding and a brief statement of the reasons therefor in the notice of the amended operations specifications to be adopted.

§ 42.22 Inspection authority.

An authorized representative of the Administrator shall be permitted at any time and place to make inspections or examinations (including inspections and examinations of financial books and records) to determine an operator's compliance with the requirements of the Federal Aviation Act of 1958, as amended, the Civil Air Regulations, the provisions of the operator's operating certificate, and the operations specifications, or the operator's eligibility to continue to hold a certificate. Such authority shall not be exercised with respect to the financial books and records of an air carrier, if the information sought by the FAA in the interest of safety can be obtained from the Civil Aeronautics Board.

§ 42.23 Operations and maintenance base and office.

Each operator shall, at least 30 days in advance of a change in the address of its principal business office, its principal operations base, or its principal maintenance base, give written notice thereof to the FAA Air Carrier District Office charged with overall inspection of the operator's operations.

§ 42.24 Charter flights or other special service operations by certificated route air carriers.

(a) *On route operations.* A certificated route air carrier holding an operating certificate and operations specifications issued pursuant to Part 40, 41, or 46 of this chapter (Civil Air Regulations) shall conduct under the provisions of this part a charter flight or other special service conducted over routes and into airports listed in such operations specifications. However, the air carrier may obtain authority to conduct all such operations under the provisions of Part 40, 41, or 46, as appropriate, rather than under the provisions of this part.

(b) *Off-route operations.* A certificated route air carrier holding an operating certificate and operations specifications issued pursuant to Part 40, 41, or 46 of this chapter (Civil Air Regulations) shall conduct under the provisions of this part a charter flight or other special service which involves in whole or in part off-route operations.

(c) *Special requirements.* A certificated route air carrier may not conduct any charter flights or other special services specified in paragraphs (a) and (b) of this section, unless its operations specifications issued pursuant to Part 40, 41, or 46 have been appropriately amended to authorize such operations.

§ 42.25 Deviation authority.

(a) *Military contracts and emergency operations.* Upon application by an operator, an authorized representative of the Administrator may authorize deviations from the provisions of this part by an appropriate amendment to the operations specifications of the operator for the following:

(1) Operations conducted pursuant to a contract with the military services (primary contractor), or operations conducted for the military services pursuant to a subcontract with a primary contractor, if the Department of Defense certifies to the Administrator that the operation is essential to the national defense and requires the requested deviation, and the Administrator finds that the deviation is not based upon an economic advantage or convenience to either the operator or the government, or both; and

(2) Operations under conditions of an emergency necessitating the transportation of persons or supplies for the protection of life or property, if an authorized representative of the Administrator finds that such a deviation is necessary for the expeditious conduct of such operations.

(b) *Commercial operator—financial information.* Upon application of a commercial operator filed at least 30 days before a renewal application or supplemental periodic financial report is due, an authorized representative of the Administrator may waive submission of the financial information required in the application or report, in whole or in part, if he finds, based on information as to the operator's financial standing, management, and type of operations, that the submission is not required in the public interest. Filing of an application does not automatically extend the time for submission of the information. Such a waiver shall be issued by an appropriate amendment to the operations specifications of the operator.

(c) *Compliance.* An operator authorized deviations under this section shall, in the conduct of operations pursuant thereto, comply with the terms, conditions, and limitations, if any, of the authorization issued. Grants of deviation authority or waivers issued pursuant to this section may be terminated at any time by the Administrator.

§ 42.26 Helicopter requirements; deviations.

(a) Persons subject to this part when conducting operations with helicopters shall comply with the provisions of this part, except those applicable to airplanes only. In lieu of those provisions applicable to airplanes only, an operator of helicopters shall comply with the following provisions of Part 46 of this chapter (Civil Air Regulations): §§ 46.70, 46.71, 46.110, 46.153, 46.170-46.178, 46.200, 46.206, 46.230, 46.231, 46.265, 46.280-46.289, 46.300-46.302, 46.381-46.412 and 46.500-46.511.

(b) An authorized representative of the Administrator may authorize a deviation from any specific requirement for helicopter operations subject to this

part, if he finds that such deviation provides a substantially equivalent standard of safety, and the deviation will be specified in the operations specifications of the operator.

§ 42.27 Management personnel required.

Except as otherwise provided in paragraph (d) of this section, an operator is subject to the following requirements:

(a) The operator shall show that it has a sufficient number of qualified management personnel to provide the highest degree of safety in its operations. Such personnel shall be employed on a full-time basis in the following positions or their equivalent:

(1) General Manager;

(2) Director of Operations; the person serving as General Manager may also serve as Director of Operations if qualified;

(3) Director of Maintenance;

(4) Chief Pilot; and

(5) Chief Inspector.

(b) Upon application by the operator, the Administrator may approve different positions or numbers of positions for a particular operation than those specified in paragraph (a) of this section. Such approval may be granted if the operator shows that due to the type of operation involved, number and type of aircraft used, and area of operations, it is capable of performing the operation with the highest degree of safety under the direction of fewer or different categories of management personnel. If such approval is given to an operator, the title and number of positions approved are specified in the operations specifications of the operator.

(c) The duties, responsibilities, and authority of such personnel shall be set forth in the General Policy Section of the Operator's Manual. The operator shall also list in the manual the names and addresses of the individuals assigned to these positions. Within at least 10 days, the operator shall notify the FAA Air Carrier District Office charged with overall inspection of the operator of any change made in the assignment of individuals to these positions.

(d) The provisions of paragraphs (a), (b), and (c) of this section do not apply to a certificated route air carrier required to be certificated and conduct scheduled operations under Part 40, 41, or 46 of this chapter (Civil Air Regulations).

§ 42.28 Qualification requirements for management personnel.

Except as otherwise provided in paragraph (e) of this section, an operator is subject to the following requirements:

(a) *Director of Operations.* The Director of Operations shall know the contents of the operator's operations manual and operations specifications, and the provisions of this part necessary to the proper performance of his duties, and shall either:

(1) Hold or have held an Airline Transport Pilot Certificate, and have had a minimum of 3 years experience as pilot in command of large aircraft; or

(2) Have had a minimum of three years experience as Director of Opera-

tions, of an operation using large aircraft, or a position of like responsibility.

(b) *Chief Pilot.* The Chief Pilot shall:

(1) Hold a current Airline Transport Pilot Certificate with appropriate ratings for the type of aircraft used;

(2) Have had a minimum of 3 years experience as a pilot in command of a large aircraft with an air carrier or commercial operator; and

(3) Know the contents of the operator's operations manual and operations specifications, and the provisions of this part necessary to the proper performance of his duties.

(c) *Director of Maintenance.* The Director of Maintenance shall:

(1) Hold a current mechanic certificate with either an airframe or powerplant rating, and have a minimum of 5 years experience in the maintenance of large aircraft, one year of which shall have been in a supervisory capacity; and

(2) Know the maintenance portions of the operator's manual and operations specifications, and the applicable maintenance provisions of this part.

(d) *Chief Inspector.* The Chief Inspector shall:

(1) Hold a current mechanic certificate with both airframe and powerplant ratings, and have held these ratings for at least 3 years;

(2) Have a minimum of 3 years of diversified maintenance experience on large aircraft with an air carrier, commercial operator, or certificated repair station, one year of which shall have been as a maintenance inspector; and

(3) Know the maintenance portions of the operator's manual and operations specifications, and the applicable maintenance provisions of this part.

(a) *Exceptions.* The provisions of paragraphs (a), (b), (c), and (d) of this section do not apply to a certificated route air carrier certificated and conducting scheduled operations under Part 40, 41, or 46 of this chapter (Civil Air Regulations).

§ 42.29 Operation of small aircraft.

Upon application by an air carrier conducting operations subject to this part, if an authorized representative of the Administrator finds that safety in air transportation and the public interest permit, he may issue to the air carrier operations specifications authorizing such operations to be conducted with small aircraft under Part 42a until proposed Part 125 [New] of the Federal Aviation Regulations becomes effective, and then under Part 125 and containing such operating limitations and requirements as he determines are necessary.

REQUIREMENTS FOR APPROVAL OF AREAS AND ROUTES**§ 42.30 General area and route requirements.**

(a) *Areas.* The operator shall show that it is competent to conduct operations within the United States in accordance with the route requirements specified in paragraph (b) of this section, and in addition shall show that it is competent to conduct operations in accordance with the applicable requirements for each area outside the United States for which authorization is requested.

(b) *Routes.* (1) The operator shall show that it is equipped and competent to conduct operations over and use the navigational facilities associated with, Federal airways, foreign airways, or advisory routes (ADR's) to be used.

(2) All IFR and night VFR operations shall be conducted only over Federal airways, foreign airways, or advisory routes (ADR's). *Provided*, That a route outside of controlled airspace may be approved if the operator shows that the route is safe for operations, and the Administrator determines that traffic density is such that an adequate level of safety can be assured. Such route or route segments must be approved and listed in the operator's operations specifications before the carrier can use such route.

§ 42.31 Width of routes.

Routes consisting of U.S. Federal airways, foreign airways, or advisory routes (ADR's) shall have a width equal to the designated width of such airways or advisory routes. In case of other routes, when an authorized representative of the Administrator determines it necessary he shall establish route widths taking into consideration terrain clearance, minimum en route altitudes, available ground and airborne navigational aids, air traffic density, and air traffic control procedures. In such instances, the route widths shall be specified in the operator's operations specifications.

§ 42.33 Airports.

The operator shall use only airports which are properly equipped and adequate for the type of operations to be conducted. Consideration shall be given to items such as size, surface, obstructions, facilities, lighting, navigational and communication aids, and air traffic control.

§ 42.35 Weather reporting facilities.

Weather reports used to control flight movements shall be those prepared and released by the U.S. Weather Bureau, or by a source approved by the Weather Bureau. For those operations outside the U.S. or at U.S. Military airports for which such reports are not available, the weather reports may be those prepared by a source found by the Administrator to be satisfactory. Forecasts used to control flight movements shall be prepared from such weather reports.

§ 42.36 En route navigational facilities.

Operations shall not be conducted over a route unless nonvisual ground aids to air navigation are available and in operation along the route, are so located as to permit navigation to any airport of destination or alternate airport within the degree of accuracy necessary for the operation involved, and are available for the navigation of aircraft within the degree of accuracy required for air traffic control: *Provided*, That nonvisual ground aids to navigation are not required for (a) day VFR operations where the characteristics of the terrain are such that navigation can be conducted by pilotage, (b) night VFR operations on lighted airways or on other routes the Administrator has de-

termined have reliable landmarks which are adequate for safe operations, or (c) operations on segments of routes where the use of celestial or other specialized means of navigation is approved. Non-visual ground navigational aids required for approval of routes outside of controlled airspace will be specified in the operator's operations specifications except those aids required for routes to alternate airports.

§ 42.37 Servicing and maintenance facilities.

The operator shall show that competent personnel and adequate facilities and equipment, including spare parts, supplies, and materials, are available for the proper servicing, refueling, maintenance, repair, and inspection of aircraft and auxiliary equipment.

§ 42.38 Flight following system.

(a) *General*—(1) An operator shall show that it has an approved flight following system established in accordance with the provisions of this Part which is adequate for the proper monitoring of the progress of each flight taking into consideration the operations to be conducted.

(2) An operator may arrange for flight following facilities to be provided by persons other than employees of the operator. However, in such case, the operator shall continue to have primary responsibility for operational control of each flight.

(b) *Locations.* The operator shall show that it has flight following centers located at such points as are necessary to insure the proper monitoring of the progress of each flight with respect to its departure and arrival at the point of origin and destination, including intermediate stops and diversions therefrom, and maintenance or mechanical delays encountered at such points or stops; and to insure that the pilot in command is provided with all information necessary for the safety of the flight. A flight following system need not provide for inflight monitoring by a flight following center. The operations specifications issued to the operator will specify the system the operator is authorized to use and the location of the centers.

§ 42.39 Flight following system; requirements.

(a) An operator using a flight following system shall show that the system:

(1) Has adequate facilities and personnel to provide the flight crews of the aircraft and the individuals designated by the operator to perform the function of operational control of the aircraft with all information necessary for the initiation and safe conduct of each flight;

(2) Has a means of communication via private or available public facilities such as telephone, telegraph, or radio to monitor the progress of each flight with respect to its departure and arrival at the point of origin and destination, including intermediate stops and any diversions therefrom, and maintenance or mechanical delays encountered at such points or stops.

(b) The operator shall show that the personnel specified in paragraph (a) of this section, and those designated by the operator to perform the function of operational control of the aircraft, are capable of performing their required duties.

MANUAL REQUIREMENTS

§ 42.50 Preparation of Operators Manual.

The operator shall prepare and keep current a manual for the use and guidance of flight, ground operations, and management personnel in the conduct of its operations.

§ 42.51 Contents of Operators Manual.

(a) The manual shall contain instructions, information, and data necessary for the personnel concerned to carry out their duties and responsibilities with a high degree of safety. It shall be in a form to facilitate easy revision, and each page shall bear the date of the last revision thereof. The contents of such manual shall not be contrary to the provisions of any Federal regulations, foreign regulations where applicable, operations specifications, or the operating certificate. The manual may be in two or more separate parts, encompassing together all of the information listed below (e.g., flight operations, ground operations, maintenance, communications, etc.) to facilitate use by the personnel concerned, but each part shall contain that portion of the information listed below as is appropriate for each group of personnel:

(1) General policies;

(2) Duties and responsibilities of each crewmember and appropriate members of the ground organization and management personnel;

(3) Reference to appropriate regulations prescribed by the Federal Aviation Agency;

(4) Flight control, or flight following procedures;

(5) En route flight, navigational, and communication procedures, including procedures for the release or continuance of flight, if any item of equipment required for the particular type of operation becomes inoperative or unserviceable en route;

(6) Appropriate information from the operations specifications, including the area of operations authorized, the types of aircraft authorized, their crew complement, the type of operation (i.e., VFR, IFR, day, night) and other pertinent information;

(7) Appropriate information from the airport operations specification covering instrument approach procedures, landing and takeoff minimums, and other pertinent information for any airport to be used;

(8) Takeoff, en route, and landing weight limitations; or approved means of readily determining these limitations;

(9) Procedures for familiarizing passengers with the use of emergency equipment during flight;

(10) Emergency procedures and equipment;

(11) The method of designating succession of command of flight crewmembers;

(12) Procedures for determining the usability of landing and takeoff areas and for dissemination of pertinent information to operations personnel;

(13) Procedures for operation during periods of icing, hail, thunderstorms, turbulence, or any potentially hazardous meteorological conditions;

(14) Airman training programs, including appropriate ground, flight, and emergency phases;

(15) Instructions and procedures for maintenance, repair, overhaul, and servicing;

(16) Time limitations for overhaul, inspection, and checks of airframes, engines, propellers, rotors, and appliances, or standards by which such time limitations shall be determined;

(17) Procedures for refueling aircraft, elimination of fuel contamination, protection from fire including electrostatic protection, and the supervision and protection of passengers during refueling;

(18) Inspections for airworthiness, including instructions covering procedures, standards, responsibilities, and authority of the inspection personnel;

(19) Methods and procedures for maintaining the aircraft weight and center of gravity within approved limits;

(20) Pilot airport qualification procedures;

(21) Accident notification procedures; and

(22) Other data or instructions related to safety.

(b) At least one complete master copy of the manual containing all parts thereof shall be retained at the appropriate operations base of the operator.

§ 42.52 Distribution of Operators Manual.

(a) Copies of the entire manual, or appropriate portions thereof, together with revisions thereto, shall be furnished by the operator to the following:

(1) Appropriate ground operations and maintenance personnel of the operator;

(2) Crewmembers; and

(3) Authorized representatives of the Administrator assigned to the operator.

(b) Appropriate portions of the manual shall be carried aboard each aircraft at all times when away from the principal base and be available for use of ground or flight personnel.

(c) All copies of the manual shall be kept up to date.

§ 42.53 Aircraft Flight Manual.

(a) The operator shall keep current an approved Aircraft Flight Manual for each type of transport category aircraft he operates.

(b) An approved Aircraft Flight Manual or a manual complying with § 42.50 and containing information required for the Aircraft Flight Manual shall be carried in each transport category aircraft. When sections of the required information from the Aircraft Flight Manual are incorporated in the Operations Manual, they shall be clearly identified as Aircraft Flight Manual requirements.

AIRCRAFT REQUIREMENTS

§ 42.60 Aircraft requirements.

(a) *General.* Aircraft shall be identified, certificated, and equipped in ac-

cordance with the applicable airworthiness requirements of this chapter (Civil Air Regulations). No operator shall use any aircraft in operations governed by this part unless such aircraft meets the requirements of this part, is in an airworthy condition, is registered as a civil aircraft of the United States, and carries an appropriate and currently effective certificate of airworthiness issued by the Administrator. In determining compliance with the applicable airworthiness requirements and operating limitations, an approved weight and balance control system based upon average, assumed, or estimated weights may be utilized.

(b) *Exclusive use of aircraft.* An operator shall not use any aircraft in operations subject to this part unless:

(1) The operator has the exclusive use of such aircraft;

(2) The aircraft is listed in the operations specifications of the operator; and

(3) The aircraft is not listed in the operations specifications of any other air carrier or commercial operator.

(c) *Notice required.* Within 10 days from the date that an operator does not have the exclusive use of an aircraft listed in its operations specifications, it shall notify the FAA Air Carrier Inspector assigned to its operations, and request an appropriate amendment deleting the aircraft from its operations specifications.

If the operator does not have the exclusive use of any aircraft, it no longer meets the requirements of this part, and the Administrator may, in appropriate cases, take action to suspend or revoke the operator's certificate.

§ 42.61 Aircraft certification requirements.

(a) *Airplanes certificated on or before June 30, 1942.* Airplanes certificated as a basic type on or before June 30, 1942, shall either:

(1) Retain their present airworthiness certification status and meet the requirements of § 42.90, or

(2) Comply with either the performance requirements of §§ 4a.737-T through 4a.750-T of Part 4a of this chapter (Civil Air Regulations) or the performance requirements of §§ 4b.110 through 4b.125 of Part 4b of this chapter (Civil Air Regulations) and in addition shall meet the requirements of § 42.70: *Provided*, That should any type be so qualified, all airplanes of any one operator of the same or related types must be similarly qualified and operated.

(b) *Airplanes certificated after June 30, 1942.* Airplanes certificated as a basic type after June 30, 1942, shall be certificated as transport category airplanes and shall meet the requirements of § 42.70.

(c) *Helicopters.* Helicopters shall be certificated and equipped in accordance with the requirements of §§ 46.60 through 46.231 of Part 46 of this chapter (Civil Air Regulations).

§ 42.62 Airplane limitation for type of route.

All airplanes used shall be multiengine airplanes and shall comply with the following requirements:

(a) *Two- or three-engine airplanes.* Two- or three-engine airplanes shall not be used in passenger-carrying operations unless adequate airports are so located along the route that the airplanes will at no time be at a greater distance therefrom than one hour of flying time in still air at normal cruising speed with one engine inoperative: *Provided*, That an authorized representative of the Administrator may specify distances greater or less than those set forth herein when the character of the terrain, the type of operation, or the performance of the airplanes to be used so permits or requires.

(b) *Land airplanes on extended overwater routes.* Land airplanes operated on flights involving extended overwater operations shall be certificated or approved as adequate for ditching in accordance with the ditching provisions of Part 4b of this chapter (Civil Air Regulations): *Provided*, That the DC-3, C-46, and Convair 340/440 type airplanes need not be so certificated or approved.

§ 42.63 Proving tests.

(a) A type of aircraft not previously approved for use by an air carrier or commercial operator shall have at least 100 hours of proving tests, in addition to the aircraft certification tests, accomplished under the supervision of an authorized representative of the Administrator. As part of the 100-hour total, at least 50 hours shall be flown in en route operation and at least 10 hours shall be flown at night.

(b) A type of aircraft which has been previously proved for use by an air carrier or commercial operator, or in the case of helicopters has been used extensively in military service, shall be tested for at least 50 hours, of which at least 25 hours shall be flown in en route operation, unless deviations are specifically authorized by an authorized representative of the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements of this paragraph unnecessary for safety, when the aircraft:

- (1) Is materially altered in design, or
- (2) Is to be used by an operator who has not previously proved such a type.

NOTE: A type of aircraft will be considered to be materially altered in design when the alterations include (a) installation of powerplants other than the powerplants of a type similar to those with which the aircraft is certificated; (b) a major alteration to the aircraft or its components which materially affects the flight characteristics.

(c) During proving tests only those persons required to make the tests and those designated by an authorized representative of the Administrator shall be carried. Mail, express and other cargo may be carried when approved.

AIRPLANE PERFORMANCE OPERATING LIMITATIONS; TRANSPORT CATEGORY

§ 42.70 Transport category airplane operating limitations.

(a) In operating any transport category airplane not subject to paragraph (b) of this section, the provisions of this paragraph and §§ 42.71 through 42.78 shall be complied with: *Provided*, That an authorized representative of the Administrator may authorize deviations

from such provisions when special circumstances of a particular case make a literal observance of the requirements unnecessary for safety.

NOTE: Deviations authorized will be specified in operations specifications of the operator.

(1) The performance data contained in the Airplane Flight Manual shall be applied in determining compliance with these provisions. Where conditions differ from those for which specific tests were made, compliance shall be determined by interpolation or by computation of the effects of changes in the specific variables where such interpolations or computations will give results substantially equaling in accuracy the results of a direct test.

(2) The airplane shall not be taken off at a weight which exceeds the allowable weight for the runway being used as determined in accordance with the takeoff runway limitations of the transport category operating rules of this part, after taking into account the temperature operating correction factors required by § 4a.749a-T or 4b.117 of this chapter (Civil Air Regulations), and set forth in the Airplane Flight Manual for the airplane.

(b) In operating any turbine-powered transport category airplane certificated in accordance with the performance requirements of Special Civil Air Regulations No. SR-422, SR-422A, or SR-422B, the operating rules specified in the applicable Special Civil Air Regulation shall be complied with in lieu of §§ 42.71 through 42.78.

§ 42.71 Weight limitations.

(a) No airplane shall be taken off from any airport located at an elevation outside of the altitude range for which maximum takeoff weights have been determined, and no airplane shall depart for an airport of intended destination or have any airport specified as an alternate which is located at an elevation outside of the altitude range for which maximum landing weights have been determined.

(b) The weight of the airplane at takeoff shall not exceed the authorized maximum takeoff weight for the elevation of the airport from which the takeoff is to be made.

(c) The weight at takeoff shall be such that, allowing for normal consumption of fuel and oil in flight to the airport of intended destination, the weight on arrival will not exceed the authorized maximum landing weight for the elevation of such airport.

§ 42.72 Takeoff limitations to provide for engine failure.

No airplane shall be taken off except under conditions which will permit compliance with the takeoff requirements of paragraphs (a) through (c) of this section.

(a) It shall be possible, from any point in the takeoff up to the time of attaining the critical-engine-failure speed, to bring the airplane to a safe stop on the runway as shown by the accelerate-stop distance data.

(b) It shall be possible, if the critical engine should fail at any instant after

the airplane attains the critical-engine-failure speed, to proceed with the takeoff and attain a height of 50 feet, as indicated by the takeoff path data, before passing over the end of the runway. Thereafter it shall be possible to clear all obstacles, either by at least 50 feet vertically, as shown by the takeoff path data, or by at least 200 feet horizontally within the airport boundaries and by at least 300 feet horizontally after passing beyond such boundaries. In determining the allowable deviation of the flight path in order to avoid obstacles by at least the distances above set forth, it shall be assumed that the airplane is not banked before reaching a height of 50 feet, as shown by the takeoff path data, and that a maximum bank thereafter does not exceed 15°.

(c) In applying the requirements of paragraphs (a) and (b) of this section, corrections shall be made for any gradient of the takeoff surface. To allow for wind effect, takeoff data based on still air may be corrected by not more than 50 percent of the reported wind component along the takeoff path if opposite to the direction of takeoff and shall be corrected by not less than 150 percent of the reported wind component if in the direction of takeoff.

§ 42.73 En route limitations; all engines operating.

No airplane shall be taken off at a weight in excess of that which would permit a rate of climb (expressed in feet per minute), with all engines operating, of at least $6 V_{SO}$ (when V_{SO} is expressed in miles per hour) at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within 10 miles on either side of the intended track. Transport category airplanes certificated under Part 4a of this chapter (Civil Air Regulations) are not required to comply with this section. For the purpose of this section, it shall be assumed that the weight of the airplane as it proceeds along its intended track is progressively reduced by normal consumption of fuel and oil.

§ 42.74 En route limitations; one engine inoperative.

(a) No airplane shall be taken off at a weight in excess of that which would permit a rate of climb (expressed in feet per minute), with one engine inoperative, of at least $\left(0.06 - \frac{0.08}{N}\right) V_{SO}^2$

(when N is the number of engines installed and V_{SO} is expressed in miles per hour) at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within 10 miles on either side of the intended track, except that for transport category airplanes certificated under Part 4a of this chapter (Civil Air Regulations), the rate of climb shall be $0.02 V_{SO}^2$.

(b) As an alternative to the provisions of paragraph (a) of this section, an operator may utilize an approved procedure whereby its airplanes are operated at an all-engines-operating altitude such that in the event of an engine failure the airplane can continue flight to an alternate airport where a landing

can be made in accordance with the provisions of § 42.78, the flight path clearing all terrain and obstructions along the route within 5 miles on either side of the intended track by at least 2,000 feet. In addition, if such a procedure is utilized, subparagraphs (1) through (6) of this paragraph shall be complied with:

(1) The rate of climb (as presented in the Airplane Flight Manual) for the appropriate weight and altitude used in calculating the airplane's flight path shall be diminished by an amount, in feet per minute, equal to $\left(0.06 - \frac{0.08}{N}\right) V_{SO}^2$

(when N is the number of engines installed and V_{SO} is expressed in miles per hour) for airplanes certificated under Part 4b of this chapter (Civil Air Regulations) and by $0.02 V_{SO}^2$ for airplanes certificated under Part 4a of this chapter (Civil Air Regulations).

(2) The all-engines-operating altitude shall be such that, in the event the critical engine becomes inoperative at any point along the route, the flight will be capable of proceeding to a predetermined alternate airport by use of this procedure. For the purpose of determining the takeoff weight, the airplane shall be assumed to pass over the critical obstruction following engine failure at a point no closer to the critical obstruction than the nearest approved radio navigational fix: *Provided*, That a procedure established on a different basis will be approved if the operator shows that adequate operational safeguards exist.

(3) The airplane shall meet the provisions of paragraph (a) of this section at 1,000 feet above the airport used as an alternate in this procedure.

(4) The procedure shall include an approved method of accounting for winds and temperatures which would otherwise adversely affect the flight path.

(5) In complying with this procedure, fuel jettisoning will be approved if the operator shows that it has an adequate training program, proper instructions are given to the flight crew, and all other precautions are taken to insure a safe procedure.

(6) The alternate airport shall be specified in the dispatch or flight release and shall meet the provisions of § 42.390.

(c) For the purposes of this section it shall be assumed that the weight of the airplane as it proceeds along its intended track is progressively reduced by normal consumption of fuel and oil.

§ 42.75 En route limitations; two engines inoperative.

The provisions of this section shall apply only to airplanes certificated in accordance with the performance requirements of Part 4b of this chapter (Civil Air Regulations). No airplane having four or more engines shall be flown along an intended track except under the conditions of either paragraph (a) or (b) of this section.

(a) No place along the intended track shall be more than 90 minutes away from an available landing area at which a landing can be made in accordance with the requirements of § 42.78, assuming all engines to be operating at cruising power.

(b) The takeoff weight shall not be greater than that which would permit the airplane, with the two critical engines inoperative, to have a rate of climb in feet per minute equal to $0.01 V_{SO}^2$ (V_{SO} being expressed in miles per hour) along all points of the route, from the point where the two engines are assumed to fail simultaneously to the landing area, either at an altitude of 1,000 feet above the elevation of the highest ground or obstruction within 10 miles on either side of the intended track or at an altitude of 5,000 feet, whichever is higher. The point where the two engines are assumed to fail shall be that point along the route which is most critical with respect to the takeoff weight. In showing compliance with this prescribed rate of climb, subparagraphs (1) through (3) of this paragraph shall apply:

(1) It shall be permissible to consider that the weight of the airplane as it proceeds along its intended track is progressively reduced by normal consumption of fuel and oil with all engines operating up to the point where the two engines are assumed to fail and with two engines operating beyond that point.

(2) Where the engines are assumed to fail at an altitude above the prescribed minimum altitude, compliance with the prescribed rate of climb at the prescribed minimum altitude need not be shown during the descent from the cruising altitude to the prescribed minimum altitude if, at the end of the descent and during the subsequent portion of the flight, the prescribed rate of climb is met at the prescribed minimum altitudes. The descent shall be assumed to be along a net flight path and the rate of descent for the appropriate weight and altitude shall be assumed to be $0.01 V_{SO}^2$ greater than indicated by the performance information approved by the Administrator.

(3) If fuel jettisoning is provided, the airplane's weight at the point where the two engines are assumed to fail shall be considered to be not less than that which would include sufficient fuel to proceed to an available landing area at which a landing can be made in accordance with the requirements of § 42.78 and to arrive there at an altitude of at least 1,000 feet directly over the landing area.

§ 42.76 Special en route limitations.

The 10-mile lateral distance specified in §§ 42.73 through 42.75 may, for a distance of no more than 20 miles, be reduced to 5 miles, if operating VFR, or if air navigational facilities are so located as to provide a reliable and accurate identification of any high ground or obstruction located outside of such 5-mile lateral distance but within the 10-mile distance.

§ 42.77 Landing distance limitations; airport of destination.

No airplane shall be taken off at a weight in excess of that which, under the conditions stated in this part, would permit the airplane to be brought to rest at the field of intended destination within 60 percent of the effective length of the runway from a point 50 feet directly above the intersection of the obstruction

clearance plane and the runway. For the purpose of this section, it shall be assumed that the takeoff weight of the airplane is reduced by the weight of the fuel and oil expected to be consumed in flight to the field of intended destination.

(a) It shall be assumed that the airplane is landed on the runway with the greatest effective length in still air.

(b) It shall be assumed, considering the probable wind velocity and direction, that the airplane is landed on the most suitable runway, taking due account of the ground handling characteristics of the airplane type involved and other conditions (e.g., landing aids, terrain, etc.) and allowing for the effect on the landing path and roll of not more than 50 percent of the wind component along the landing path if opposite to the direction of landing, or not less than 150 percent of the wind component if in the direction of landing.

(c) If the airport of intended destination will not permit full compliance with paragraph (b) of this section, the airplane may be taken off if an alternate airport is designated which permits compliance with § 42.78.

§ 42.78 Landing distance limitations; alternate airports.

No airport shall be designated as an alternate airport in a dispatch or flight release unless the airplane at the weight anticipated at the time of arrival at such airport can comply with the requirements of § 42.77: *Provided*, That the airplane can be brought to rest within 70 percent of the effective length of the runway.

AIRPLANE PERFORMANCE OPERATING LIMITATIONS; NONTRANSPORT CATEGORY

§ 42.90 Nontransport category airplane operating limitations.

In operating any nontransport category airplane, the provisions of § 42.91 shall be complied with: *Provided*, That an authorized representative of the Administrator may authorize deviations from such provisions when the special circumstances of a particular case make a literal observance of the requirements unnecessary for safety. Approved performance data only shall be used in determining compliance with the provisions of §§ 42.91 through 42.94.

NOTE: Deviations authorized will be specified in operations specifications of the operator.

§ 42.91 Takeoff limitations.

No takeoff shall be made at a weight in excess of that which will permit the airplane to be brought to a safe stop within the effective length of the runway from any point during the takeoff up to the time of attaining 105 percent of minimum control speed or 115 percent of the power-off stalling speed in the takeoff configuration, whichever is the greater. In applying the requirements of this section:

(a) It may be assumed that takeoff power is used on all engines during the acceleration;

(b) Account may be taken of not more than 50 percent of the reported wind component along the takeoff path if op-

posite to the direction of takeoff, and account shall be taken of not less than 150 percent of the reported wind component if in the direction of the takeoff;

(c) Account shall be taken of the average runway gradient when the average gradient is greater than $\frac{1}{2}$ percent. The average runway gradient is the difference between the elevations of the end points of the runway divided by the total length; and

(d) It shall be assumed that the airplane is operating in the standard atmosphere.

§ 42.92 En route limitations; one engine inoperative.

(a) No takeoff shall be made at a weight in excess of that which will permit the airplane to climb at a rate of at least 50 feet per minute with the critical engine inoperative at an altitude of at least 1,000 feet above the elevation of the highest obstacle within 5 miles on either side of the intended track or at an altitude of 5,000 feet, whichever is the higher: *Provided*, That in the alternative an operator may utilize a procedure whereby the airplane is operated at an altitude such that, in event of an engine failure, the airplane can clear the obstacles within 5 miles on either side of the intended track by 1,000 feet, if the operator shows that such a procedure can be used without impairing the safety of operation. If such a procedure is utilized, the rate of descent for the appropriate weight and altitude shall be assumed to be 50 feet per minute greater than indicated by the approved performance data. Before approving such a procedure, the authorized representative of the Administrator shall take into account, for the particular route, route segment, or areas concerned, the reliability of wind and weather forecasting, the location and types of aids to navigation, the prevailing weather conditions, particularly the frequency and amount of turbulence normally encountered, terrain features, air traffic control problems, and all other operational factors which affect the safety of an operation utilizing such a procedure.

(b) In applying the requirements of paragraph (a) of this section, it shall be assumed that:

(1) The critical engine is inoperative;

(2) The propeller of the inoperative engine is in the minimum drag position;

(3) The wind flaps and landing gear are in the most favorable positions;

(4) The operative engine or engines are operating at the maximum continuous power available;

(5) The airplane is operating in the standard atmosphere; and

(6) The weight of the airplane is progressively reduced by the weight of the anticipated consumption of fuel and oil.

§ 42.93 Landing distance limitations; airport of intended destination.

No takeoff shall be made at a weight in excess of that which, allowing for the anticipated weight reduction due to consumption of fuel and oil, will permit the airplane to be brought to a stop within 60 percent of the effective length of the

most suitable runway at the airport of intended destination.

(a) This weight shall in no instance be greater than that permissible if the landing were to be made:

(1) On the runway with the greatest effective length in still air; and

(2) On the runway required by the probable wind, taking into account not more than 50 percent of the probable headwind component and not less than 150 percent of the probable tailwind component.

(b) In applying the requirements of this section it shall be assumed that:

(1) The airplane passes directly over the intersection of the obstruction clearance plane and the runway at a height of 50 feet in a steady gliding approach at a true indicated air speed of at least 1.3 V_{SO} ;

(2) The landing is made in such a manner that it does not require any exceptional degree of skill on the part of the pilot; and

(3) The airplane is operating in the standard atmosphere.

§ 42.94 Landing distance limitations; alternate airports.

No airport shall be designated as an alternate airport in a dispatch or flight release unless the airplane at the weight anticipated at the time of arrival at such airport can comply with the requirements of § 42.93: *Provided*, That the airplane can be brought to rest within 70 percent of the effective length of the runway.

SPECIAL AIRWORTHINESS REQUIREMENTS

§ 42.110 Special airworthiness requirements.

All airplanes powered by engines rated at more than 600 horsepower each for maximum continuous operation and which have not been certificated in accordance with the provisions of Part 4b of this chapter (Civil Air Regulations) in effect on or after November 1, 1946, shall comply with the requirements contained in §§ 42.111 through 42.154: *Provided*, That, if the representative of the Administrator finds that in particular models of existing airplanes used in cargo service, literal compliance with specific items of these requirements might be extremely difficult of accomplishment and that such compliance would not contribute materially to the objective sought, he may accept such measures of compliance as he finds will effectively accomplish the basic objectives of the regulations of this part.

§ 42.111 Susceptibility of materials to fire.

The Administrator shall prescribe the heat conditions and testing procedures which any specific material or individual part must meet where necessary for the purpose of applying the following defined terms: fireproof, fire-resistant, flame-resistant, flash-resistant, and flammable.

§ 42.112 Cabin interiors.

All compartments occupied or used by the crew or passengers shall comply with paragraph (a) through (d) of this section.

(a) Material shall in no case be less than flash-resistant.

(b) The wall and ceiling linings, the covering of all upholstery, floors, and furnishings shall be flame-resistant.

(c) Compartments where smoking is to be permitted shall be equipped with ash trays of the self-contained type which are completely removable. All other compartments shall be placarded against smoking.

(d) All receptacles for used towels, papers, and wastes shall be of fire-resistant material and shall incorporate covers or other provisions for containing possible fires started in the receptacles.

§ 42.113 Internal doors.

Where internal doors are equipped with louvres or other ventilating means, provision convenient to the crew shall be made for closing the flow of air through the door when such action is found necessary.

§ 42.114 Ventilation.

All passenger and crew compartments shall be suitably ventilated. Carbon monoxide concentration shall not exceed one part in 20,000 parts of air, and fuel fumes shall not be present. Where partitions between compartments are equipped with louvres or other means allowing air to flow between such compartments, provision convenient to the crew shall be made for closing the flow of air through the louvres or other means when such action is found necessary.

§ 42.115 Fire precautions.

Each compartment shall be designed so that, when used for the purpose of storing cargo or baggage, it shall comply with all of the requirements prescribed for cargo or baggage compartments. It shall include no controls, wiring, lines, equipment, or accessories the damage or failure of which would affect the safe operation of the airplane, unless such item is adequately shielded, isolated, or otherwise protected so that it cannot be damaged by movement of cargo in the compartment, and so that any breakage or failure of such item would not create a fire hazard in the compartment. Provision shall be made to prevent cargo or baggage from interfering with the functioning of the fire-protective features of the compartment. All materials used in the construction of cargo or baggage compartments, including tie-down equipment, shall be flame-resistant or better. In addition, all cargo and baggage compartments shall include provisions for safeguarding against fire according to the following classifications:

(a) *Class A.* Cargo and baggage compartments shall be classified in the "A" category if presence of a possible fire therein can be readily discernible to a member of the crew while at this station, and if all parts of the compartment are easily accessible in flight. A hand fire extinguisher shall be available for such compartment.

(b) *Class B.* Cargo and baggage compartments shall be classified in the "B" category if sufficient access is provided while in flight to enable a member of the crew to reach effectively all parts of the compartment and its contents with a

hand fire extinguisher. Furthermore, the design of the compartment shall be such that, when the access provisions are being used, no hazardous quantity of smoke, flames, or extinguishing agent will enter any compartment occupied by the crew or passengers. Each compartment in this category shall be equipped with a separate system of an approved type smoke detector or fire detector to give warning at the pilot or flight engineer station. Hand fire extinguishers shall be readily available for use in all compartments of this category. Compartments in this category shall be completely lined with fire-resistant material, except that additional service lining of flame-resistant material may be employed.

(c) *Class C.* Cargo and baggage compartments shall be classified in either the "C", "D", or "E" category, if they do not conform with the requirements for the "A" or "B" categories. Each compartment of the "C" category shall be equipped with: (1) a separate system of an approved type smoke or fire detector to give warning at the pilot or flight engineer station, and (2) an approved built-in fire-extinguishing system controlled from the pilot or flight engineer station. Means shall be provided to exclude hazardous quantities of smoke, flames, or extinguishing agent from entering into any compartment occupied by the crew or passengers. Ventilation and drafts shall be further controlled within each such cargo or baggage compartment to the extent that the extinguishing agent provided can control any fire which may start within the compartment. All cargo and baggage compartments of this category shall be completely lined with fire-resistant material, except that additional service lining of flame-resistant material may be employed.

(d) *Class D.* Cargo and baggage compartments shall be classified in the "D" category if they are so designed and constructed that a fire occurring therein will be completely confined without endangering the safety of the airplane or the occupants. Compliance shall be shown with subparagraphs (1) through (4) of this paragraph.

(1) Means shall be provided to exclude hazardous quantities of smoke, flames, or other noxious gases from entering into any compartment occupied by the crew or passengers.

(2) Ventilation and drafts shall be controlled within each compartment so that any fire likely to occur in the compartment will not progress beyond safe limits.

NOTE: For compartments having a volume not in excess of 500 cubic feet, an airflow of not more than 1,500 cubic feet per hour is considered acceptable. For larger compartments lesser airflow may be applicable.

(3) The compartment shall be completely lined with fire-resistant material.

(4) Consideration shall be given to the effect of heat within the compartment on adjacent critical parts of the airplane.

(e) *Class E.* On airplanes used for the carriage of cargo only it shall be acceptable to classify the cabin area as

a Class "E" compartment. Compliance shall be shown with subparagraphs (1) through (5) of this paragraph.

(1) The compartment shall be completely lined with fire-resistant material.

(2) The compartment shall be equipped with a separate system of an approved type smoke or fire detector to give warning at the pilot or flight engineer station.

(3) Means shall be provided to shut off the ventilating airflow to or within the compartment. Controls for such means shall be accessible to the flight crew in the crew compartment.

(4) Means shall be provided to exclude hazardous quantities of smoke, flames, or noxious gases from entering the flight crew compartment.

(5) Required crew emergency exits shall remain accessible under all cargo loading conditions.

§ 42.116 Proof of compliance.

Compliance with those provisions of § 42.115 which refer to compartment accessibility, the entry of hazardous quantities of smoke or extinguishing agent into compartments occupied by the crew or passengers, and the dissipation of the extinguishing agent in category "C" compartments shall be demonstrated by tests in flight. It shall also be demonstrated during these tests that no inadvertent operation of smoke or fire detectors in adjacent or other compartments within the airplane would occur as a result of fire contained in any one compartment, either during or after extinguishment, unless the extinguishing system floods such compartments simultaneously.

§ 42.117 Propeller deicing fluid.

If combustible fluid is used for propeller deicing, the provisions of § 42.131 shall be complied with.

§ 42.118 Pressure cross-feed arrangements.

Pressure cross-feed lines shall not pass through portions of the airplane devoted to carrying personnel or cargo unless means are provided to permit the flight personnel to shut off the supply of fuel to these lines, or unless the lines are enclosed in a fuel- and fume-proof enclosure that is ventilated and drained to the exterior of the airplane. Such enclosures need not be used if these lines incorporate no fittings on or within the personnel or cargo areas and are suitably routed or protected to safeguard against accidental damage. Lines which can be isolated from the remainder of the fuel system by means of valves at each end shall incorporate provisions for the relief of excessive pressures that may result from exposure of the isolated line to high ambient temperatures.

§ 42.119 Location of fuel tanks.

Location of fuel tanks shall comply with the provisions of § 42.132. In addition, no portion of engine nacelle skin which lies immediately behind a major air egress opening from the engine compartment shall act as the wall of an integral tank. Fuel tanks shall be isolated from personnel compartments by means of fume- and fuel-proof enclosures.

§ 42.120 Fuel system lines and fittings.

Fuel lines shall be installed and supported in a manner that will prevent excessive vibration and will be adequate to withstand loads due to fuel pressure and accelerated flight conditions. Lines which are connected to components of the airplane between which relative motion may exist shall incorporate provisions for flexibility. Flexible connections in lines which may be under pressure and subjected to axial loading shall employ flexible hose assemblies rather than hose clamp connections. Flexible hose shall be of an acceptable type or proven suitable for the particular application.

§ 42.121 Fuel lines and fittings in designated fire zones.

Fuel lines and fittings in all designated fire zones (see § 42.131) shall comply with the provisions of § 42.134.

§ 42.122 Fuel valves.

In addition to the requirements contained in § 42.133 for shutoff means, all fuel valves shall be provided with positive stops or suitable index provisions in the "on" and "off" positions and shall be supported in such a manner that loads resulting from their operation or from accelerated flight conditions are not transmitted to the lines connected to the valve.

§ 42.123 Oil lines and fittings in designated fire zones.

Oil lines and fittings in all designated fire zones (see § 42.131) shall comply with the provisions of § 42.134.

§ 42.124 Oil valves.

Requirements of § 42.133 for shutoff means shall be complied with. Closing of oil shutoff means shall not prevent feathering the propeller, unless the equivalent safety provisions are incorporated. All oil valves shall be provided with positive stops or suitable index provisions in the "on" and "off" positions, and shall be supported in such a manner that loads resulting from their operation or from accelerated flight conditions are not transmitted to the lines attached to the valve.

§ 42.125 Oil system drains.

Accessible drains shall be provided to permit safe drainage of the entire oil system and shall incorporate either a manual or automatic means for positive locking in the closed position. (See also § 42.135.)

§ 42.126 Engine breather line.

Engine breather lines shall be so arranged that condensed water vapor which may freeze and obstruct the line cannot accumulate at any point. Breathers shall discharge in a location which will not constitute a fire hazard in case foaming occurs and so that oil emitted from the line will not impinge upon the pilots' windshield. The breather shall not discharge into the engine air induction system. (See also § 42.135.)

§ 42.127 Firewalls.

All engines, auxiliary power units, fuel-burning heaters, and other combustion

equipment which are intended for operation in flight shall be isolated from the remainder of the airplane by means of firewalls or shrouds, or other equivalent means.

§ 42.128 Firewall construction.

Firewalls and shrouds shall be constructed in such a manner that no hazardous quantity of air, fluids, or flame can pass from the engine compartment to other portions of the airplane. All openings in the firewall or shroud shall be sealed with close-fitting fireproof grommets, bushings, or firewall fittings. Firewalls and shrouds shall be constructed of fireproof material and shall be protected against corrosion. The following materials have been found to comply with this requirement:

(a) Heat and corrosion resistant steel 0.015 inch thick;

(b) Low carbon steel, suitably protected against corrosion, 0.018 inch thick.

§ 42.129 Cowling.

Cowling shall be constructed and supported in such a manner as to be capable of resisting all vibration, inertia, and air loads to which it may normally be subjected. Provision shall be made to permit rapid and complete drainage of all portions of the cowling in all normal ground and flight altitudes. Drains shall not discharge in locations constituting a fire hazard. Cowling, unless otherwise specified by these regulations, shall be constructed of fire-resistant material. Those portions of the cowling which are subjected to high temperatures due to their proximity to exhaust system parts or exhaust gas impingement shall be constructed of fireproof material.

§ 42.130 Engine accessory section diaphragm.

Unless equivalent protection can be demonstrated by other means, a diaphragm shall be provided on air-cooled engines to isolate the engine power section and all portions of the exhaust system from the engine accessory compartment. This diaphragm shall comply with the provisions of § 42.128.

§ 42.131 Powerplant fire protection.

Engine accessory sections, installations where no isolation is provided between the engine and accessory compartment, also regions wherein lie auxiliary power units, fuel-burning heaters, and other combustion equipment shall be referred to as designated fire zones. Such zones shall be protected from fire by compliance with §§ 42.132 through 42.135.

§ 42.132 Flammable fluids.

No tanks or reservoirs which are a part of a system containing flammable fluids or gases shall be located in designated fire zones, except where the fluid contained, the design of the system, the materials used in the tank, the shutoff means, and all connections, lines, and controls are such as to provide equivalent safety. Not less than ½ inch of clear airspace shall be provided between any tank or reservoir and a firewall or shroud isolating a designated fire zone.

§ 42.133 Shutoff means.

Means for each individual engine shall be provided for shutting off or otherwise preventing hazardous quantities of fuel, oil, deicer, and other flammable fluids from flowing into, within, or through any designated fire zone, except that means need not be provided to shut off flow in lines forming an integral part of an engine. In order to facilitate rapid and effective control of fires, such shutoff means shall permit an emergency operating sequence which is compatible with the emergency operation of other equipment, such as feathering the propeller. Shutoff means shall be located outside of designated fire zones, unless equivalent safety is provided (see § 42.132), and it shall be shown that no hazardous quantity of such flammable fluid will drain into any designated fire zone after shutting off has been accomplished. Adequate provisions shall be made to guard against inadvertent operation of the shutoff means and to make it possible for the crew to reopen the shutoff means after it has once been closed.

§ 42.134 Lines and fittings.

All lines and fittings for same located in designated fire zones which carry flammable fluids or gases and which are under pressure, or which attach directly to the engine, or are subject to relative motion between components, exclusive of those lines and fittings forming an integral part of the engine, shall be flexible, fire-resistant lines with fire-resistant, factory-fixed, detachable, or other approved fire-resistant ends. Lines and fittings which are not subject to pressure or to relative motion between components shall be of fire-resistant materials.

§ 42.135 Vent and drain lines.

All vent and drain lines and fittings for same located in designated fire zones and which carry flammable fluids or gases shall comply with the provisions of § 42.134, if an authorized representative of the Administrator finds that rupture or breakage of a particular drain or vent line may result in a fire hazard.

§ 42.136 Fire-extinguishing systems.

(a) Unless the operator shows that equivalent protection against destruction of the airplane in case of fire is provided by the use of fireproof materials in the nacelle and other components which would be subjected to flame, fire-extinguishing systems shall be provided to serve all designated fire zones.

(b) Materials in the fire-extinguishing system shall not react chemically with the extinguishing agent so as to constitute a hazard.

§ 42.137 Fire-extinguishing agents.

Extinguishing agents employed shall be methyl bromide, carbon dioxide, or any other agent which has been demonstrated to provide equivalent extinguishing action. If methyl bromide or any other toxic extinguishing agent is employed, provisions shall be made to prevent the entrance of harmful concentrations of fluid or fluid vapors into any personnel compartment either due to leakage during normal operation of the

airplane or as a result of discharging the fire extinguisher on the ground or in flight when a defect exists in the extinguisher system. If a methyl bromide system is provided, the containers shall be charged with dry agent and shall be sealed by the fire-extinguisher manufacturer or any other party employing satisfactory recharging equipment. If carbon dioxide is used, it shall not be possible to discharge sufficient gas into personnel compartments to constitute a hazard from the standpoint of suffocation of the occupants.

§ 42.138 Extinguishing agent container pressure relief.

Extinguishing agent containers shall be provided with a pressure relief to prevent bursting of the container due to excessive internal pressures. The discharge line from the relief connection shall terminate outside the airplane in a location convenient for inspection on the ground. An indicator shall be provided at the discharge end of the line to provide a visual indication when the container has discharged.

§ 42.139 Extinguishing agent container compartment temperature.

Precautions shall be taken to insure that the extinguishing agent containers are installed in locations where reasonable temperatures can be maintained for effective use of the extinguishing system.

§ 42.140 Fire-extinguishing system materials.

All components of fire-extinguishing systems located in designated fire zones shall be constructed of fireproof materials, except for connections which are subject to relative motion between components of the airplane, in which case they shall be of flexible fire-resistant construction so located as to minimize the possibility of failure.

§ 42.141 Fire-detector systems.

Quick-acting fire detectors shall be provided in all designated fire zones and shall be sufficient in number and location to insure the detection of fire which may occur in such zones.

§ 42.142 Fire detectors.

Fire detectors shall be constructed and installed in such a manner as to insure their ability to resist without failure all vibration, inertia, and other loads to which they may normally be subjected. Detectors shall be unaffected by exposure to oil, water, or other fluids or fumes which may be present.

§ 42.143 Protection of other airplane components against fire.

All airplane surfaces aft of the nacelles in the region of one nacelle diameter on both sides of the nacelle centerline shall be constructed of fire-resistant material. This provision need not be applied to tail surfaces lying behind nacelles unless the dimensional configuration of the airplane is such that the tail surfaces could be affected readily by heat, flames, or sparks emanating from a designated fire zone or engine compartment of any nacelle.

§ 42.150 Control of engine rotation.

All airplanes shall be provided with means for individually stopping and restarting the rotation of any engine in flight, except that for turbine engine installations means for completely stopping the rotation need be provided only if an authorized representative of the Administrator finds that rotation could jeopardize the safety of the airplane.

§ 42.151 Fuel system independence.

Airplane fuel systems shall be arranged in such manner that the failure of any one component will not result in the irrecoverable loss of power of more than one engine. A separate fuel tank need not be provided for each engine if the operator shows that the fuel system incorporates features which provide equivalent safety.

§ 42.152 Induction system ice prevention.

Means for preventing the malfunctioning of each engine due to ice accumulation in the engine air induction system shall be provided for all airplanes.

§ 42.153 Carriage of cargo in passenger compartments.

Cargo shall not be carried in the passenger compartment of an airplane except as provided in either paragraph (a) or (b) of this section.

(a) Cargo carried aft of the foremost seated passengers shall be carried in an approved cargo bin. Approved cargo bins shall meet the minimum requirements of subparagraphs (1) through (8) of this paragraph.

(1) The bin shall be capable of withstanding the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by a factor of 1.15. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(2) The maximum weight of cargo which the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin shall be conspicuously marked on the bin.

(3) The bin shall not impose any load on the floor or other structure of the airplane which exceeds the structural load limitations of such components.

(4) The bin shall be attached to the seat tracks or to the floor structure of the airplane, and its attachments shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the airplane in which the bin is installed multiplied by either the factor 1.15 or the seat attachment factor specified for the airplane, whichever is greater. The combined weight of the bin and the maximum weight of cargo which may be carried in the bin shall be used to determine this strength.

(5) The bin shall not be installed in a position which restricts access to or use of any required emergency exit, or the use of the aisle in the passenger compartment.

(6) The bin shall be fully enclosed and constructed of material which is at least flame resistant.

(7) Suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions.

(8) The bin shall not be installed in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

(b) Cargo carried forward of the foremost seated passengers shall be carried either in approved cargo bins as specified in paragraph (a) of this section, or in accordance with the requirements of subparagraphs (1) through (5) of this paragraph.

(1) It shall be properly secured by means of safety belts or other tie-downs having sufficient strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions.

(2) It shall be packaged or covered in a manner to avoid possible injury to passengers.

(3) It shall not impose any load on seats or the floor structure which exceeds the structural load limitation for those components.

(4) It shall not be located in a position which restricts the access to or use of any required emergency or regular exit, or the use of the aisle in the passenger compartment.

(5) It shall not be located in a position which obscures any passenger's view of the "seat belt" or "no smoking" sign, nor shall any required exit sign be blocked from view, unless an auxiliary sign or other approved means for proper notification of such passenger is provided.

§ 42.154 Carriage of cargo in cargo compartments.

When cargo is carried in cargo compartments which are so designed as to require the physical entry of a crewmember to extinguish any fire which may occur during flight, the cargo shall be so loaded as to permit a crewmember to effectively reach all parts of the compartment with the contents of a hand fire extinguisher.

INSTRUMENTS AND EQUIPMENT FOR ALL OPERATIONS

§ 42.170 Airplane instruments and equipment for all operations.

(a) Instruments and equipment required by §§ 42.171 through 42.233 shall be approved and shall be installed in accordance with the provisions of the airworthiness requirements applicable to the instruments or equipment concerned.

(b) All airspeed indicators shall be calibrated in knots, and all airspeed limitations and related information contained in the Airplane Flight Manual and pertinent placards shall be expressed in knots.

(c) The following instruments and equipment shall be in operable condition prior to takeoff, except as provided in § 42.391(b) for continuance of flight with equipment inoperative:

(1) Instruments and equipment required to comply with airworthiness re-

quirements under which the airplane is type certificated and as required by the provisions of § 42.110 and §§ 42.150 through 42.154; and

(2) Instruments and equipment specified in §§ 42.171 through 42.179 for all operations, and the instruments and equipment specified in §§ 42.200 through 42.233 for the type of operation indicated, wherever these items are not already provided in accordance with subparagraph (1) of this paragraph.

NOTE: Instruments and equipment specified in §§ 42.171, 42.172, and 42.230 through 42.233 are approved in accordance with one or more of the following:

(a) As a part of the original airplane type design;

(b) Under applicable Technical Standard Orders and installed under original airplane type certification, or subsequent installation in accordance with airworthiness and alteration requirements (Parts 1 and 18 of this chapter (Civil Air Regulations)); or

(c) Under an FAA type certificate and installed under original airplane certification, or subsequent installation in accordance with airworthiness and alteration requirements (Parts 1 and 18 of this chapter (Civil Air Regulations)).

§ 42.171 Flight and navigational equipment for all airplane operations.

The following flight and navigational instruments and equipment are required for all airplane operations:

(a) An airspeed indicating system with heated pitot tube or equivalent means for preventing malfunction due to icing;

(b) Sensitive altimeter;

(c) Clock (sweep-second);

(d) Free-air temperature indicator;

(e) Gyroscopic bank-and-pitch indicator (artificial horizon);

(f) Gyroscopic rate-of-turn indicator combined with a slip-skid indicator (turn-and-bank indicator);

(g) Gyroscopic direction indicator (directional gyro or equivalent);

(h) Magnetic compass; and

(i) Vertical speed indicator (rate-of-climb indicator).

§ 42.172 Engine instruments for all airplane operations.

The following engine instruments are required for all operations, except that an authorized representative of the Administrator may permit or require different instrumentation for turbine-powered airplanes to provide equivalent safety:

(a) Carburetor air temperature indicator for each engine;

(b) Cylinder head temperature indicator for each air-cooled engine;

(c) Fuel pressure indicator for each engine;

(d) Fuel flowmeter or fuel mixture indicator for each engine not equipped with an automatic altitude mixture control;

(e) Means for indicating fuel quantity in each fuel tank to be used;

(f) Manifold pressure indicator for each engine;

(g) Oil pressure indicator for each engine;

(h) Oil quantity indicator for each oil tank when a transfer or separate oil reserve supply is used;

(i) Oil-in temperature indicator for each engine;

(j) Tachometer for each engine;

(k) An independent fuel pressure warning device for each engine or a master warning device for all engines with means for isolating the individual warning circuits from the master warning device; and

(l) A means shall be provided for each reversible propeller on airplanes equipped with reversible propellers which will indicate to the pilots when the propeller is in reverse pitch. Such means may be actuated at any point in the reversing cycle between the normal low pitch stop position and full reverse pitch. No indication shall be given at or above the normal low pitch stop position. The source of indication shall be actuated by the propeller blade angle or be directly responsive to the propeller blade angle.

§ 42.173 Emergency equipment for all airplane operations.

(a) *General.* The emergency equipment specified in this section is required for all operations and shall be inspected regularly in accordance with inspection periods established in the operations specifications to insure the continued serviceability and immediate readiness of such equipment for its intended emergency purposes. All required equipment shall be readily accessible to the crew, and the method of operation shall be plainly indicated. When such equipment is carried in compartments or containers, the compartments or containers shall be marked as to contents and date of last inspection.

(b) *Hand fire extinguishers for crew, passenger, and cargo compartments.* Hand fire extinguishers of an approved type shall be provided for use in crew, passenger, and cargo compartments in accordance with the requirements of subparagraphs (1) through (3) of this paragraph.

(1) The type and quantity of extinguishing agent shall be suitable for the type of fires likely to occur in the compartment where the extinguisher is intended to be used.

(2) At least one hand fire extinguisher shall be provided and conveniently located on the flight deck for use by the flight crew.

(3) At least one hand fire extinguisher shall be conveniently located in the passenger compartment of airplanes accommodating more than 6 but less than 31 passengers. On airplanes accommodating more than 30 passengers, at least 2 fire extinguishers shall be provided. None need be provided in passenger compartments of airplanes accommodating 6 or less persons.

NOTE: An approved type fire extinguisher is an extinguisher approved by the Underwriters' Laboratories, Inc., Factory Mutual Laboratories, Underwriters' Laboratories of Canada, or any other person whose approval is acceptable to the FAA, or an extinguisher which is otherwise approved in accordance with the provisions of § 4b.18 of Part 4b of this chapter (Civil Air Regulations).

(c) *First-aid equipment.* Approved first-aid kits as specified in Appendix A to this part for the treatment of injuries likely to occur in flight or in minor accidents shall be provided.

NOTE: See Appendix A for type and contents of first-aid kits.

(d) *Crash ax.* All airplanes shall be equipped with at least one crash ax.

(e) *Means for emergency evacuation.* On all passenger-carrying airplanes, at all emergency exits which are more than 6 feet from the ground with the airplane on the ground and with the landing gear extended, means shall be provided to assist the occupants in descending from the airplane. At floor level exits approved as emergency exits, such means shall be a chute or equivalent device suitable for the rapid evacuation of passengers. During flight time this means shall be in a position for immediate installation and ready use: *Provided*, That the requirements of this paragraph do not apply to emergency exits over the wing where the greatest distance from the lower sill of the exit to the wing surface does not exceed 36 inches.

(f) *Interior emergency exit markings.* (1) In all passenger-carrying airplanes, all passenger emergency exits, their means of access, and their means of opening shall be marked conspicuously. The identity and location of emergency exits shall be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening shall be marked on or adjacent to the emergency exit and shall be readable from a distance of 30 inches by a person with normal eyesight.

(2) In all passenger-carrying airplanes, a source or sources of light, with an energy supply independent of the main lighting system, shall be installed to illuminate all passenger emergency exit markings. Such lights shall be designed to function automatically in a crash landing and to continue to function thereafter and shall also be operable manually, or shall be designed only for manual operation and also to continue to function following a crash landing. When such lights require arming of the system to function automatically, the system shall be armed prior to each takeoff and landing. When such lights require manual operation to function, they shall be turned on prior to each takeoff and landing.

§ 42.174 Seats and safety belts for all occupants of airplanes.

(a) The operator shall provide and make available at all times during the takeoff, en route flight, and landing of an airplane which it is operating:

(1) An approved seat or berth for each person over 2 years of age aboard the airplane, and

(2) An approved safety belt for separate use by each person over 2 years of age aboard the airplane, except that two persons occupying a berth may be provided with one approved safety belt to be shared by both such persons, and two persons occupying a multiple lounge or divan seat may be provided with one approved safety belt to be shared by both such persons during en route flight only.

(b) During takeoff and landing of the airplane, each person on board shall occupy an approved seat or berth and secure themselves with the approved

safety belt provided for the occupant of such seat or berth, except that a person 2 years of age or less may be held by an adult person occupying a seat or berth. A safety belt provided for the occupant of a seat shall not be used by more than one adult during takeoff and landing.

§ 42.175 Miscellaneous equipment for all airplanes.

If protected fuses are installed on an airplane, spare fuses of a number approved for the particular airplane and appropriately described in the air carrier manual shall be carried aboard the airplane. In addition, the following equipment shall be installed in the airplane:

(a) Windshield wiper or equivalent for each pilot station.

(b) A power supply and distribution system capable of producing and distributing the load for all required instruments and equipment using an external power supply in the event of failure of any one power source or component of the power distribution system: *Provided*, That the use of common elements in the power distribution system will be approved if the operator shows that such elements are so designed as to be reasonably protected against malfunctioning. Engine-driven sources of energy, when used, shall be on separate engines.

NOTE: Any airplane power and distribution systems which meet the requirements of §§ 4b.606 (a), (b), and (c); 4b.612(c); 4b.622 (a) and (b); 4b.623(c); 4b.625; and 4b.650 (b) of this chapter (Civil Air Regulations) comply with the requirements of paragraph (c) of this section.

(c) Means for indicating the adequacy of the power being supplied to required flight instruments.

(d) Two independent static pressure systems, so vented to the outside atmospheric pressure that they will be least affected by airflow variation, moisture, or other foreign matter, and so installed as to be airtight except for the vent. When a means is provided for transferring an instrument from its primary operating system to an alternate system, such means shall include a positive positioning control and shall be marked to indicate clearly which system is being used.

(e) Means for locking all companion-way doors which separate passenger compartments from flight crew compartments. Keys for all doors which separate passenger compartments from other compartments having emergency exit provisions shall be readily available to all crewmembers. Any door which is the means of access to a required passenger emergency exit shall be placarded to indicate that it must be open during takeoff and landing. All doors which lead to compartments normally accessible to passengers and which are capable of being locked by passengers shall be provided with means for unlocking by the crew in the event of an emergency.

§ 42.176 Cockpit check procedure for all aircraft operations.

The operator shall provide for each type of aircraft an approved cockpit

check procedure. The approved procedures shall include all items necessary for flight crewmembers to check for safety prior to starting engines, prior to taking off, prior to landing, and in engine and system emergencies, and shall be so designed as to obviate the necessity for a flight crewmember to rely upon his memory for items to be checked. The approved procedure shall be readily usable in the cockpit of each aircraft and shall be followed by the flight crew when operating the aircraft.

§ 42.177 Passenger information for all airplane operations.

All airplanes shall be equipped with signs visible to the passengers and cabin attendants to notify such persons when smoking is prohibited and when safety belts should be fastened. These signs shall be capable of on-off operation by the crew and shall be placed in the "On position" for all takeoffs and landings, and when otherwise deemed necessary by the pilot in command. No passenger or cabin attendant will smoke while the no smoking sign is lighted and all passengers will fasten their seat belts and keep them fastened while the seat belt sign is lighted.

§ 42.178 Exterior exit and evacuation markings for all airplane operations.

The exterior surfaces of the airplane shall be marked to identify clearly all required emergency exits. When such exits are operable from the outside, markings shall consist of or include information indicating the method of opening.

§ 42.179 Shoulder harness.

All transport type airplanes certificated after January 1, 1958, shall be equipped with shoulder harnesses at the pilot in command, the second in command, and flight engineer stations.

INSTRUMENTS AND EQUIPMENT FOR SPECIAL OPERATIONS

§ 42.200 Instruments and equipment for airplane operations at night.

Each airplane operated at night shall be equipped with the following instruments and equipment in addition to those required by §§ 42.171 through 42.179:

(a) Position lights;

(b) An anticollision light for airplanes having a maximum certificated weight of more than 12,500 pounds;

(c) Two landing lights;

(d) Instrument lights providing sufficient illumination to make all required instruments, switches, etc., easily readable, so installed that their direct rays are shielded from the flight crewmembers' eyes and that no objectionable reflections are visible to them, and a means of controlling the intensity of illumination shall be provided unless it is shown that nondimming instrument lights are satisfactory;

(e) An airspeed indicating system with heated pitot tube or equivalent means for preventing malfunctioning due to icing; and

(f) A sensitive altimeter.

§ 42.201 Instruments and equipment for airplane operations under IFR or over-the-top.

Each airplane operated under IFR or over-the-top shall be equipped with the following instruments and equipment in addition to those required by §§ 42.171 through 42.179:

(a) An airspeed indicating system with heated pitot tube or equivalent means for preventing malfunctioning due to icing;

(b) A sensitive altimeter; and

(c) Instrument lights providing sufficient illumination to make all required instruments, switches, etc., easily readable, so installed that their direct rays are shielded from the flight crewmembers' eyes and that no objectionable reflections are visible to them, and a means of controlling the intensity of illumination shall be provided unless it is shown that nondimming instrument lights are satisfactory.

§ 42.202 Supplemental oxygen; reciprocating-engine-powered airplanes.

(a) *General.* Except where supplemental oxygen is provided in accordance with the requirements of § 42.203, supplemental oxygen shall be furnished and used as set forth in paragraphs (b) and (c) of this section. The amount of supplemental oxygen required for a particular operation to comply with the rules in this part shall be determined on the basis of flight altitudes and flight duration consistent with the operating procedures established for each such operation and route. As used in the oxygen requirements hereinafter set forth, "cabin pressure altitude" shall mean the pressure altitude corresponding with the pressure in the cabin of the airplane, and "flight altitude" shall mean the altitude above sea level at which the airplane is operated; for airplanes not equipped with pressurized cabins, "cabin pressure altitude" and "flight altitude" shall be considered identical.

(b) *Crewmembers.* (1) At cabin pressure altitudes above 10,000 feet to and including 12,000 feet, oxygen shall be provided for, and used by, each member of the flight crew on flight deck duty, and provided for all other crewmembers, during the portion of the flight in excess of 30 minutes within this range of altitudes.

(2) At cabin pressure altitudes above 12,000 feet, oxygen shall be provided for, and used by, each member of the flight crew on flight deck duty, and provided for all other crewmembers, during the entire flight time at such altitudes.

(3) When oxygen must be used by a flight crewmember, it shall be used continuously by such crewmember during the required periods, except when it is necessary to remove the oxygen mask or other dispenser in connection with his regular duties. Standby crewmembers who are on call or are definitely going to have flight deck duty prior to the completion of the flight shall be provided with the same amount of supplemental oxygen as is provided for crewmembers on duty other than on flight deck duty. If a standby crewmember is not on call and will not be on flight deck duty dur-

ing the remainder of the flight, such crewmember shall be considered as a passenger with regard to supplemental oxygen requirements.

(c) *Passengers.* Each operator shall provide a supply of oxygen approved for passenger safety in accordance with the following standards:

(1) For flights of over 30 minutes duration at cabin pressure altitudes above 8,000 feet to and including 14,000 feet, a supply of oxygen sufficient to furnish oxygen for 30 minutes to 10 percent of the number of passengers carried shall be required.

(2) For flights at cabin pressure altitudes above 14,000 feet to and including 15,000 feet, a supply of oxygen sufficient to provide oxygen for the duration of flight at such altitudes for 30 percent of the number of passengers carried shall generally be considered adequate.

(3) For flights at cabin pressure altitudes above 15,000 feet, a supply of oxygen sufficient to provide oxygen for each passenger carried during the entire flight at such altitudes shall be required.

§ 42.202-T Supplemental oxygen for sustenance; turbine-powered airplanes.

(a) *General.* When operating turbine-powered airplanes, sustaining oxygen and dispensing equipment shall be furnished by the operator for use as set forth in this section. The amount of oxygen provided shall be at least that quantity which will be necessary to comply with paragraphs (b) and (c) of this section. The amount of sustaining and first-aid oxygen required for a particular operation to comply with the rules in this part shall be determined on the basis of cabin pressure altitudes and flight duration consistent with the operating procedures established for each such operation and route. The requirements for airplanes with pressurized cabins shall be determined on the basis of cabin pressure altitude and the assumption that a cabin pressurization failure will occur at that altitude or point of flight which is most critical from the standpoint of oxygen need, and that after such failure the airplane will descend in accordance with the emergency procedures specified in the Airplane Flight Manual without exceeding its operating limitations to a flight altitude that will permit successful termination of the flight. Following such a failure the cabin pressure altitude shall be considered to be the same as the flight altitude unless it can be shown that no probable failure of the cabin or pressurization equipment will result in a cabin pressure altitude equal to the flight altitude, under which circumstances the maximum cabin pressure altitude attained may be used as a basis for certification and/or determination of oxygen supply.

(b) *Crewmembers.* A supply of oxygen for crewmembers shall be provided in accordance with the following requirements:

(1) At cabin pressure altitudes above 10,000 feet to and including 12,000 feet, oxygen shall be provided for, and used by, each member of the flight crew on flight deck duty, and provided for all

other crewmembers, during the portion of the flight in excess of 30 minutes within this range of altitudes.

(2) At cabin pressure altitudes above 12,000 feet, oxygen shall be provided for, and used by, each member of the flight crew on flight deck duty, and provided for all other crewmembers, during the entire flight at such altitudes.

(3) When oxygen must be used by a flight crewmember, it shall be used continuously by such crewmember during the required periods, except when it is necessary to remove the oxygen mask or other dispenser in connection with his regular duties. Standby crewmembers who are on call or are definitely going to have flight deck duty prior to the completion of the flight shall be provided with the same amount of supplemental oxygen as is provided for crewmembers on duty other than on flight deck duty. If a standby crewmember is not on call and will not be on flight deck duty during the remainder of the flight, such crewmember shall be considered as a passenger with regard to supplemental oxygen requirements.

(c) *Passengers.* A supply of oxygen for passengers shall be provided in accordance with the following requirements:

(1) For flights at cabin pressure altitudes above 10,000 feet to and including 14,000 feet, oxygen shall be provided for the duration of flight in excess of 30 minutes for 10 percent of the number of passengers carried;

(2) For flights at cabin pressure altitudes above 14,000 feet to and including 15,000 feet, oxygen shall be provided for the duration of flight at such altitude for 30 percent of the number of passengers carried; and

(3) For flights at cabin pressure altitudes above 15,000 feet, oxygen shall be provided for each occupant carried for the duration of flight at such altitude.

§ 42.203 Supplemental oxygen requirements for pressurized cabin airplanes; reciprocating-engine-powered airplanes.

When operating pressurized cabin airplanes, the operator shall so equip such airplanes as to permit compliance with the requirements of paragraphs (a) through (c) of this section in the event of cabin pressurization failure:

(a) *For crewmembers.* When operating such airplanes at flight altitudes above 10,000 feet, the operator shall provide sufficient oxygen for all crewmembers for the duration of the flight at such altitudes: *Provided*, That not less than a 2-hour supply of oxygen shall be provided for the flight crewmembers on flight deck duty. The oxygen supply required by § 42.205 may be considered in determining the supplemental breathing supply required for flight crewmembers on flight deck duty in the event of cabin pressurization failure.

(b) *For passengers.* When operating such airplanes at flight altitudes above 8,000 feet, the operator shall provide amounts of oxygen as required by subparagraphs (1) through (3) of this paragraph.

(1) When an airplane is not flown at a flight altitude of over 25,000 feet, a

supply of oxygen sufficient to furnish oxygen for 30 minutes to 10 percent of the number of passengers carried shall be considered adequate, if at any point along the route to be flown the airplane can safely descend to a flight altitude of 14,000 feet or less within 4 minutes.

(2) In the event that such airplane cannot descend to a flight altitude of 14,000 feet or less within 4 minutes, the following supply of oxygen shall be provided:

(i) For the duration of the flight in excess of 4 minutes at flight altitudes above 15,000 feet, a supply sufficient to comply with § 42.202(c) (3);

(ii) For the duration of the flight at flight altitudes above 14,000 feet to and including 15,000 feet, a supply sufficient to comply with § 42.202(c) (2); and

(iii) For flight at flight altitudes above 8,000 feet to and including 14,000 feet, a supply sufficient to furnish oxygen for 30 minutes to 10 percent of the number of passengers carried.

(3) When an airplane is flown at a flight altitude above 25,000 feet, sufficient oxygen shall be furnished in accordance with the following requirements to permit the airplane to descend to an appropriate flight altitude at which the flight can be safely conducted. Sufficient oxygen shall be furnished to provide oxygen for 30 minutes to 10 percent of the number of passengers carried for the duration of the flight above 8,000 feet to and including 14,000 feet and to permit compliance with § 42.202(c) (2) and (3) for flight above 14,000 feet.

(c) For purposes of this section it shall be assumed that the cabin pressurization failure will occur at a time during flight which is critical from the standpoint of oxygen need and that after such failure the airplane will descend, without exceeding its normal operating limitations, to flight altitudes permitting safe flight with respect to terrain clearance.

§ 42.203-T Supplemental oxygen for emergency descent and for first aid; turbine-powered airplanes with pressurized cabins.

(a) *General.* When operating turbine-powered airplanes with pressurized cabins, the operator shall furnish oxygen and dispensing equipment necessary to permit compliance with the requirements set forth in paragraphs (b) through (e) of this section in the event of cabin pressurization failure.

(b) *Crewmembers.* When operating at flight altitudes above 10,000 feet, oxygen shall be provided to permit compliance with § 42.202-T except that not less than a 2-hour supply be provided for the flight crewmembers on flight deck duty. The oxygen required by § 42.205 may be included in determining the supply required for flight crewmembers on flight deck duty in the event of cabin pressurization failure.

(c) *Use of oxygen masks by flight crewmembers.* (1) When operating at flight altitudes above 25,000 feet, each flight crewmember on flight deck duty shall be provided with an oxygen mask so designed that it is capable of being rapidly placed on the face from its ready position, properly secured, sealed, and supplying oxygen upon demand; and so

designed that upon completion of the donning action the oxygen mask does not prevent the flight crewmember from being able immediately to communicate with other crewmembers over the airplane intercommunication system. When not being used at flight altitudes above 25,000 feet, the oxygen mask shall be kept at all times in a condition for ready use and so located as to be within the immediate reach at all times of the flight crewmember while at his duty station.

(2) When operating at flight altitudes above 25,000 feet, one pilot at the controls of the airplane shall at all times wear and use an oxygen mask secured, sealed, and supplying oxygen: *Provided*, That the one pilot need not wear and use an oxygen mask while at or below 35,000 feet if each flight crewmember on flight deck duty is provided with a quick-donning type of oxygen mask which the operator has demonstrated to the satisfaction of an authorized representative of the Administrator is capable of being placed on the face from its ready position, properly secured, sealed, and supplying oxygen upon demand, with one hand and within 5 seconds. The operator shall also demonstrate that the donning of the mask can be accomplished without disturbing eyeglasses and without delaying the flight crewmember from proceeding with his assigned emergency duties. Upon completion of the donning action, the oxygen mask shall not prevent the flight crewmember from being able immediately to communicate with other crewmembers over the airplane intercommunication system.

(3) Notwithstanding the provisions in subparagraph (2) of this paragraph, when operating at flight altitudes above 25,000 feet, if at any time it is necessary for one pilot to leave his station at the controls of the airplane for any reason, the remaining pilot at the controls shall don and use his oxygen mask until the other pilot has returned to his duty station.

(4) Prior to takeoff of a flight, each flight crewmember shall personally preflight his oxygen equipment to insure that the oxygen mask is functioning, fitted properly, connected to appropriate supply terminals, and that the oxygen supply and pressure is adequate for use.

(d) *Use of portable oxygen equipment by cabin attendants.* Portable oxygen equipment of not less than a 15-minute oxygen supply shall be carried by each attendant during the entire time flight is conducted above 25,000 feet flight altitude, unless it is shown that sufficient portable oxygen units equipped with masks or spare outlets and masks are distributed throughout the cabin to insure immediate availability of oxygen to the cabin attendants regardless of their location at the time of cabin depressurization.

(e) *Passenger cabin occupants.* When operating at flight altitudes above 10,000 feet, the following supply of oxygen shall be provided for the use of passenger cabin occupants:

(1) When an airplane is certificated to operate at flight altitudes to and including 25,000 feet, and if at any point along the route to be flown the airplane

can descend safely to a flight altitude of 14,000 feet or less within 4 minutes, oxygen shall be available at the rate prescribed by this part for a 30-minute period for not less than 10 percent of the number of passenger cabin occupants carried.

(2) When an airplane is operated at flight altitudes to and including 25,000 feet and cannot descend safely to a flight altitude of 14,000 feet within 4 minutes, or when an airplane is operated at flight altitudes above 25,000 feet, oxygen shall be available at the rate prescribed by this part for not less than 10 percent of the number of passenger cabin occupants carried for the duration of flight following cabin depressurization at cabin pressure altitudes above 10,000 feet to and including 14,000 feet and, as applicable, to permit compliance with § 42.202-T(c) (2) and (3), except that not less than a 10-minute supply for all passenger cabin occupants shall be provided.

(3) For first-aid treatment of occupants who for physiological reasons might require undiluted oxygen following descent from cabin pressure altitudes above 25,000 feet, a supply of oxygen in accordance with the requirements of § 4b.651(b) (4) of Part 4b of this chapter (Civil Air Regulations) (see § 42.204) shall be provided for 2 percent of the occupants for the duration of flight following cabin depressurization at cabin pressure altitudes above 8,000 feet, but in no case to less than one person. An appropriate number of acceptable dispensing units, but in no case less than 2, shall be provided. Means shall be provided to enable the cabin attendants to use this supply.

(f) *Passenger briefing.* Before flight is conducted above 25,000 feet, a crewmember shall give instructions and demonstrations to the passengers sufficient to insure that all passengers are adequately informed regarding the location and operation of the oxygen-dispensing equipment and the necessity of using oxygen in the event of cabin depressurization.

§ 42.204 Equipment standards.

(a) *Reciprocating-engine-powered airplanes.* The oxygen apparatus, the minimum rates of oxygen flow, and the supply of oxygen necessary to comply with the requirements of § 42.202 shall meet the standards established in § 4b.651 of Part 4b of this chapter (Civil Air Regulations) effective July 20, 1950: *Provided*, That if the operator shows full compliance with such standards to be impracticable, an authorized representative of the Administrator may authorize such changes in these standards as he finds will provide an equivalent level of safety.

(b) *Turbine-powered airplanes.* The oxygen apparatus, the minimum rate of oxygen flow, and the supply of oxygen to comply with the requirements of §§ 42.202-T and 42.203-T shall meet the standards established in § 4b.651 of Part 4b of this chapter (Civil Air Regulations) effective September 1, 1958: *Provided*, That if the operator shows full compliance with such standards to be impracticable, an authorized representative of

the Administrator may authorize such changes in these standards as he finds will provide an equivalent level of safety.

§ 42.205 Protective breathing equipment for the flight crew.

(a) *Pressurized cabin airplanes.* Each required flight crewmember on flight deck duty shall have easily available at his station protective breathing equipment covering the eyes, nose, and mouth, or the nose and mouth where accessory equipment is provided to protect the eyes, to protect him from the effects of smoke, carbon dioxide, and other harmful gases. Not less than a 300-liter STPD supply of oxygen for each required flight crewmember on flight deck duty shall be provided for this purpose.

(b) *Nonpressurized cabin airplanes.* The requirement stated in paragraph (a) of this section shall apply to nonpressurized cabin airplanes if an authorized representative of the Administrator finds that it is possible to obtain a dangerous concentration of smoke, carbon dioxide, or other harmful gases in the flight crew compartments in any attitude of flight which might occur when the airplane is flown in accordance with either normal or emergency procedures.

§ 42.206 Equipment for extended overwater operations; airplanes.

(a) The following equipment shall be carried on an airplane used in extended overwater operations: *Provided*, That an authorized representative of the Administrator may by amending the operations specification of an operator require the carriage of all of the prescribed equipment, or any item thereof, for any operation over water, or upon application of an operator permit deviation from these requirements for a particular extended overwater operation:

- (1) A life preserver for each occupant of the airplane;
- (2) Life rafts sufficient in number and of such rated capacity and buoyancy as to accommodate all occupants of the airplane;
- (3) Suitable pyrotechnic signaling devices; and
- (4) One portable emergency radio signaling device, capable of transmission on the appropriate emergency frequency or frequencies, which is not dependent upon the airplane power supply and which is self-buoyant and water-resistant.

(b) All required life rafts, life preservers, and signaling devices shall be easily accessible in the event of a ditching without appreciable time for preparatory procedures. This equipment shall be installed in conspicuously marked approved locations.

(c) Survival kit, appropriately equipped for the route to be flown, shall be attached to each required life raft.

§ 42.207 Equipment for operations in icing conditions; airplanes.

(a) Unless an airplane is certificated in accordance with the transport category airworthiness requirements pertaining to ice protection, for operations in icing conditions it shall be equipped with means for the prevention or removal of ice on windshields, wings, empennage, propellers, and other parts of the air-

plane where ice formation will adversely affect the safety of the airplane.

(b) For operations in icing conditions at night, means shall be provided for illuminating or otherwise determining the formation of ice on the portions of the wings which are critical from the standpoint of ice accumulation. When illuminating means are used, such means shall be of a type which will not cause glare or reflection which would handicap crewmembers in the performance of their normal functions.

§ 42.208 Equipment for operations over uninhabited terrain; airplanes.

The following equipment shall be carried on an airplane used in operations over uninhabited areas and other areas in which an authorized representative of the Administrator finds that such equipment is necessary for search and rescue in the event of an emergency:

- (a) Suitable pyrotechnic signaling devices;
- (b) One portable emergency radio signaling device, capable of transmission on the appropriate emergency frequency or frequencies, which is not dependent upon the airplane power supply and which is self-buoyant and water-resistant; and
- (c) Sufficient survival kits, adequately equipped for the route to be flown, for the number of occupants of the airplane.

NOTE: When required, the areas are specified in the operations specifications of the operator.

§ 42.209 Equipment for operations on which specialized means of navigation are required; airplanes.

The operator shall show that sufficient and adequate airborne equipment is provided to permit navigation to be accomplished by the specialized method authorized for the particular route to be operated.

§ 42.210 Flight recorders; airplanes.

(a) An approved flight recorder which records at least time, altitude, airspeed, vertical acceleration, and heading shall be installed in accordance with the following requirements:

- (1) On all airplanes of more than 12,500 pounds maximum certificated takeoff weight which are certificated for operations above 25,000 feet altitude; and
- (2) On all turbine-powered airplanes of more than 12,500 pounds maximum certificated takeoff weight.

(b) When an approved flight recorder is installed, it shall be operated continuously from the instant the airplane commences the takeoff roll until it has completed the landing roll at an airport.

(c) Recorded information shall be retained by the operator for a period of at least 60 days. For a particular flight or series of flights, the information shall be retained for a longer period if requested by an authorized representative of the Administrator or the Civil Aeronautics Board.

RADIO EQUIPMENT

§ 42.250 Radio equipment; airplanes.

Each airplane used in operations subject to this part shall be equipped with

radio equipment specified for the type of operation in which it is engaged. Where two independent separate and complete radio systems are required by §§ 42.231 through 42.233, each system shall have an independent antenna installation: *Provided*, That where rigidly supported nonwire antennas or other antenna installations of equivalent reliability are used, only one such antenna need be provided.

§ 42.231 Radio equipment for operations under VFR over routes navigated by pilotage; airplanes.

(a) For operations conducted under VFR over routes on which navigation can be accomplished by pilotage, each airplane shall be equipped with such radio equipment as is necessary under normal operating conditions to fulfill the following functions:

- (1) Communicate with at least one appropriate ground station from any point on the route;
- (2) Communicate with appropriate traffic control facilities from any point in the control zone within which flights are intended; and
- (3) Receive meteorological information from any point en route by either of two independent systems. One of the means of compliance provide for compliance with this subparagraph may be employed for compliance with subparagraphs (1) and (2) of this paragraph.

(b) For all operations at night conducted under VFR over routes on which navigation can be accomplished by pilotage, each airplane shall be equipped with such radio equipment as is necessary under normal operating conditions to fulfill the functions specified in paragraph (a) of this section and to receive radio navigational signals applicable to the route to be flown, except that no marker beacon receiver or ILS receiver need be provided.

§ 42.232 Radio equipment for operations under VFR over routes not navigated by pilotage or for operations under IFR or over-the-top; airplanes.

(a) For operations conducted under VFR over routes on which navigation cannot be accomplished by pilotage or for operations conducted under IFR or over-the-top each airplane shall be equipped with such radio equipment as is necessary under normal operating conditions to fulfill the functions specified in § 42.231(a) and to receive satisfactorily, by either of two independent systems, radio navigational signals from all primary en route and approach navigational facilities intended to be used, except that only one marker beacon receiver which provides visual and aural signals and one ILS receiver need be provided. Equipment provided to receive signals en route may be used to receive signals on approach, if it is capable of receiving both signals.

(b) In the case of operation over routes on which navigation is based on low frequency radio range or automatic direction finding, only one low frequency radio range receiver or ADF receiver need be installed: *Provided*, That the airplane is equipped with two VOR receivers, and VOR navigational aids are

so located and the airplane is so fueled that, in the case of failure of the low frequency radio range receiver or ADF receiver, the flight may proceed safely to a suitable airport by means of VOR aids and complete an instrument let-down by use of the remaining airplane radio system.

(c) Wherever VOR navigational receivers are required by paragraph (a) or (b) of this section, at least one approved distance measuring equipment unit (DME), capable of receiving and indicating distance information from VORTAC facilities, shall be installed on each airplane when operated within the 48 contiguous United States and the District of Columbia at and above 24,000 feet MSL after June 30, 1963, and on each of the following airplanes, irrespective of the altitude flown, when operating within the 48 contiguous United States and the District of Columbia after the following dates:

(1) Turbojet airplanes—June 30, 1963;
(2) Turboprop airplanes—December 31, 1963;

(3) Pressurized reciprocating engine airplanes—June 30, 1964; and

(4) Other airplanes having a maximum certificated takeoff weight of more than 12,500 pounds—June 30, 1965.

(d) In the event that the distance measuring equipment (DME) becomes inoperative en route, the pilot shall notify Air Traffic Control of such failure as soon as it occurs.

§ 42.233 Radio equipment for extended overwater operations and for certain other operations; airplanes.

For the following operations, each airplane shall be equipped with such radio equipment as is necessary to fulfill the functions specified in § 42.232 and, in addition, by an independent system, the functions specified in § 42.231(a) (1):

(a) Extended overwater operations; and

(b) Operations for which an authorized representative of the Administrator finds such equipment to be necessary for search and rescue operations because of the character of the terrain to be flown over.

MAINTENANCE AND INSPECTION REQUIREMENTS

§ 42.240 Responsibility for maintenance.

Irrespective of whether the operator has made arrangements with any other person for the performance of maintenance and inspection functions, each operator shall have the primary responsibility for the airworthiness of its aircraft and required equipment.

§ 42.241 Maintenance and inspection requirements.

(a) The operator, or the person with whom arrangements have been made for the performance of maintenance and inspection functions, shall establish an adequate inspection organization responsible for determining that workmanship, methods employed, and material used are in conformity with the requirements of the regulations of this chapter (Civil Air Regulations), with accepted standards and good practices, and that any

airframe, engine, propeller, or appliance released for flight is airworthy. All maintenance, repairs, and alterations shall be accomplished in accordance with the applicable provisions of Part 18 of this chapter (Civil Air Regulations), and the Maintenance portion of the operator's manual and the operations specifications of the operator.

(b) Any individual who is directly in charge of inspection, maintenance, overhaul, or repair of any airframe, engine, propeller, or appliance shall hold an appropriate airman certificate.

§ 42.242 Maintenance and inspection training program.

The operator or the person with whom arrangements have been made for the performance of maintenance and inspection functions, shall establish and maintain a training program to insure that all maintenance and inspection personnel charged with determining the adequacy of work performed are fully informed with respect to all procedures and the techniques and with new equipment introduced into service, and are competent to perform their duties.

§ 42.243 Maintenance and inspection personnel duty time limitations.

Within the United States, its Territories and possessions, all maintenance and inspection personnel shall be relieved of all duty for a period of at least 24 consecutive hours during any 7 consecutive days or equivalent thereof within any one month.

AIRMAN AND CREWMEMBER REQUIREMENTS

§ 42.260 Utilization of airman.

(a) No operator shall utilize an individual as an airman unless he holds an appropriate and currently valid airman certificate issued by the Administrator and is otherwise qualified for the particular operation in which he is to be utilized. He shall have appropriate airman and medical certificates in his personal possession while engaged in operations under this part, and shall present the same for examination to any authorized representative of the Administrator upon request.

(b) No individual who has reached his 60th birthday shall be utilized or serve as a pilot on any airplane while engaged in operations under this part.

§ 42.261 Composition of flight crew.

(a) No operator shall operate an aircraft with less than the minimum flight crew specified in the airworthiness certificate or in the Aircraft Flight Manual approved for such type of aircraft and required by this part for the type of operation being conducted.

(b) Where the provisions of this part require the performance of two or more functions for which an airman certificate is necessary, such requirement shall not be satisfied by the performance of multiple functions at the same time by any airman.

(c) Where the operator is authorized to operate helicopters under instrument conditions, or operate any aircraft of more than 12,500 pounds maximum certificated takeoff weight, the minimum pilot flight crew shall be 2 pilots, one of

whom shall be designated by the operator as pilot in command and the other as second in command.

(d) On flights requiring a flight engineer, at least one other flight crewmember shall be sufficiently qualified, so that in the event of illness or other incapacity, emergency coverage can be provided for that function for the safe completion of the flight. A pilot need not hold a flight engineer certificate to function in the capacity of a flight engineer for such emergency coverage.

§ 42.262 Flight navigator; airplanes.

An airman holding a valid flight navigator certificate shall be required for flight over any area, route, or route segment outside the continental limits of the United States (including Alaska) when an authorized representative of the Administrator determines that:

(a) Celestial navigation is necessary, or

(b) Other specialized means of navigation necessary to obtain a reliable fix for the safe conduct of the flight cannot be accomplished adequately from the pilot station for a period in excess of one hour: *Provided*, That upon consideration of the following factors a navigator may also be required when such specialized means of navigation are necessary for one hour or less: The speed of the aircraft used by the operator, the normal weather conditions to be encountered, the extent of air traffic control, the amount of traffic congestion, the area of the land at destination, fuel requirements, whether sufficient fuel is carried for return to the point of departure or alternates, and whether flight is predicated upon operation beyond the point-of-no-return.

NOTE: The routes or route segments over which a navigator is required are specified in the operations specifications of the operator.

§ 42.263 Flight engineer; airplanes.

An airman holding a valid flight engineer certificate shall be required on all airplanes certificated for more than 80,000 pounds maximum certificated takeoff weight. Such airman shall also be required on all 4-engine airplanes certificated for more than 30,000 pounds maximum certificated takeoff weight where an authorized representative of the Administrator determines that the design of the airplane used or the type of operation is such as to require engineer personnel for the safe operation of the airplane.

§ 42.265 Flight attendants.

(a) Except when authorized under the provisions of paragraph (b) of this section, the operator shall provide at least the following number of flight attendants on airplanes used in passenger operations:

(1) One flight attendant on airplanes having a seating capacity of 10 or more passengers;

(2) Two flight attendants on airplanes having a seating capacity of 45 or more passengers; and

(3) Three flight attendants on airplanes having a seating capacity of more than 100 passengers.

(b) Upon application by the operator, an authorized representative of the Administrator may approve the use of an airplane in a particular operation with a number of flight attendants less than that specified in paragraph (a) of this section. Such approval may be granted if the operator shows that due to the type of operation involved, number of passenger seats, compartments, emergency exits and equipment, or other trained flight crewmembers not on flight deck duty whose services may be used in emergencies, all safety and emergency functions and procedures established in accordance with § 42.267 for the particular type of airplane and operation are capable of being performed adequately with less flight attendants.

NOTE: When an authorized representative of the Administrator approves the use of an airplane with a number of flight attendants less than that specified in paragraph (a) of this section, the number and the particular operation for which such number is approved are specified in the operations specifications of the operator.

§ 42.267 Assignment of emergency and evacuation functions for each crewmember; airplanes.

Each operator of airplanes shall assign to each required crewmember all necessary functions each such crewmember is to perform in emergencies and in circumstances requiring emergency evacuation. Emergency functions shall be assigned for each type of airplane used by the operator and the operator shall show that functions so assigned are realistic and capable of accomplishment. These functions shall be described in the operator's manual and the operator shall insure that all required crewmembers are given adequate training in the assigned functions in the course of their participation in the approved emergency training program prescribed in § 42.285.

TRAINING PROGRAM

§ 42.280 Establishment of approved program; airplanes.

(a) Each operator of airplanes shall establish a training program sufficient to insure that each crewmember and dispatcher used by the operator is adequately trained to perform the duties to which he is to be assigned. The initial training phases shall be satisfactorily completed prior to serving in operations under this part. The training program shall meet with the approval of an authorized representative of the Administrator.

(b) Each operator shall provide adequate ground and flight training facilities and properly qualified instructors. There also shall be provided a sufficient number of check airmen to conduct the flight checks required by this part. Such check airmen shall hold the same airman certificates and ratings as required for the airman being checked.

(c) The training program for each flight crewmember shall consist of appropriate ground and flight training including proper flight crew coordination and training in emergency procedures. Procedures for each flight crew function shall be standardized to the extent that each flight crewmember will know the

functions for which he is responsible and the relation of those functions to those of other flight crewmembers. The initial and recurrent program shall include at least the appropriate requirements specified in §§ 42.281 through 42.285.

(d) The crewmember emergency procedures training program shall include at least the requirements specified in § 42.285.

(e) The appropriate instructor, supervisor, or check airman responsible for the particular training check or flight check shall certify to the proficiency of each crewmember and dispatcher upon completion of his initial and recurrent training, and such certification shall become a part of the individual's record.

§ 42.281 Pilot ground training; airplanes.

(a) Ground training for each pilot prior to serving as a flight crewmember on an airplane shall include instruction in at least the following:

(1) The appropriate provisions of the operator's operations specifications and appropriate provisions of this chapter (Civil Air Regulations) with particular emphasis on the operation and flight release rules and airplane operating limitations;

(2) Flight release procedures and appropriate contents of the manuals;

(3) The duties and responsibilities of crewmembers;

(4) The type of airplane to be flown, including a study of the airplane, engines, all major components and systems, performance limitations, standard and emergency operating procedures, and appropriate contents of the approved Airplane Flight Manual;

(5) The principles and methods of determining weight and balance limitations for takeoff and landing;

(6) Navigation and use of appropriate aids to navigation, including the instrument approach facilities and procedures which the operator is authorized to use;

(7) Airport and airways traffic control systems and procedures, and ground control letdown procedures if pertinent to the operation;

(8) Meteorology sufficient to insure a practical knowledge of the principles of icing, fog, thunderstorms, and frontal systems;

(9) Procedures for operation in turbulent air and during periods of ice, hail, thunderstorms, and other potentially hazardous meteorological conditions; and

(10) Communications procedures including procedures to be used in the event any of the communications equipment required by this part becomes inoperative.

(b) The operator shall give each pilot such additional ground training as is necessary to insure qualification with respect to any new equipment, procedures, or techniques. At least once within the preceding 12 months, as a part of the training program, recurrent ground training and checks shall be provided to insure the continued proficiency of each pilot with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The check may be given at any time dur-

ing the month preceding or following the month in which it becomes due. However, if given within the preceding or following month, it has the same effect as if given within the month in which it became due.

§ 42.282 Pilot flight training; airplanes.

(a) Flight training for each pilot prior to serving as a flight crewmember on an airplane shall include at least takeoffs and landings, during day and night, and normal and emergency flight maneuvers in each type of airplane to be flown by him in operations under this part, and flight under simulated instrument flight conditions. A pilot qualifying to serve as other than pilot in command or second in command shall demonstrate to an authorized representative of the Administrator or to a check pilot his ability to takeoff and land each type of airplane in which he is to serve.

(b) Flight training for a pilot qualifying to serve as pilot in command or as second in command on an airplane in a crew requiring 3 or more pilots shall include flight instruction and practice in at least the maneuvers and procedures specified in subparagraphs (1) and (2) of this paragraph.

(1) In each type of airplane to be flown by him in operations under this part;

(i) At the authorized maximum takeoff weight, takeoff using maximum takeoff power with simulated failure of the critical engine. For transport category airplanes, the simulated engine failure shall be accomplished as closely as possible to the critical engine failure speed (V_1), and climbout shall be accomplished at a speed as close as possible to the takeoff safety speed (V_2). Each pilot shall ascertain the proper values for speeds V_1 and V_2 ;

(ii) At the authorized maximum landing weight, flight in a 4-engine airplane, where appropriate, with the most critical combinations of 2 engines inoperative, or operating at zero thrust, utilizing appropriate climb speeds as set forth in the Airplane Flight Manual;

(iii) At the authorized maximum landing weight, simulated pullout from the landing and approach configurations accomplished at a safe altitude with the critical engine inoperative or operating at zero thrust;

(iv) Suitable combinations of airplane weight and power less than those specified in subdivisions (i), (ii), and (iii) of this subparagraph may be employed if the performance capabilities of the airplane under the above conditions are simulated.

(2) Conduct of flight under simulated instrument conditions, utilizing all types of navigational facilities and the letdown procedures used in normal operations. If a particular type of facility is not available in the training area, such training may be accomplished in a synthetic trainer.

(c) Flight training for a pilot qualifying to serve as second in command on an airplane in a crew requiring 2 pilots shall include flight instruction and practice in at least the maneuvers and procedures specified in subparagraphs (1) and (2) of this paragraph.

(1) In each type of airplane to be flown by him in operations under this part:

- (i) Assigned flight duties as second in command including flight emergencies;
- (ii) Taxiing;
- (iii) Takeoffs and landings;
- (iv) Climbs and climbing turns;
- (v) Slow flight;
- (vi) Approach to stall;
- (vii) Engine shutdown and restart;
- (viii) Takeoff and landing with simulated engine failure; and
- (ix) Conduct of flight under simulated instrument conditions including instrument approach at least down to circling approach minimums and missed approach procedures.

(2) Conduct of flight under simulated instrument conditions, utilizing all types of navigational facilities and the letdown procedures used in normal operations. Except for those approach procedures for which the lowest minimums are approved, all other letdown procedures may be given in a synthetic trainer which contains the radio equipment and instruments necessary to simulate other navigational and letdown procedures approved for use by the operator.

(d) The operator shall give each pilot such additional flight training as is necessary to insure qualification with respect to any new equipment, procedures, or techniques. At least once within the preceding 12 months, as a part of the training program, recurrent flight training, and checks shall be provided to insure the continued proficiency of each pilot with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The check may be given at any time during the month preceding or following the month in which it becomes due. However, if given within the preceding or following month, it has the same effect as if given within the month in which it became due. Where the check of the pilot in command or second in command requires actual flight, satisfactory completion of the applicable proficiency checks required by § 42.302 or 42.305 will meet the requirements of this section.

§ 42.283 Flight navigator training; airplanes.

(a) The training for flight navigators on airplanes shall include the applicable portions of at least subparagraphs (1) through (4) and (6) through (8) of § 42.281(a).

(b) Prior to serving as a flight crewmember, each flight navigator shall be given sufficient ground and flight training to become proficient in those duties assigned him by the operator. The flight training may be accomplished during flights subject to this part under the supervision of a qualified flight navigator.

(c) The operator shall give each flight navigator such additional ground and flight training as is necessary to insure qualification with respect to any new equipment, procedures, or techniques. At least once within the preceding 12 months, as a part of the training program, recurrent ground training and a flight check shall be provided to insure the continued proficiency of each flight

navigator with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The competence check may be given at any time during the month preceding or following the month in which it becomes due. However, if given within the preceding or following month, it has the same effect as if given within the month in which it became due. Such flight check may be accomplished during passenger or cargo flights under the supervision of a qualified navigator, or in a synthetic trainer in lieu of a check in flight.

§ 42.284 Flight engineer training; airplanes.

(a) The training for flight engineers on airplanes shall include at least the instruction specified in § 42.281(a) (1) through (5).

(b) Prior to serving as a flight crewmember, each flight engineer shall be given sufficient training in flight to become proficient in those duties assigned him by the operator. Except for emergency procedures, the flight training may be accomplished during flights subject to this part under the supervision of a qualified flight engineer.

(c) The operator shall give each flight engineer such additional ground and flight training as is necessary to insure qualification with respect to any new equipment, procedures, or techniques. At least once within the preceding 12 months, as a part of the training program, recurrent ground training and a flight check shall be provided to insure the continued proficiency of each flight engineer with respect to procedures, techniques, and information essential to the satisfactory performance of his duties. The competence check may be given at any time during the month preceding or following the month in which it becomes due. However, if given within the preceding or following month, it has the same effect as if given within the month in which it became due. Except for emergency procedures, such flight check may be accomplished during flights subject to this part under the supervision of a qualified flight engineer or the entire check may be accomplished in a synthetic trainer in lieu of a check in flight.

§ 42.285 Crewmember emergency training; airplanes.

(a) The training in emergency procedures for airplanes shall be designed to give each required crewmember appropriate individual instruction in all emergency procedures, including assignments in the event of an emergency, and proper coordination between crewmembers. At least the following subjects as appropriate to the individual crewmember shall be taught: The procedures to be followed in the event of the failure of an engine, or engines, or other airplane components or systems; emergency decompression, fire in the air or on the ground, ditching, evacuation, the location and operation of all emergency equipment, and power setting for maximum endurance and maximum range.

(b) Recurrent training in the emergency procedures required in paragraph

(a) of this section shall be accomplished at intervals not to exceed 12 months. Accomplishment of such training shall be made a part of the individual's record.

(c) Synthetic trainers may be used for training of crewmembers in emergency procedures where the trainers sufficiently simulate flight operating emergency conditions for the equipment to be used.

(d) All crewmembers performing duties on pressurized airplanes operated above 25,000 feet shall, as a part of their approved emergency procedure training, receive instructions by means of lectures and films covering at least: respiration, hypoxia, duration of consciousness at altitude when supplemental oxygen is not supplied, gas expansion, gas bubble formation, physical phenomena and incidents of decompression; and receive actual training and practice in the donning of the oxygen mask and operation of the oxygen equipment. In lieu of the required films, the operator may use any other equivalent means of visual presentation which, after demonstration, meets with the approval of an authorized representative of the Administrator.

FLIGHT CREWMEMBER QUALIFICATION

§ 42.300 Qualification requirements.

(a) An operator shall not utilize any flight crewmember or dispatcher, nor shall any such airman perform the duties authorized by his airman certificate, unless he satisfactorily meets the appropriate requirements of §§ 42.280 through 42.285 and 42.301, except that in the case of operations involving helicopters he shall meet the appropriate requirements of § 46.280 or § 46.289, and §§ 46.301 through 46.304 of Part 46 of this chapter (Civil Air Regulations). Each pilot serving as pilot in command and each pilot serving as second in command in operations requiring 3 or more pilots shall hold appropriate airline transport pilot certificates and appropriate type ratings for the airplane in which they serve. All other pilots shall hold at least commercial pilot certificates and instrument ratings.

(b) Check airmen shall certify as to the proficiency of each pilot being examined, as required by §§ 42.302, 42.303, and 42.305 and such certification shall become a part of the individual's record.

§ 42.301 Pilot recent experience; airplanes.

An operator shall not utilize a pilot as pilot in command or second in command of an airplane in operations under this part unless within the preceding 90 days he has made at least 3 takeoffs and 3 landings in the airplane of the particular type on which he is to serve.

§ 42.302 Pilot checks; airplanes.

(a) *Line check.* An operator shall not utilize a pilot as pilot in command of an airplane until he has satisfactorily passed a line check in one of the types of airplanes to be flown by him. Thereafter, he shall not serve as pilot in command unless each 12 months he successfully completes a similar line check. The line check may be given at any time during the month preceding or following the month in which it becomes due. The

effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. This check shall be given by a check pilot who is qualified on the airplane. It shall consist of at least one flight over a portion of a Federal airway, foreign airway, or advisory route over which the pilot may be assigned and shall be of sufficient duration for the check pilot to determine whether the individual being checked satisfactorily exercised the duties and responsibilities of a pilot in command.

(b) *Proficiency check.* (1) An operator shall not utilize a pilot as pilot in command of an airplane until he has satisfactorily demonstrated to a check pilot or an authorized representative of the Administrator his ability to pilot and navigate airplanes to be flown by him. Thereafter, he shall not serve as pilot in command unless each 6 months he successfully completes a similar pilot proficiency check. The proficiency check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where such pilots serve in more than one airplane type, at least every other successive proficiency check shall be given in flight in the larger airplane type. If performance of any of the proficiency check items specified in subparagraph (2) of this paragraph is unsatisfactory in the judgment of the check pilot he may, at his discretion, give additional training to the pilot during the course of the proficiency check. If after such training, the pilot being checked is still unable to demonstrate satisfactory performance to the check pilot, he shall not be used in operations under this part until such time as he shall demonstrate proficiency.

(2) The pilot proficiency check shall include at least the following:

(i) Equipment examination (oral or written), taxiing, runup, takeoff, climb, climbing turns, steep turns, maneuvers at minimum speeds, approach to stalls, propeller feathering, maneuvers with one or more engine(s) out, rapid descent and pullout, ability to tune radio, orientation, and approach procedures, missed approach and traffic control procedures, crosswind landings, landing under circling approach conditions, takeoffs and landings with engine(s) failures, demonstration of pilot judgment, and emergency procedures.

(ii) The flight maneuvers specified in § 42.282(b) (1), except that the simulated engine failure during takeoff need not be accomplished at speed V_1 , nor at actual or simulated maximum authorized weight; and

(iii) Flight maneuvers approved by an authorized representative of the Administrator accomplished under simulated instrument conditions utilizing the navigational facilities and letdown procedures normally used by the pilot: *Provided*, That maneuvers other than those associated with approach proce-

dures for which the lowest minimums are approved may be given in a synthetic trainer which contains the radio equipment and instruments necessary to simulate other navigational and letdown procedures approved for use by the operator.

(3) Subsequent to the initial pilot proficiency check, an approved course of training conducted in an approved airplane simulator, if satisfactorily completed, may be substituted at alternate 6-month intervals for the proficiency checks required by subparagraph (1) of this paragraph if the simulator meets the minimum standards set forth in Appendix B and:

(i) The simulator is maintained at the same level as required for initial approval;

(ii) A functional preflight check of the simulator is performed each day prior to commencing simulator flight training or proficiency checks;

(iii) A daily discrepancy log is maintained and an entry of each discrepancy is made by the simulator instructor or check airman before termination of each training or check flight; and

(iv) If a modification is made to the airplane, a corresponding modification is made to the simulator if necessary for flight crew training or proficiency checks.

The simulator may be used with inoperative instruments or equipment, if they are not applicable to the particular phase of training being given.

(c) Prior to serving as pilot in command in a particular type of airplane, a pilot shall have accomplished during the preceding 12 months either a proficiency check or a line check in that type of airplane.

§ 42.303 Pilot in command route certification and airport qualification requirements.

The operator shall establish in its manual for the use and guidance of operation personnel a procedure whereby a pilot in command who has not flown over a route and into an airport within the preceding 60 days, will certify on an appropriate form provided by the operator that he has studied and knows the subjects listed below in regard to the route and airports into which he intends to operate:

(a) Weather characteristics appropriate to the seasons;

(b) Navigational facilities;

(c) Communication procedures;

(d) Types of terrain and obstruction hazards;

(e) Minimum safe flight levels;

(f) Pertinent air traffic control procedures, including terminal area, arrival, departure, and holding and all types of instrument approach procedures; and

(g) Congested areas, obstructions, and physical layout of each airport in the terminal area in which the pilot is to operate.

§ 42.305 Proficiency checks; second in command; airplanes.

(a) An operator shall not utilize a pilot as second in command of an airplane until he has satisfactorily demonstrated to a check pilot or an authorized repre-

sentative of the Administrator his ability to pilot and navigate airplanes to be flown by him and to perform his assigned duties. Thereafter he shall not serve as second in command unless each 12 months he successfully completes a similar pilot proficiency check. The proficiency check may be given at any time during the month preceding or following the month in which it becomes due. The effective date of the check, if given within the preceding or following month, shall be the same as if given within the month in which it became due. Where such pilots serve in more than one airplane type, at least every other successive proficiency check shall be given in flight in the larger airplane type. The proficiency check shall include at least an oral or written equipment examination, and the procedures and flight maneuvers specified in § 42.282(c). The pilot proficiency check may be demonstrated from either the right or left pilot seat.

(b) The proficiency check for second in command of an airplane crew requiring 3 or more pilots shall be the same as required under § 42.302(b).

(c) Subsequent to the initial pilot proficiency check, an approved course of training in an airplane simulator which meets the requirements of § 42.302(b) (3), if satisfactorily completed, may be substituted at alternate 12-month intervals for the proficiency checks required by paragraphs (a) and (b) of this section.

(d) Satisfactory completion of the proficiency check in accordance with § 42.302(b) will also meet the requirements of this section.

§ 42.306 Flight navigator qualification for duty; airplanes.

An operator shall not utilize a flight navigator on an airplane unless, within the preceding 12-month period, he has had at least 50 hours of experience as a flight navigator, or until the operator or an authorized representative of the Administrator has checked such flight navigator and determined that he is familiar with all essential current navigational information pertaining to the routes to be flown and is competent with respect to the operating procedures and navigational equipment to be used. This check shall include a check in flight, or in a synthetic trainer which has been found satisfactory for such checks by an authorized representative of the Administrator. Such flight check may be accomplished during flights subject to this part, but the airman being checked shall not be assigned to the airplane as a required member of the flight crew.

§ 42.307 Flight engineer qualification for duty; airplanes.

An operator shall not utilize a flight engineer on an airplane unless, within the preceding 6-month period, he has had at least 50 hours of experience as a flight engineer on the type of airplane on which he is to serve, or until the operator or an authorized representative of the Administrator has checked such flight engineer and determined that he is familiar with all essential current information and operating procedures relating to the type of airplane to which he is to be assigned and is competent

with respect to such airplane. This check shall include a check in flight, but such check shall not be accomplished during flights subject to this part: *Provided*, That in the case of a flight engineer who has been previously qualified in the type airplane, the check may be accomplished in a synthetic trainer in lieu of a check in flight.

FLIGHT TIME LIMITATIONS; HELICOPTERS

§ 42.315 Flight time limitations; helicopters.

An operator shall not schedule a flight crewmember for duty aloft in operations subject to this part, or in other commercial flying, if his total flight in all commercial flying will exceed the flight time limitations prescribed in § 46.320 of Part 46 of this chapter (Civil Air Regulations).

FLIGHT TIME LIMITATIONS; AIRPLANES

§ 42.317 Pilots.

The following flight time limitations are applicable to all pilots serving on airplanes:

(a) *Individual pilot limitations.* (1) A pilot may be scheduled to fly 8 hours or less during any 24 consecutive hours without a rest period during such 8 hours.

(2) A pilot shall receive 16 hours of rest before being assigned further duty when he has flown in excess of 8 hours during any 24 consecutive hours.

(3) A pilot shall be relieved from all duty for not less than 24 consecutive hours at least once during any 7 consecutive days.

(4) A pilot shall not fly as a crewmember in air carrier service more than 100 hours during any 30 consecutive days.

(5) A pilot shall not fly as a crewmember in air carrier service more than 1,000 hours in any one calendar year.

(6) A pilot shall not do other commercial flying if his total flying time for any specified period will exceed the limits of that period.

(7) Time spent in any deadhead transportation shall in no case be considered as part of a required rest period.

(b) *Airplanes having a crew of two pilots.* (1) A pilot shall not be scheduled to fly in excess of 8 hours during any 24-hour period unless he is given an intervening rest period at or before the termination of 8 scheduled hours of flight duty. Such rest period shall equal at least twice the number of hours flown since the last preceding rest period, and in no case shall such rest period be less than 8 hours. During such rest period the pilot shall be relieved of all duty with the air carrier.

(2) A pilot shall not be on duty for more than 16 hours during any 24 consecutive hours.

(c) *Airplanes having a crew of three pilots.* (1) A pilot shall not be scheduled for duty on the flight deck in excess of 8 hours in any 24-hour period.

(2) A pilot shall not be scheduled to be aloft for more than 12 hours in any 24-hour period.

(3) A pilot shall not be on duty for more than 18 hours in any 24-hour period.

(d) *Airplanes having a crew of four pilots.* (1) A pilot shall not be sched-

uled for duty on the flight deck in excess of 8 hours during any 24-hour period.

(2) A pilot shall not be scheduled to be aloft for more than 16 hours in any 24-hour period.

(3) A pilot shall not be on duty for more than 20 hours during any 24-hour period.

§ 42.318 Flight engineer.

The flight time limitations prescribed in § 42.317 (a) and (b) shall apply to an airman serving as a flight engineer, except that when two or more airmen serve as flight engineers in a flight crew containing three or more pilots, the flight time limitations prescribed in § 42.317(d) shall apply in lieu of those in § 42.317(b).

§ 42.319 Overseas and international operations.

The operator may elect to use the flight time limitations of §§ 42.320 through 42.323 for operations conducted:

(a) Between a point in the Continental United States, or the State of Alaska, and any point outside thereof, or

(b) Between any two points outside the Continental United States (includes the State of Alaska), or

(c) Between two points within the State of Alaska or the State of Hawaii.

§ 42.320 General; all airmen.

(a) An airman shall not be aloft, as a member of the flight crew, more than 1,000 hours in any 12-month period.

(b) The time spent in deadhead transportation to or from duty assignment shall not be considered as part of any rest period.

(c) An airman shall not do other commercial flying while employed by an operator if his total flying time will exceed any flight time limitations specified in this part.

§ 42.321 Flight crew of two pilots and additional airmen, as required.

(a) An airman shall not be scheduled to be aloft, as a member of the flight crew, more than 12 hours during any 24 consecutive hours.

(b) When an airman has been aloft, as a member of the flight crew, 20 hours or more during any 48 consecutive hours, or 24 hours or more during any 72 consecutive hours, he must receive at least 18 hours of rest before being assigned to any duty with the operator.

(c) In any case, each airman shall be relieved from all duty with the operator for not less than 24 consecutive hours during any 7 consecutive days.

(d) An airman shall not be aloft, as a member of the flight crew, more than 120 hours in any 30 consecutive days or 300 hours in any 90 consecutive days.

§ 42.322 Flight crew of three or more pilots and additional airmen, as required.

(a) An individual serving as a flight engineer, radio operator, or navigator shall not be scheduled for any duty on the flight deck more than 12 hours during any 24 consecutive hours.

(b) Flight hours shall be scheduled in such a manner as to provide for adequate rest periods on the ground while the airman is away from his principal operations base.

(c) Adequate sleeping quarters on the aircraft shall be provided in all cases where an airman is scheduled to be aloft, as a member of the flight crew, more than 12 hours during any 24 consecutive hours.

(d) An airman, upon return to his operations base from any flight or series of flights, shall receive a rest period of not less than twice the total number of hours aloft, as a member of the flight crew, since the last rest period at his principal operations base before being assigned to any further duty with the operator. When the required rest period exceeds 7 days, that portion of the rest period in excess of 7 days may be given at any time before the airman is again scheduled for flight duty.

(e) An airman shall not be aloft, as a member of the flight crew, more than 350 hours in any 90 consecutive days.

§ 42.323 Pilots serving in more than one type of flight crew.

The following rules govern the applicability of the monthly and quarterly flight time limitations of pilots assigned to more than one type of flight crew during any 30 consecutive days:

(a) A pilot who is assigned to duty aloft for more than 20 hours in two-pilot crews in 30 consecutive days, or whose assignment is interrupted more than once in any 30 consecutive days by assignment to a crew consisting of two or more pilots and an additional crewmember, shall be governed by the provisions of § 42.317.

(b) Except for a pilot coming within the provisions of paragraph (a) of this section, a pilot who is assigned to duty aloft for more than 20 hours in two-pilot and additional crewmember crews in 30 consecutive days, or whose assignment in such crews is interrupted more than once in any 30 consecutive days by assignment to a crew consisting of three pilots and an additional flight crewmember, shall be governed by the provisions of § 42.321.

(c) A pilot to whom the provisions of paragraphs (a) and (b) of this section are not applicable, who is assigned duty aloft for a total of 20 hours or less within 30 consecutive days in two-pilot crews with or without additional flight crewmembers, shall be governed by the provisions of § 42.322.

(d) A pilot to whom the provisions of paragraphs (a), (b), and (c) of this section are not applicable, who is assigned to each of two-pilot, two-pilot and additional flight crewmember, and three-pilot and additional flight crewmember crews in 30 consecutive days, shall be governed by the provisions of § 42.322.

FLIGHT OPERATIONS

§ 42.350 Operational control; flight following system.

The operator shall be responsible for operational control. Persons authorized by the operator to exercise operational control shall be listed in the operator's manual.

(a) *Joint responsibility of pilot-in-command and Director of Operations to exercise Operations Control.* The pilot-in-command and the Director of Operations shall be jointly responsible for the

initiation, continuation, diversion, and termination of a flight in compliance with the applicable Civil Air Regulations and operations specifications. The Director of Operations may delegate the functions for the initiation, continuation, diversion and termination of a flight but he can not delegate the responsibility for such functions.

(b) *Responsibility of the Director of Operations to exercise operational control.* The Director of Operations shall be responsible for cancelling, diverting or delaying a flight if in his opinion or in the opinion of the pilot-in-command the flight cannot operate or continue to operate safely as planned or released. He shall be responsible for, and will assure that each flight is monitored, with respect to at least the following:

(1) Departure of the flight from point of origin and arrival at point of destination, including intermediate stops, and any diversions therefrom;

(2) Maintenance and mechanical delays encountered at points of origin and destination and at intermediate stops; and

(3) Any conditions known to exist which may adversely affect the safety of a flight.

(c) *Responsibility of pilot in command.* The pilot in command of an aircraft is responsible for the preflight planning and the operation of the flight in compliance with the applicable Civil Air Regulations and operations specifications.

§ 42.352 Responsibility of pilots.

(a) The pilot in command during flight time is in command of the aircraft and crew and is responsible for the safety of the passengers, crewmembers, cargo, and aircraft.

(b) No pilot shall operate an aircraft in a careless or reckless manner so as to endanger life or property.

NOTE: Paragraph (a) of this section concerns the pilot in command, with respect to matters concerning the operation of the aircraft, full control and authority without limitation over all other crewmembers and their duties during flight time, whether or not he holds valid certificates authorizing him to perform the duties and functions of such crewmembers.

§ 42.353 Operations notices.

Each operator shall notify the appropriate operations personnel promptly of all changes in equipment and operating procedures, including known changes in the use of navigational aids, airports, air traffic control procedures and regulations, local airport traffic control rules, and of all known hazards to flight, including icing and other potentially hazardous meteorological conditions and irregularities of ground and navigational facilities.

§ 42.354 Flight crewmembers at controls.

All required flight crewmembers when on flight deck duty shall remain at their respective stations while the aircraft is taking off or landing, and while en route except when the absence of one such flight crewmember is necessary for the performance of his duties in connection with the operation of the aircraft. All

flight crewmembers shall keep their seat belts fastened when at their respective stations.

§ 42.355 Manipulation of controls.

No person other than a qualified pilot of the operator shall manipulate the flight controls during flight, except that any one of the following persons may, with the permission of the pilot in command, manipulate such controls:

(a) Authorizing pilot safety representatives of the Administrator or the Board who are qualified on the aircraft and are engaged in checking flight operations; or

(b) Pilot personnel of another operator properly qualified on the aircraft and authorized by the operator of the aircraft.

§ 42.356 Admission to flight deck.

No person, other than a crewmember, may be admitted to the flight deck of an aircraft except those authorized in paragraphs (a) and (b) of this section. (For the purpose of this section, the term "flight deck" when applied to an airplane means all of the area forward of the door or windows required by Parts 4a and 4b of this chapter (Civil Air Regulations) to be located between the pilot compartment and the passenger compartment.)

(a) FAA air carrier inspectors and authorized representatives of the Board while in the performance of official duties shall be admitted to the flight deck.

NOTE: Nothing contained in this paragraph shall be construed as limiting the emergency authority of the pilot in command to exclude any person from the flight deck in the interest of safety.

(b) The persons listed below may be admitted to the flight deck when authorized by the pilot in command:

(1) An employee of the Federal Government or of another operator or other aeronautical enterprise whose duties are such that his presence on the flight deck is necessary or advantageous to the conduct of safe operations; or

NOTE: Federal employees who deal responsibly with matters relating to air carrier safety and such employees of the operator as pilots, dispatchers, and mechanics whose efficiency would be increased by familiarity with flight conditions may be considered eligible under this requirement. Employees of traffic, sales, and other departments of the operator not directly related to flight operations cannot be considered eligible unless authorized under subparagraph (2) of this paragraph.

(2) Any other person specifically authorized by the management personnel of the operator and an authorized representative of the Administrator.

(c) All persons admitted to the flight deck shall have seats available for their use in the passenger compartment except:

(1) FAA air carrier inspectors or other authorized representatives of the Administrator or the Board engaged in checking or observing flight operations;

(2) Air traffic controllers who have been authorized by an authorized representative of the Administrator to observe ATC procedures;

(3) Certificated airmen of the operator whose duties with the operator require an airman certificate;

(4) Certificated airmen of another operator whose duties with such operator require an airman certificate and who have been authorized by the operator concerned to make specific trips over the route;

(5) Employees of the operator whose functions are directly related to the conduct or planning of flight operations or the in-flight monitoring of aircraft equipment or operating procedures, but only when their presence in the cockpit is required in the furtherance of such functions and only when specifically authorized in writing by a responsible supervisor in the operations department of the operator, who is listed in the Operations Manual as having such authority; and

(6) Technical representatives of the manufacturer of the aircraft or its components whose functions are directly related to the in-flight monitoring of aircraft equipment or operating procedures, but only when their presence in the cockpit is required in the furtherance of such functions and only when specifically authorized in writing by an authorized representative of the Administrator and by a responsible supervisor in the operations department of the operator, who is listed in the Operations Manual as having such authority.

§ 42.357 Flying equipment.

(a) *Charts.* The pilot in command shall insure that appropriate aeronautical charts containing adequate information concerning navigational aids and instrument approach procedures are aboard the airplane for each flight.

(b) *Flashlights.* Each crewmember shall have readily available for his use on each flight a flashlight in good working order.

§ 42.358 Restriction or suspension of operation.

When conditions known to the operator or pilot in command exist which constitute a hazard to the conduct of safe operations, including airport and runway conditions, the operator or pilot in command shall restrict or suspend operations until such hazardous conditions are corrected.

§ 42.360 Emergency decisions.

(a) In emergency situations which require immediate decision and action, the pilot in command may follow any course of action which he considers necessary under the circumstances. In such instances, the pilot in command, to the extent required in the interest of safety, may deviate from prescribed operations procedures and methods, weather minimums, and the Civil Air Regulations.

(b) If an emergency situation arises during the course of a flight which requires immediate decision and action on the part of the appropriate management personnel in the case of operations conducted with a flight following service, and which is known to them, they shall advise the pilot in command of such situation. The management personnel shall ascertain the decision of the pilot

in command and shall cause the same to be made a matter of record. If unable to communicate with the pilot, the appropriate management personnel shall declare an emergency and follow any course of action they consider necessary under the circumstances.

(c) When emergency authority is exercised, the appropriate ground radio station shall be kept fully informed regarding progress of the flight, by the person exercising the emergency authority, and within the 10 days after the completion of the particular flight or upon return to the home base from operations outside the United States, a written report of any deviation shall be submitted by the individual declaring the emergency to an authorized representative of the Administrator through the director of operations.

§ 42.361 Reporting potentially hazardous meteorological conditions and irregularities of ground and navigational facilities.

When any meteorological condition or irregularity of ground or navigational facilities is encountered in flight, the knowledge of which the pilot in command considers essential to the safety of other flights, he shall notify an appropriate FAA communications station or a ground radio station as soon as practicable. Any information pertaining to irregularities of ground and navigational facilities received by an operator shall be reported to the authority directly responsible for the operation of the particular facility involved.

§ 42.362 Reporting mechanical irregularities.

The pilot in command shall enter or cause to be entered in the maintenance log of the aircraft all mechanical irregularities encountered during flight time. He shall, prior to each flight, ascertain the status of any irregularities entered in the log at the end of the last preceding flight.

§ 42.363 Engine failure or precautionary stoppage; airplanes.

(a) Except as provided in paragraph (b) of this section, when one engine of an airplane fails or where the rotation of an engine of an airplane is stopped in flight as a precautionary measure to prevent possible damage, a landing shall be made at the nearest suitable airport in point of time where a safe landing can be effected.

(b) The pilot in command of an airplane having 4 or more engines may, if not more than one engine fails or the rotation thereof is stopped, proceed to an airport of his selection if, upon consideration of the following factors, he determines such action to be as safe a course of action as landing at the nearest suitable airport:

(1) The nature of the malfunctioning and the possible mechanical difficulties which may be encountered if flight is continued;

(2) The altitudes, airplane weight, and usable fuel at the time of engine stoppage;

(3) The weather conditions en route and at possible landing points;

(4) The air traffic congestion;

(5) The type of terrain; and

(6) The familiarity of the pilot with the airport to be used.

(c) When engine rotation is stopped in flight, the pilot in command of the airplane shall notify the proper ground radio station as soon as practicable and shall keep such station fully informed regarding the progress of the flight.

(d) In cases where the pilot in command of an airplane selects an airport other than the nearest suitable airport in point of time, he shall, upon completion of the trip, submit a written report, in duplicate, to his Operations Manager or Director of Operations, as appropriate, setting forth his reasons for determining that the selection of an airport other than the nearest was as safe a course of action as landing at the nearest suitable airport. The operator shall, within 10 days after the pilot's return to his home base, furnish a copy of this report with the comments of the appropriate management personnel thereon to an authorized representative of the Administrator.

§ 42.364 Instrument approach and IFR landing procedures; airplanes.

No instrument approach or IFR landing of an airplane shall be conducted at an airport except in accordance with the IFR weather minimums and instrument approach procedures specified in the operator's operations specifications.

§ 42.370 Briefing of passengers; airplanes.

(a) Prior to each takeoff, an operator engaged in passenger-carrying operations with an airplane shall insure that all passengers carried on the airplane are briefed orally concerning smoking, use of seat belts, location of the emergency exits, and the emergency evacuation procedures to be used in the event emergency evacuation of the airplane becomes necessary.

(b) Each operator engaged in extended overwater operations with an airplane shall insure that all passengers are briefed orally concerning the location and method of operation of life preservers and emergency exits and the location of liferafts. The procedure to be followed in presenting this briefing shall be described in the operator's manual. Such a briefing shall include a demonstration of the method of donning and inflating a life preserver. Where the airplane proceeds directly over water after takeoff, the briefing on location of the life preservers shall be accomplished prior to takeoff, and the remainder of the briefing shall be accomplished as soon thereafter as practicable. Where the airplane does not proceed directly over water after takeoff, no part of the briefing need be accomplished prior to takeoff but the entire briefing shall be accomplished prior to reaching the overwater portion of the flight. (See § 42.203-T for passenger briefing requirements regarding oxygen equipment.)

§ 42.371 Drinking and serving of alcoholic beverages.

(a) No person shall drink any alcoholic beverage aboard an aircraft op-

erated under the provisions of this part unless such beverage has been served to him by the operator of the aircraft.

(b) No operator shall serve any alcoholic beverage to any person aboard its aircraft if such person appears to be intoxicated.

(c) No operator shall permit any person to board its aircraft if such person appears to be intoxicated.

(d) An operator shall report to the Administrator within 5 days any incident in which a person aboard its aircraft refuses to comply with paragraph (a) of this section, or any disturbance caused by a person who appears to be intoxicated while aboard its aircraft.

§ 42.372 Minimum altitudes for use of automatic pilot; airplanes.

(a) *En route operations.* Except as provided in paragraph (b) of this section, an automatic pilot on an airplane may only be used during en route flight operations, including climb or descent, at an altitude above the terrain not less than twice the maximum altitude loss established for the automatic pilot malfunction in the particular airplane under cruise conditions as specified in the Airplane Flight Manual for the airplane involved, or 500 feet, whichever is higher.

(b) *Approaches.* Except as provided in subparagraph (1) of this section, when using an instrument approach facility, an automatic pilot on an airplane may remain engaged down to an altitude above the terrain not less than twice the maximum altitude loss established for the automatic pilot in the particular airplane under approach conditions as specified in the Airplane Flight Manual for the airplane involved, or not less than 50 feet below the minimum ceiling approved for the facility being used, whichever is higher.

(1) *ILS approaches utilizing an approach coupler—(i) Under instrument flight rule weather conditions.* When the reported weather conditions are less than the basic weather conditions specified in § 60.30 of this chapter (Civil Air Regulations), an automatic pilot utilizing an approach coupler may remain engaged for ILS approaches down to an altitude above the terrain not less than 50 feet higher than the maximum altitude loss established for the automatic pilot and approach coupler in the particular airplane under approach conditions, as specified in the Airplane Flight Manual for the airplane involved.

(ii) *Under visual flight rule weather conditions.* When reported weather conditions are equal to or better than the basic VFR minimums specified in § 60.30 of this chapter (Civil Air Regulations), an automatic pilot utilizing an approach coupler may remain engaged for ILS approaches down to an altitude above the terrain not less than the maximum altitude loss established for the automatic pilot and approach coupler in the particular airplane under approach conditions as specified in the Airplane Flight Manual for the airplane involved, or 50 feet, whichever is higher.

FLIGHT RELEASE RULES

§ 42.381 Necessity for flight release authority; airplanes.

(a) No flight shall be started under a flight following system without specific authority from the person authorized by the operator to exercise operational control over the flight. A flight release shall be prepared for each flight between specified points from information furnished by either the pilot in command or persons authorized to exercise operational control over the flight. The flight release shall be signed by the pilot in command only when he and the person authorized by the operator to exercise operational control believe the flight can be made with safety.

(b) A flight may not be continued from an intermediate point without authority based upon a new flight release, as appropriate, if the airplane has remained on the ground in excess of 6 hours.

§ 42.382 Familiarity with weather conditions; airplanes.

A pilot in command shall not commence a flight unless he is thoroughly familiar with reported and forecast weather conditions along the route to be flown.

§ 42.383 Facilities and services; airplanes.

The pilot in command shall obtain prior to flight, all available current reports or information pertaining to irregularities of navigational facilities and airport conditions which may affect the safety of the flight; and while en route, any additional available information concerning meteorological conditions and irregularities of facilities and services which may affect the safety of the flight.

§ 42.384 Airplane equipment required for flight release.

No airplane shall be released for operation unless it is airworthy and equipped in accordance with the provisions of § 42.170.

§ 42.385 Airplane communications and navigational facilities required for flight release.

No airplane shall be released for flight over any route or route segment unless communications and navigational facilities equivalent to those required by § 42.36 are in satisfactory operating condition.

§ 42.386 Airplane flight release under VFR.

No airplane shall be released for operation under VFR unless the appropriate weather reports or forecasts, or a combination thereof, indicate that the ceilings and visibilities along the route to be flown are, and will remain, at or above the minimums required for flight under VFR until the flight arrives at the airport or airports of intended landing specified in the flight release.

§ 42.387 Flight release under IFR, over-the-top, or over water; airplanes.

(a) No airplane shall be released for operation under IFR or over-the-top unless the appropriate weather reports or

forecasts, or a combination thereof, pertaining to the airport or airports to which released indicate that the ceilings and visibilities at such airports will be at or above the authorized minimums at the estimated time of arrival thereat: *Provided*, That, for flights involving extended overwater operations, airplanes may be released for flight if the appropriate weather reports or forecasts, or a combination thereof, pertaining to the airport or airports to which released, or to any required alternate therefor, indicate that the ceilings and visibilities at such airports will be at or above the authorized minimums at the estimated time of arrival thereat.

(b) Extended overwater operations with airplanes shall be conducted at all times in accordance with the IFR requirements of this part except where the operator shows that such requirements are not necessary from a safety standpoint. Other overwater operations shall also be conducted at all times in compliance with the IFR requirements of this part whenever an authorized representative of the Administrator determines such compliance to be necessary in the interest of safety.

NOTE: Whenever extended overwater operations are authorized under VFR, or other overwater operations are required to be conducted under IFR, such authorization or requirement will be specified in the operations specifications of the operator.

§ 42.388 Alternate airport for departure; airplanes.

(a) If the weather conditions at the airport of takeoff are below the landing minimums specified in the operator's operations specifications for that airport, no airplane shall be released for flight from that airport unless an alternate airport located within the following distances from the airport of takeoff is specified in the flight release:

(1) *Airplanes having 2 or 3 engines.* Alternate airport located at a distance no greater than one hour flying time in still air at normal cruising speed with one engine inoperative; and

(2) *Airplanes having 4 or more engines.* Alternate airport located at a distance no greater than 2 hours of flying time in still air at normal cruising speed with one engine inoperative.

(b) The alternate airport weather conditions shall meet the requirements specified in the operator's operations specifications.

(c) All required alternate airports shall be listed in the flight release.

§ 42.389 Alternate airport for destination; IFR or over-the-top; airplanes.

(a) For all IFR or over-the-top operations with airplanes there shall be at least one alternate airport designated in the flight release for each airport of destination: *Provided*, That for flights outside the continental United States (excluding Alaska) over routes without an available alternate airport for a particular airport of destination, an alternate airport need not be designated, but the airplane shall carry sufficient fuel to meet the requirements of § 42.396.

(b) The alternate airport weather requirements for airplanes shall be those

specified in the operator's operations specifications.

(c) All required alternate airports shall be listed in the flight release.

§ 42.390 Alternate airport weather minimums; airplanes.

An airport shall not be specified in the flight release as an alternate airport unless the appropriate weather reports or forecasts, or a combination thereof, indicate that the ceilings and visibilities will be at or above the alternate minimums specified in the operator's operations specifications for such airport when the flight shall arrive thereat.

§ 42.391 Continuance of flight; flight hazards; airplanes.

(a) No airplane shall be continued in flight toward any airport to which it has been released when, in the opinion of the pilot in command flight to that airport cannot be completed with safety, unless in the opinion of the pilot in command there is no safer procedure. In the latter event, continuation shall constitute an emergency situation as set forth in § 42.360.

(b) If any instrument or item of equipment required for an airplane pursuant to the requirements of this chapter (Civil Air Regulations) for the particular operation being conducted becomes inoperative en route, the pilot in command shall comply with the approved procedures specified in the operator's manual for such occurrences.

§ 42.392 Operation in icing conditions; airplanes.

(a) No airplane shall be released for flight, en route operations continued, or landing made when, in the opinion of the pilot in command, icing conditions are expected or encountered which might adversely affect the safety of the flight.

(b) No airplane shall takeoff when frost, snow, or ice is adhering to the wings, control surfaces, or propellers of the airplane.

§ 42.393 Original flight release, and amendment of flight release; airplanes.

(a) Any airport which meets the requirements of the applicable regulations for the type of airplane to be operated may be specified as the airport of destination for the purpose of original flight release.

(b) An airport specified as an airport of destination or an alternate therefor may be changed en route to another airport which is safe for the type of airplane being operated, provided that the appropriate requirements of §§ 42.382 through 42.409 and § 42.70 or 42.90 are met at the time of amendment of the flight release.

(c) No flight of an airplane shall be continued to the airport of destination to which it has been released unless the weather conditions at an alternate airport specified in the flight release are forecast to be at or above minimums specified in the operator's operations specifications for such airport when the flight shall arrive thereat: *Provided*, That the flight release may be amended

en route to include any alternate airport lying within the fuel range of the airplane as specified in §§ 42.396 and 42.397.

(d) When such flight release is amended while the airplane is en route, such amendment shall be made a matter of record.

§ 42.396 Fuel supply for all operations; airplanes.

(a) *Reciprocating-engine and turbo-propeller-powered airplanes.* (1) No airplane shall be released for flight unless it carries sufficient fuel, considering the wind and other weather conditions expected, to comply with the following:

(i) To fly to and land at the airport to which it is released, and thereafter;

(ii) To fly to and land at the most distant alternate airport designated in the flight release, and thereafter;

(iii) To fly for a period of at least 45 minutes at normal cruising consumption, except that, if the airplane is released from the United States to an airport outside thereof, to an airport within the United States from a place outside thereof, or from any place to an airport within the State of Alaska or Hawaii or the several Territories and possessions of the United States, it shall carry sufficient fuel to fly at least 30 minutes plus 15 percent of the total time required to fly at normal cruising consumption to the airports specified in subdivisions (i) and (ii) of this subparagraph, or to fly for 90 minutes at normal cruising consumption, whichever is lesser.

(2) No airplane shall be released for flight to an airport for which an alternate is not designated under § 42.389(a) (2), unless it carries sufficient fuel, considering wind and other weather conditions expected, to fly to that airport and thereafter to fly for at least 3 hours at normal cruising consumption.

(b) *Turbine-powered airplanes.* (1) A turbine-powered airplane (exclusive of turbopropeller-powered airplanes) may be released for flight or takeoff only if it carries sufficient fuel, considering the wind and other weather conditions expected, to comply with the requirements of paragraph (a) of this section. For operations outside the continental United States (and within Alaska), the airplane shall carry sufficient fuel:

(i) To fly to and land at the airport to which it is released, and thereafter;

(ii) To fly for a period equal to 10 percent of the total time required to fly from the airport of departure to the airport to which it is released, and land at such airport; and thereafter;

(iii) To fly to and land at the most distant alternate airport designated in the flight release, where such alternate is required, and thereafter;

(iv) To fly for a period of 30 minutes at holding speed at 1,500 feet above the destination and/or alternate airport elevation under standard temperature conditions.

(2) No airplane shall be released to an airport for which an alternate is not designated under § 42.389(a) (2), unless it carries sufficient fuel, considering wind and other weather conditions expected, to fly to that airport and thereafter to

fly for at least 2 hours at normal cruising consumption.

(3) An authorized representative of the Administrator may amend the operations specifications of the operator to require fuel in excess of any of the minimums specified in this paragraph if he finds that additional fuel is necessary on a particular route in the interest of safety.

§ 42.397 Factors involved in computing fuel required; airplanes.

In computing the fuel required for an airplane, consideration shall be given to the wind and other weather conditions forecast, traffic delays anticipated, an instrument approach and possible missed approach at destination, and any other conditions which might delay the landing of the airplane. Required fuel shall be additional to unusable fuel.

§ 42.406 Airplane takeoff and landing weather minimums; IFR.

(a) Irrespective of any clearance which may be obtained from air traffic control, no pilot shall:

(1) Take off an airplane under IFR when the reported ceiling or ground visibility is less than that specified in the operator's operations specifications; or

(2) Except as provided in paragraph (c) of this section, land an airplane under IFR when the reported ceiling or ground visibility is less than that specified in the operator's operations specifications.

(b) Except as provided in paragraph (c) of this section, no instrument approach procedure shall be executed when the latest reported ceiling or visibility is less than the landing minimums specified in the operator's operations specifications.

(c) If an instrument approach procedure is initiated when the latest weather report indicates that the specified ceiling and visibility minimums exist and a later weather report indicating below minimum conditions is received after the airplane (1) is on as ILS final approach and has passed the outer marker, or (2) is on a final approach using a radio range station or comparable facility and has passed the appropriate facility and has reached the authorized landing minimum altitude, or (3) is on PAR final approach and has been turned over to the final approach controller, such ILS, Range, or PAR approach may be continued and a landing may be made, provided the pilot in command upon reaching the authorized landing minimum altitude finds that actual weather conditions are equal to or better than the minimums specified in the operations specifications.

(d) The ceiling and visibility landing minimums prescribed in the operator's operations specifications for airports shall be increased by 100 feet ceiling and $\frac{1}{2}$ mile visibility whenever the pilot in command has not served 100 hours as pilot in command in operations conducted under this part, or Part 40 or 41 of this chapter (Civil Air Regulations) in the particular type of airplane being operated by him. The ceiling and visibility minimums need not be increased above those applicable to the airport when used as an alternate airport.

§ 42.407 Applicability of reported weather minimums; airplanes.

In the conduct of operations subject to § 42.406, the ceiling and visibility values contained in the main body of the latest weather report shall be the controlling criteria for VFR and IFR takeoffs and landings and for instrument approach procedures on all runways of an airport; except that when the latest weather report, including an oral report from the control tower, contains a visibility value specified as runway visibility or runway visual range for a particular runway of an airport, such specified value shall be controlling for VFR and IFR landings and takeoffs and straight-in instrument approaches for such runway.

§ 42.408 Airplane flight altitude rules.

Notwithstanding the provisions of § 60.17 of Part 60 of this chapter (Civil Air Regulations) or other rules applicable outside of the United States, no airplane, except when necessary for takeoff and landing, shall be operated below the minimums prescribed in paragraphs (a) and (b) of this section: *Provided*, That the authorized representative of the Administrator may prescribe other minimum en route altitudes for any route or portion thereof where he finds, after considering the character of the terrain being traversed, the quality and quantity of meteorological service, the navigational facilities available, and other flight conditions, that the safe conduct of flight requires such other altitudes.

NOTE: Minimum en route altitudes (MEA's) prescribed by the Administrator for particular routes within the United States are set forth in Part 610 of the Regulations of the Administrator. That part also contains the mountainous terrain designated by the Administrator. Outside of the United States the minimums prescribed in paragraphs (a) and (b) of this section will govern unless higher minimums are prescribed in the operator's operations specifications or by the foreign country over which the airplane is being operated.

(a) *Day VFR operations.* No airplane shall be flown at an altitude less than 1,000 feet above the surface or less than 1,000 feet from any mountain, hill, or other obstruction to flight.

(b) *Night VFR or IFR operations including over-the-top.* No airplane shall be flown at an altitude less than 1,000 feet above the highest obstacle located within a horizontal distance of 5 miles from the center of the course intended to be flown or, in mountainous terrain designated by the Administrator, 2,000 feet above the highest obstacle located within a horizontal distance of 5 miles from the center of the course intended to be flown: *Provided*, That in VFR operations at night in such mountainous areas airplanes may be flown over an approved lighted airway at a minimum altitude of 1,000 feet above such obstacle: *And provided further*, That adherence to a flight altitude will not be required during the time a flight is proceeding in accordance with paragraph (c) of this section.

(c) *Daytime over-the-top operations below minimum en route altitudes.* Over-the-top operations with airplanes may be conducted at flight altitudes lower than the minimum en route IFR

altitudes by day only and in accordance with the following provisions:

- (1) Such operations shall be conducted at least 1,000 feet above the top of lower broken or overcast cloud cover;
- (2) The top of the lower cloud cover shall be generally uniform and level;
- (3) Flight visibility shall be at least 5 miles; and
- (4) The base of any higher broken or overcast cloud cover shall be generally uniform and level and shall be at least 1,000 feet above the minimum en route IFR altitude for the route segment.

§ 42.409 Altitude maintenance on initial approach; airplanes.

(a) When making an initial approach to a radio navigational facility under IFR (excluding over-the-top conducted in accordance with the provisions of § 42.408(c)), an airplane shall not descend below the pertinent minimum altitude for initial approach specified by the Administrator for such facility until arrival over the radio facility has been definitely established.

(b) When making an initial approach on a flight being conducted in accordance with the provisions of § 42.408(c), a pilot shall not commence an instrument approach until arrival over the radio facility has definitely been established. In executing an instrument approach procedure under such circumstances, the airplane shall not be flown at an altitude lower than 1,000 feet above the top of the lower cloud cover or the minimum altitude specified by the Administrator for that portion of the instrument approach procedure being flown, whichever is the lower.

§ 42.411 Preparation of load manifest; airplanes.

The operator shall be responsible for the preparation and accuracy of a load manifest form prior to each takeoff. This form shall be prepared by personnel of the operator charged with the duty of supervising the loading of airplanes and the preparation of load manifest forms or by other qualified persons authorized by the operator.

§ 42.412 VFR and IFR flight plan; airplanes.

(a) No airplane shall be taken off unless a VFR or IFR flight plan containing the appropriate information required by Part 60 of this chapter (Civil Air Regulations) is filed by the pilot in command with the nearest FAA communications station, or appropriate military station, or when outside the United States, with the appropriate authority. In the event communications facilities are not readily available, such flight plan shall be filed as soon as practicable after becoming airborne. An IFR or VFR flight plan must thereafter be in effect for all portions of the flight.

(b) When an operator's flights are operated into military airports, the arrival or completion notice required by § 60.20 of Part 60 of this chapter (Civil Air Regulations) may be filed with the appropriate airport control tower or aeronautical communication facility utilized for such airport.

REQUIRED RECORDS AND REPORTS

§ 42.501 Crewmember records; airplanes.

Each operator of airplanes shall maintain current records of every crewmember at its principal operations base or at such other location used by the operator as an authorized representative of the Administrator may approve. These records shall contain such information concerning the qualifications of each such crewmember as is necessary to show compliance with the appropriate requirements of this chapter (Civil Air Regulations); e.g., proficiency and line checks, airplane qualifications, training, physical examinations, and flight time records. The termination or other action taken in regard to any flight crewmember released from the employ of the operator, or who becomes physically or professionally disqualified, shall be indicated in these records which shall be retained by the operator for at least 6 months.

§ 42.503 Flight release form; airplanes.

(a) Except as otherwise provided in paragraph (c) of this section, the airplane flight release may be any form but shall contain at least the following information with respect to each flight:

- (1) Company or organization name;
- (2) Make, model, and registration number of the airplane to be used;
- (3) Flight or trip number, and date of flight;
- (4) Name of each flight crewmember, flight attendant, and pilot designated as pilot in command;
- (5) Airport of departure, airport or airports of destination and alternates therefor, and route;
- (6) Minimum fuel supply in gallons or pounds; and
- (7) Type of operation; e.g., IFR, VFR.

(b) The airplane flight release shall contain, or have attached thereto, weather reports, available weather forecasts, or a combination thereof, for airports of destination and alternate specified therein which shall be the latest available at the time the flight release is signed. It shall include such additional weather reports and forecasts, as available, considered necessary or desirable by the pilot in command.

(c) A certificated route air carrier operating under the provisions of this part shall comply with the dispatch or flight release form requirements prescribed for scheduled operations under the provisions of Part 40, 41, or 46 of this chapter (Civil Air Regulations).

§ 42.504 Load manifest; airplanes.

(a) The load manifest shall contain at least the following information with respect to the loading of an airplane at the time of takeoff:

- (1) The weight of the—
 - (i) Airplane,
 - (ii) Fuel and oil,
 - (iii) Cargo and baggage,
 - (iv) Passengers, and
 - (v) Crewmembers;
- (2) The maximum allowable weight applicable for the particular flight which shall include:
 - (i) Maximum allowable takeoff weight for the runway intended to be used in-

cluding corrections for altitude and gradient, and wind and temperature conditions existing at the time of take-off;

(ii) Maximum takeoff weight considering anticipated fuel and oil consumption to permit compliance with applicable en route performance limitations;

(iii) Maximum takeoff weight considering anticipated fuel and oil consumption to permit compliance with the maximum authorized design landing weight limitations on arrival at the airport of destination; and

(iv) Maximum takeoff weight considering anticipated fuel and oil consumption to permit compliance with landing distance limitations on arrival at airport of destination and alternate(s).

NOTE: The minimum weight of subdivisions (i), (ii), (iii), and (iv) of this subparagraph less the weight of the fuel required must not exceed the maximum zero fuel weight as established in the Airplane Flight Manual.

(3) The total weight computed in accordance with approved procedures;

(4) Evidence that the airplane is loaded in accordance with an approved schedule which insures that the center of gravity is within approved limits; and

(5) Names of passengers.

(b) The load manifest shall be signed for each flight by the pilot in command.

§ 42.505 Disposition of load manifest; flight and maintenance release forms; route certification and flight plans; airplanes.

(a) The original signed load manifest, flight release, maintenance release, pilot route certification, and flight plan shall be in the possession of the pilot in command and shall be carried in the airplane to its destination.

(b) If a flight originates at the principal operations base of the operator, duplicate signed copies of the documents specified in paragraph (a) of this section shall be retained by the operator at the principal operations base. If a flight originates at a place other than the principal operations base of the operator, the pilot in command or other person authorized by the operator shall mail signed duplicate copies of the documents specified in paragraph (a) of this section to the principal operations base either before or immediately after departure of the flight.

(c) Either the original or a copy of the documents specified in paragraph (a) of this section shall be retained by the operator at its principal operations base for at least 6 months.

§ 42.506 Maintenance records; airplanes.

(a) Each operator of airplanes shall keep at its principal maintenance base current records of the total time in service, the time since last overhaul, and the time since last inspection of all major components of the airframe, engines, propellers, and, where practicable, appliances.

(b) Records of total time in service may be discontinued when it has been

shown that the service life of component parts is safely controlled by other means, such as inspection, overhaul, or parts retirement procedures. An authorized representative of the Administrator may require the keeping of total time records for specific parts when it is found that other procedures will not safely limit the service life of such parts.

(c) An airplane component, engine, propeller, or appliance for which complete records are not available may be placed in service, provided that:

(1) It is of a type for which total time-in-service records are not required under the provisions of paragraph (b) of this section;

(2) Parts which are limited by an authorized representative of the Administrator or manufacturer to a specific service time are retired and replaced by new parts; and

(3) It has been properly overhauled or rebuilt, and a record of such overhaul or rebuilding is included in the maintenance records.

§ 42.507 Maintenance log; airplanes.

A legible record shall be made in the airplane's maintenance log of the action taken in each case of reported or observed failures or malfunctions of airframes, engines, propellers, and appliances critical to the safety of the flight. The operator shall establish an approved procedure for retaining an adequate number of such records in the airplane in a place readily accessible to the flight crew and shall incorporate such procedure in the operator's manual. The maintenance log shall contain information from which the flight crew may readily determine the time since last overhaul of the airframe and engines.

§ 42.508 Mechanical reliability reports; airplanes.

(a) Each operator of airplanes shall report the occurrence or detection of those failures, malfunctions, or defects specified in paragraph (b) of this section. In addition, each operator shall report any other failure, malfunction, or defect which occurs or is detected at any time in an airplane or airplane component (including airplane systems, appliances, powerplants, and propellers) used by the operator when, in the operator's opinion, such failure, malfunction, or defect has endangered or may endanger the safe operation of an airplane used by the operator. The report shall be in written form covering a period of 24 hours beginning at 0900 hours local time of each day and ending at 0900 hours local time of the next day, and shall be submitted to the Federal Aviation Agency maintenance inspector assigned to the operator by 0900 hours local time of the following day: *Provided*, That reports which are due on Saturday or Sunday may be submitted on the following Monday and in case of legal holidays on the following workday.

NOTE: Failures, malfunctions, or defects reported in accordance with the accident reporting provisions of Part 320 of the Regulations of the Civil Aeronautics Board need not be included.

(b) The operator shall report each occurrence or detection of a failure, malfunction, or defect involving:

(1) Fires during flight and whether the related fire-warning system functioned properly;

(2) Fires during flight and whether the related fire-warning system did not function properly;

(3) Fires during flight not protected by a related fire-warning system;

(4) False fire warning during flight;

(5) Engine exhaust systems which result during flight in damage to engine, adjacent structure, equipment, or components;

(6) An airplane component which results during flight in the accumulation or circulation of smoke, vapor, or toxic or noxious fumes in the crew compartment or cabin;

(7) Engine shutdown during flight due to engine flameout;

(8) Engine shutdown during flight when external damage to the engine or to the airplane structure has occurred;

(9) Engine shutdown during flight due to foreign object ingestion or icing;

(10) Engine shutdown during flight of more than one engine on an airplane;

(11) Propeller feathering system or ability of the system to control overspeeding during flight;

(12) Fuel or fuel-dumping systems affecting fuel flow or causing hazardous leakage during flight;

(13) Landing gear extension or retraction or opening or closing of landing-gear doors during flight;

(14) Break system components which result in loss of brake actuating force while the airplane is in motion on the ground;

(15) Airplane structure which requires major repair;

(16) Cracks, permanent deformation, or corrosion of airplane structure which exceed the maximum limits acceptable to the manufacturer or the Federal Aviation Agency; and

(17) Airplane components or systems which result during flight in the taking of emergency actions; except that action taken to shutdown an engine need not be reported as an emergency under this provision.

NOTE: Under the provisions of this paragraph, an airplane is in flight from the moment it leaves the surface of the earth on takeoff until it touches down at a place of landing.

(c) Reports required by paragraph (a) of this section shall be transmitted in a manner and on a form convenient to the operator's system of communication and procedure, and shall include in the first daily report as much of the following information as is available;

(1) Type and identification number of the airplane, name of the operator, date, flight number, and stage during which the incident occurred; e.g., pre-flight, takeoff, climb cruise, descent, landing, inspection;

(2) Emergency procedure effected; e.g., unscheduled landing, emergency descent;

(3) Nature of condition; e.g., fire, structural failure;

(4) Identification of part and system involved, including available information pertaining to type designation of the major component and time since overhaul;

(5) Apparent cause of trouble; e.g., wear, crack, design deficiency, personnel error;

(6) Disposition; e.g., repaired, replaced, airplane grounded, part sent to manufacturer; and

(7) Brief narrative summary of other pertinent information necessary for more complete identification, determination of seriousness, and corrective action.

(d) Reports required by paragraph (a) of this section shall not be withheld pending accumulation of all information specified in paragraphs (b) and (c) of this section. When additional information is obtained relative to the incident, including any that may be furnished by the manufacturer or other outside agency, it shall be expeditiously submitted as a supplement to the first report, referencing the date and place of submission of such report.

§ 42.509 Mechanical interruption summary report; airplanes.

Each operator of airplanes shall submit regularly and promptly to the Administrator a summary report containing information on the following occurrences:

(a) All interruptions to a flight, unscheduled changes of airplanes en route, and unscheduled stops and diversions from route which result from known or suspected mechanical difficulties or malfunctions that are not required to be included in mechanical reliability reports.

(b) The number of engines removed prematurely because of mechanical trouble, listed by make and model of engine and the airplane type in which the engine was installed.

(c) The number of propeller featherings in flight, listed by type of propeller and type of engine and the airplane on which the propeller is installed. Propeller featherings accomplished for training, demonstration, or flight check purposes need not be reported.

§ 42.510 Alteration and repair reports; airplanes.

Upon completion of a major alteration or major repair to an airframe, engine, propeller, or appliance, a report thereof shall be promptly prepared by the operator. A copy of the major alteration report shall be submitted to, and a copy of the report of the major repair shall be made available to, the representative of the Administrator assigned to the operator.

§ 42.511 Maintenance release; airplanes.

When an airplane is released by the maintenance organization to flight operations, a maintenance release certifying that the airplane is in an airworthy condition shall be prepared and signed by a maintenance inspector or a person authorized by the inspection organization of the operator prior to release of such airplane. If a maintenance release form is prepared, a copy shall be given to the pilot in command. An appropriate record shall be kept for at least 2 months.

§ 42.513 Commercial operator—retention of contracts and amendments thereto.

Each holder of a commercial operator certificate shall retain a copy of each

contract under which it provides services as a commercial operator, or in the case of oral contracts, a memorandum stating the elements of each such contract, and of each amendment to such a contract, for a period of one year after the date of the execution of that contract or change.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Appendix A—First-Aid Kits

Approved first-aid kits required by § 42.173 shall meet the following specifications and requirements.

(1) Each first-aid kit shall be dust and moisture proof, and contain only materials which meet Federal Specifications GG-K-391a, as revised.

(2) The type of first-aid kit and the contents thereof based upon the capacity of the airplane is as follows:

(a) No. 1 kit for airplanes of 1 to 5 persons capacity.

Contents	No.
Adhesive bandage compresses, 1-inch (16 per unit)-----	1
Antiseptic swabs, 10mm. (10 per unit)-----	1
Ammonia inhalants, 6mm. (10 per unit)-----	1
2-inch bandage compresses (4 per unit)-----	1
4-inch bandage compresses (1 per unit)-----	1
Triangular bandage compressed, 40-inch (1 per unit)-----	2
Burn compound, ½ oz. (6 per unit) or equivalent amount of other burn remedy-----	1
Ophthalmic ointment, ½ oz. (6 per unit)-----	1
(b) No. 2 kit for airplanes of 6 to 25 persons capacity. ¹	

Contents	No.
Adhesive bandage compresses, 1-inch (16 per unit)-----	2
Antiseptic swabs, 10mm. (10 per unit)-----	2
Ammonia inhalants, 6mm. (10 per unit)-----	1
2-inch bandage compresses (4 per unit)-----	3
4-inch bandage compresses (1 per unit)-----	2
Triangular bandage compressed, 40-inch (1 per unit)-----	3
Burn compound, ½ oz. (6 per unit) or equivalent amount of other burn remedy-----	2
Ophthalmic ointment, ½ oz. (6 per unit)-----	1

(c) No. 3 kit for airplanes of over 25 persons capacity.

Contents	No.
Adhesive bandage compresses, 1-inch (16 per unit)-----	4
Antiseptic swabs, 10mm. (10 per unit)-----	4
Ammonia inhalants, 6mm. (10 per unit)-----	2
2-inch bandage compresses (4 per unit)-----	3
4-inch bandage compresses (1 per unit)-----	3
Triangular bandage compressed, 40-inch (1 per unit)-----	5
Burn compound, ½ oz. (6 per unit) or an equivalent amount of other burn remedy-----	2
Ophthalmic ointment, ½ oz. (6 per unit)-----	1

¹ Kit No. 2 in canvas may also be used on lifts.

Appendix B—Minimum Standards for the Approval of Airplane Simulators

1. *Application for approval.* An application for approval of an airplane simulator is submitted, in triplicate, to the authorized representative of the Administrator. The application must include the following:

(a) Information sufficient to show that the simulator adequately simulates the type

of airplane with respect to the items and systems listed in section 3 of this appendix.

(b) Comparative data sheets showing that the performance and flight characteristics of the airplane simulator have been flight checked and found to be within the limits prescribed for the items listed in section 4 of this appendix. The airplane data used for comparison purposes must be applicable to the currently certificated airplanes. Such data may be obtained:

(1) From the approved Airplane Flight Manual, Type Inspection Reports, or other flight test data provided by the airplane manufacturer. Other sources of airplane data may be used if approved by the authorized representative of the Administrator. Such data must be submitted so as to allow sufficient time for investigation of their adequacy.

(2) By flight tests conducted in the air carrier's own airplane. If this procedure is used, performance and flight characteristics data for the center of gravity limits and weights used during training will be satisfactory. Before starting these flights, an outline of the tests to be conducted in the airplane must be prepared and coordinated by the air carrier with the authorized representative of the Administrator. This outline must contain procedures to be followed and data to be obtained during each phase of the flight testing program. The authorized representative of the Administrator may observe and participate in the flight test program to the extent he considers necessary and appropriate. Any data so obtained will be acceptable for use by other air carriers using the same type of airplane if appropriate arrangements are made with the air carrier originating the data.

2. General requirements.

(a) The effect of changes on the basic forces and moments must be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration must be included.

(b) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane must be entirely automatic in character unless otherwise specified.

(c) The rate of change of simulator instrument readings and of control forces must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration.

(d) Control forces and degree of actuating control travel must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to that which would occur in the airplane under actual flight conditions.

(e) Through the medium of instrument indication, it must be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, takeoff, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. In addition, the simulator must be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(f) Suitable course and altitude recorders must be provided.

(g) Communication and navigation aids of the applicable airplane must be simulated for on-the-ground and in-flight operations.

3. Minimum standards for simulation of airplane systems. The simulator shall simu-

late at least the following items and systems which are appropriate to the airplane being simulated:

(a) All normal cockpit noise related to engine or aerodynamic noise (adjustable volume is permissible);

(b) All flight controls;

(c) Gust locks;

(d) Trim tabs;

(e) Landing gear operation;

(f) Wheel brakes;

(g) Steering mechanisms used on the ground;

(h) Wing flaps and spoilers;

(i) Powerplant operations;

(j) Propeller controls and circuitry;

(k) Antidetonation injection systems;

(l) Fuel and oil systems;

(m) Cockpit—the simulator shall represent a full scale mockup, including normal flight crew stations and accommodations for the instructor or check airman, and shall be representative of a typical fleet airplane;

(n) Circuit breaker stations manageable by the flight crew in the flight compartment (those not related to essential flight equipment or systems need not be operative);

(o) Hydraulic systems;

(p) Fire detection and extinguishing systems;

(q) Pneumatic systems (including emergency airbrakes);

(r) Electrical systems;

(s) Interior cockpit lights;

(t) Exterior light controls;

(u) Pressurization and air-conditioning systems (instrument indication and warning signals);

(v) Deicing and anti-icing systems; and

(w) Supplemental breathing systems (the systems may be charged with or vented to air).

4. *Minimum standards of tolerance for performance and flight characteristics.* The simulator shall simulate the performance and flight characteristics of the particular type of airplane being simulated within the tolerance limits specified in paragraphs (a) and (b) of this section. If alternate tolerance limits are given, whichever is the greater shall apply.

(a) *Performance characteristics.* (Airplane weight and center of gravity optional.)

(1) Propeller feathering time, ± 3 seconds.

(2) Landing gear operating time, ± 3 seconds.

(3) Wing flap operating time, ± 3 seconds.

(4) Takeoff acceleration time, ± 10 percent.

(5) Calibration of gyrocompass and turn-and-bank indicator in standard rate turns and 30-degree banked turns, through a range of 180 degrees. Average rate of turn shall be within ± 10 percent.

(6) Minimum control speed (in flight), ± 5 knots.

(7) Stall speeds and stall warning speeds (wings level), as follows:

(i) Stall warning speed (initial buffet) in the takeoff, approach, and landing configuration, ± 3 knots.

(ii) Stall speeds in the takeoff, approach, and landing configuration, ± 5 knots.

(iii) The difference between stall warning (initial buffet) and stall speed shall be within ± 5 knots of that for the appropriate airplane, but in no case should the stall occur before the stall warning.

(8) Engine power (thrust) calibration at takeoff and maximum continuous ratings over an altitude range, as follows:

(i) Reciprocating engines: MP, for a given BMEP and RPM, ± 1 inch.

(ii) Turbine engines: N_1 and N_2 , for a given EPR, ± 2 percent.

(iii) Critical altitude, piston engine simulators only, ± 800 feet or ± 10 percent.

(9) Speed versus power in level flight at cruise altitude, ± 5 knots, or 3 percent, or .03 Mach.

(10) Rates of climb versus altitude in the following configurations (propeller airplane

simulators, ± 50 feet or 10 percent; jet airplane simulators, ± 100 feet or 10 percent):

- (i) Takeoff gear down (one engine inoperative),
- (ii) Takeoff gear up (one engine inoperative),
- (iii) Final takeoff (one engine inoperative),
- (iv) All engines en route,
- (v) One-engine-inoperative en route climb,
- (vi) Two-engine-inoperative en route climb (for airplanes with four or more engines),
- (vii) Approach (one engine inoperative), and
- (viii) Landing.

NOTE: At least two airplane weights must be included in at least one configuration, and at least two outside air temperatures must be included in at least one other configuration.

(11) Rates of climb versus airspeed for one takeoff, and one en route configuration (propeller airplane simulators ± 50 feet or ± 10 percent; jet airplane simulators ± 100 feet or ± 10 percent).

(12) In determining compliance with subparagraphs (9), (10), and (11) of this paragraph, MP/BMEP/RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8) (i), and EPR/Compressor RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8) (ii) of this paragraph.

(b) *Flight characteristics.* (Airplane weight and center of gravity optional.)

(1) Static longitudinal control stability: In the landing, approach, cruise (high and low altitude), and climb configurations, return to trim, when the simulator speed is caused to depart 15 percent from trim speed, shall be within ± 5 knots of approved airplane data. The slope of the stick force curve shall be positive. One of these configurations shall cover a center of gravity range.

(2) Control forces: Simulator control forces in the following areas shall be within ± 8 pounds or ± 25 percent of the forces encountered in the airplane as indicated by the required data; except that, in regard to rudder forces, the tolerance shall be ± 10 pounds or ± 20 percent:

- (i) Longitudinal control forces during flap retraction (power off and power on), flap extension, power or thrust application, go-around following a balked landing.
- (ii) Minimum control speed (in flight), rudder and aileron forces.
- (iii) Stick force per "g."
- (3) The roll rate of the simulator shall be within ± 2 seconds or ± 25 percent, whichever is greater, of that of the airplane.

NOTE: If data for items in subparagraphs (2) (ii), (2) (iii) and (3) of this paragraph are not contained in the Type Inspection Report, the authorized representative of the Administrator may adjudge the adequacy of simulation.

(4) In the following areas, specified tolerance limitations are not set forth in these standards. In these areas of flight characteristics, when appropriate to the type of airplane being simulated, the adequacy of simulation shall be subject to the approval of the authorized representative of the Administrator:

- (i) Compressibility trim change.
- (ii) Approaches to stall in the takeoff, approach, and landing configuration (wings level), from initial buffet to stall; except that at least one approach to a stall must be done in a 20-degree bank turn.
- (iii) Buffet at high Mach numbers up to design Mach limits.
- (iv) Dutch roll.
- (v) Emergency descents.

5. *Minimum standards of tolerance for simulator navigational accuracy.* At any altitude, on any heading, and at any airspeed, the navigational accuracy of the simulator must be as follows:

(a) The distance traveled with zero wind in a particular time interval must be equivalent to ± 5 percent of the horizontal component of the true airspeed multiplied by the time interval.

(b) The track of the simulator with no wind must agree with the true heading of the simulator within ± 3 degrees which shall include allowances for instrument error. (This shall apply when the simulator is turning as well as flying a straight course.)

(c) During simulated ILS approaches with zero wind, the descent path of the simulator, as indicated by airspeed, altitude, and rate of descent, must agree with the descent path as indicated by the flight instrument indicating glide path deviation, within ± 20 feet from 0 to 200 feet, ± 10 percent of the height above the runway, from 200 to 1,000 feet, and ± 100 feet from 1,000 to 5,000 feet above the airport elevation.

[F.R. Doc. 63-7353; Filed, July 11, 1963; 8:56 a.m.]

[Reg. Docket No. 1835; Reg. No. SR-395B]

PART 42a—CERTIFICATION AND OPERATION RULES FOR COMMERCIAL OPERATORS AND AIR TAXI OPERATORS; SMALL AIRCRAFT

PART 45—COMMERCIAL OPERATOR CERTIFICATION AND OPERATION RULES

Miscellaneous Amendments

Currently effective Part 42 of the Civil Air Regulations contains provisions which are applicable to supplemental air carriers, commercial operators, and air taxi operators, who conduct operations in large or small aircraft.

In the enactment of Part 42, which is being adopted by the Agency, the requirements for small aircraft operations have been deleted. In lieu thereof, the Agency has circulated proposed Part 125 [New] of the Federal Aviation Regulations which will govern air taxi operations, as defined in § 298.1(a) (2) of the Board's Economic Regulations, commercial operators using small aircraft, and scheduled air carriers who are permitted by the Administrator to operate their small aircraft under this part.

However, until the proposed Part 125 is adopted and becomes effective, it is necessary that the air taxi provisions of currently effective Part 42 remain in effect. Accordingly, this special regulation continues currently effective Part 42 in effect and redesignates it as Part 42a.

Currently, Part 45 governs commercial operators using small or large aircraft. Proposed Part 42, effective November 11, 1963, provides for the certification and operation of commercial operators using large aircraft. This obviates the need for the provisions of Part 45 governing them. Special Regulation 395B incorporates the provisions of Part 45 relating to commercial operators using small aircraft. The enactment by the Agency of new Part 42 and this special regulation completely obviates the need for Part 45.

The Agency is therefore rescinding Part 45, as previously indicated in the preamble to revised Part 45 (28 F.R. 2001), which became effective May 1, 1963.

Current Special Regulation 395A authorizes air taxi operators to be certificated and to operate under the provisions of current Part 42. By revising the applicability of that part, Special Regulation 395B authorizes air taxi operators as well as commercial operators using small aircraft to be certificated and to conduct operations under Part 42a. The Agency is therefore rescinding Special Regulation 395A.

In consideration of the foregoing, effective November 11, 1963, the following Special Civil Air Regulation is adopted:

1. Part 45 of the Civil Air Regulations is rescinded.
2. Special Regulation 395A of the Civil Air Regulations is rescinded.
3. Current Part 42 is redesignated as Part 42a and its title is amended to read as follows: Part 42a—Certification and operation rules for commercial operators and air taxi operators; small aircraft.
4. Section 42a.0 is amended to read as follows:

§ 42a.0 Applicability of this part.

The certification and operations provisions of this part apply to air taxi operations as defined in § 298.1(a) (2) of the Board's Economic Regulations and the operations provisions apply to commercial operators, as defined in § 42a.5, using small aircraft only.

This Special Civil Air Regulation is issued under the authority of sections 313 (a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1424).

Issued in Washington, D.C., on July 8, 1963.

N. E. HALABY,
Administrator.

[F.R. Doc. 63-7352; Filed, July 11, 1963; 8:55 a.m.]

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-SW-4]

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

Designation of Transition Area

On March 2, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 2051) stating that the Federal Aviation Agency proposed to designate a transition area at Corona, N. Mex.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and no adverse comments were received regarding the proposed amendment.

The substance of the proposed amendment having been published, and for the reasons stated in the notice, the following action is taken:

In § 71.181 (27 F.R. 220-139, November 10, 1962) the following is added:

Corona, N. Mex.

That airspace extending upward from 8,500 feet MSL, within 10 miles NE and 7 miles SW of the Corona VOR 139° and 319° radials, extending from 20 miles SE to 9 miles NW of the VOR.

This amendment shall become effective 0001, e.s.t., September 19, 1963:

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)
Issued in Washington, D.C., on July 5, 1963.

W. R. ANDREWS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7310; Filed, July 11, 1963;
8:46 a.m.]

PART 99—SECURITY CONTROL OF AIR TRAFFIC [NEW]

Correction

In F.R. Doc. 63-6802 appearing in the issue for Saturday, June 29, 1963, at page 6702, the reference to "§ 91.25" in § 99.17(a) is changed to "§ 91.125".

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Reg. Docket No. 1772; Amdt. 326]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ELX VOR.....	Milburg Int (final).....	Direct.....	2000	T-dn.....	300-1	300-1	200-1½
ELX VOR.....	BEH RBN.....	Direct.....	2000	C-dn.....	600-1	600-1	600-1½
SBN VOR.....	BEH RBN.....	Direct.....	2100	S-dn.....	600-1	600-1	600-1
				A-dn*.....	NA	NA	NA
				Following minimums apply if aircraft ADF and VOR equipped and Milburg Int# identified:			
				C-dn.....	400-1	600-1	500-1½
				S-dn-27.....	400-1	400-1	400-1

Procedure turn N side of crs, 086° Outbnd, 266° Inbnd, 2000' within 10 miles.

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

Crs and distance, Milburg Int to airport, 266°—6.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles of BEH RBN, climb to 2000' on 266° bearing then proceed direct to BEH RBN, contact SBN approach control for further instructions.

NOTE: Procedure effective from 0600 to 2400 local time.

#Milburg Int: Int BEH ADF bearing 266° and SBN VOR R-005.

*800-2 alternate minimums authorized for air carriers with approved weather reporting service.

City, Benton Harbor; State, Mich.; Airport Name, Ross Field; Elev., 642'; Fac. Class., MHW; Ident., BEH; Procedure No. 1, Amdt. Orig.; Eff. Date, 29 June 63

SBN VOR.....	BEH RBN.....	Direct.....	2100	T-dn.....	300-1	300-1	200-1½
ELX VOR.....	BEH RBN.....	Direct.....	2000	C-dn.....	600-1	600-1	600-1½
Musky Int.....	BEH RBN.....	Direct.....	2000	S-dn-9.....	600-1	600-1	600-1
Mermaid Int.....	BEH RBN.....	Direct.....	2000	A-dn*.....	NA	NA	NA

Procedure turn S side of crs 276° Outbnd, 066° Inbnd, 2000' within 10 miles.

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

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb straight ahead to 2000' and proceed direct to ELX VOR, contact SBN approach control for further instructions or, when directed by ATC, climb straight ahead to 2000' and then return to BEH RBN.

NOTE: Procedure authorized from 0600 to 2400 local time.

*800-2 alternate minimums authorized for an air carrier with approved weather reporting service.

City, Benton Harbor; State, Mich.; Airport Name, Ross Field; Elev., 642'; Fac. Class., MHW; Ident., BEH; Procedure No. 2, Amdt. Orig.; Eff. Date, 29 June 63

				T-dn.....	300-1	NA	NA
				C-dn.....	700-1	NA	NA
				S-dn-16.....	700-1	NA	NA
				A-dn.....	1000-2	NA	NA

Procedure turn W side of crs, 338° Outbnd, 158° Inbnd, 2100' within 10 miles.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 158°—3.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing PH LOM, make a left climbing turn to 2100', returning to the LOM. Hold W 1-minute right turns, Inbnd crs, 085°.

City, Bridgeport; State, N.J.; Airport Name, Bridgeport; Elev., 23'; Fac. Class., LOM; Ident., PH; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 26 May 62

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MKC-VOR.....	LOM.....	Direct.....	2600	T-dn#.....	300-1	300-1	*300-1
Liberty RBN.....	LOM.....	Direct.....	2600	C-dn%.....	700-1	700-1	700-1½
Farley RBN.....	LOM.....	Direct.....	2600	A-dn.....	800-2	800-2	800-2
BSP-VOR.....	LOM.....	Direct.....	2600				

Radar vectoring to final approach course authorized in accordance with approved patterns.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2600' within 10 miles.

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

Crs and distance, LOM to Bluff FM, 185°—3.7 miles; Bluff FM to airport, 223°—0.7 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing MK LOM or at Bluff FM, make right turn climbing to 2700', intercept the 310° bearing to Farley RBN. Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700', intercept R-283 BSP VOR, proceed to Lansing Int.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

CAUTION: Numerous obstructions 1100' or below NE, SW and NW quadrants within 1.7 miles of airport.

*Unless radar vectored and the weather is below 1000-3: Aircraft taking off SE, S or SW and planned route is between 090° and 180°, intercept the RIS VOR R-200 or MKO R-180, climb to 2500' before proceeding on course. Aircraft taking off NW, N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

*No reduction takeoff minimums except Runway 31.

%Circling SE of airport from 090° clockwise to 180° not authorized, obstructions above 1000' in this area, highest 2049' 4.0 miles SSE of airport.

City, Kansas City; State, Kans.; Airport Name, Fairfax Municipal; Elev., 746'; Fac. Class., LOM; Ident., MK; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 16 Sept. 61

MKC VOR.....	LOM.....	Direct.....	2600	T-dn#.....	**300-1	**300-1	%300-1
Liberty RBN.....	LOM.....	Direct.....	2600	C-dn#.....	*700-1	700-1	700-1½
Farley RBN.....	LOM.....	Direct.....	2600	S-dn-18.....	*700-1	700-1	700-1
BSP-VOR.....	LOM.....	Direct.....	2600	A-dn.....	800-2	800-2	800-2

Radar vectoring to final approach course authorized in accordance with approved patterns.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2600' within 10 miles of MK LOM.

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

Crs and distance, facility to airport, 185°—5.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing MK LOM or at KC LMM, make right turn climbing to 2700', intercept the 310° bearing to Farley RBN. Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700', intercept BSP-VOR R-283 and proceed to Lansing Int.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

**AIR CARRIER NOTE: No reduction in takeoff minimums except on Runway 36.

%AIR CARRIER NOTE: 200-½ authorized Runway 36 only.

*Unless radar vectored when weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-210 or MKC-VOR R-190, climb to 2500' before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

*600-1 if Bluff FM received (cross FM not less than 1460').

##Circling not authorized E of airport in sector from 090° through 180° due to numerous tall obstructions. Sliding scale not authorized for circling approaches.

City, Kansas City; State, Mo.; Airport Name, Municipal; Elev., 758'; Fac. Class., LOM; Ident., MK; Procedure No. 1, Amdt. 5; Eff. Date, 29 June 63; Sup. Amdt. No. 4; Dated, 16 Sept. 61

MKC-VOR.....	LOM.....	Direct.....	2600	T-dn.....	300-1	300-1	200-½
Farley Int.....	LOM.....	Direct.....	2600	C-dn.....	500-1	500-1	500-1½
Lansing Int.....	LOM.....	Direct.....	2600	S-dn-36.....	400-1	400-1	400-1
Bonner Springs Int.....	LOM.....	Direct.....	2600	A-dn*.....	800-2	800-2	800-2
Camden Int.....	LOM.....	Direct.....	2600				
BSP-VOR.....	LOM.....	Direct.....	3000				

Radar vectoring to final approach authorized in accordance with approved patterns.

Procedure turn W side of crs, 185° Outbnd, 005° Inbnd, 2600' within 10 miles.

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

Crs and distance, facility to airport, 005°—4.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing RBN, climb to 2700' on crs 005°. Proceed to Camden Int or, when directed by ATC, turn left, climb to 2700', proceed to FRY RBN.

NOTE: Control tower service and control zone designated during hours 0700-2300 local time daily.

*Alternate minimums not applicable during hours control tower service not available.

City, Kansas City; State, Mo.; Airport Name, Mid-Continent; Elev., 1011'; Fac. Class., LOM; Ident., MC; Procedure No. 1, Amdt. 2; Eff. Date, 29 June 63; Sup. Amdt. No. 1; Dated, 16 Feb. 63

MIA-VOR.....	MIA RBN.....	Direct.....	1500	T-dn.....	300-1	300-1	200-½
				C-dn.....	500-1	500-1	500-1½
				C-n.....	500-2	500-2	500-2
				S-d-9L.....	500-1	500-1	500-1½
				S-n-9L.....	500-2	500-2	500-2
				A-dn**.....	NA	NA	NA

Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 1500'.

Crs and distance, facility to airport, 097°—7.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.2 miles after passing MIA RBN, climb to 1500' on crs 097° crs from MIA RBN within 20 miles.

NOTE: This approach authorized during Opa Locka tower hours of operation.

Major change: Eliminates Ruby Int.

*No weather information available.

City, Miami; State, Fla.; Airport Name, Opa Locka; Elev., 9'; Fac. Class., SABH; Ident., MIA; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 8 June 63

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Neola VOR.....	LOM.....	Direct.....	2600	T-dn.....	*300-1	*300-1	##200-1½
OMA-VOR.....	LOM.....	Direct.....	2700	C-d.....	600-1	700-1	700-1½
				C-n.....	600-1½	700-1½	700-1½
				S-dn-14L.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radar transitions authorized all sectors 2600', except 2700' within 3 miles of 1739' tower 4 miles W and 2700' within 3 miles of 1746' tower 3 miles SW of airport.
 Procedure turn W side NW crs, 315° Outbnd, 135° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'.
 Crs and distance, facility to airport, 135°—3.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing LOM, climb to 2700' on crs 135° from LOM within 20 miles or, when directed by ATC, climb to 2500' on crs 135° from LOM, turn left and proceed direct to Neola VOR.
 CAUTION: Bluff 1339' MSL, 1.3 miles E. Towers 1739' MSL 4 miles WNW and 1746' MSL 3 miles SW of airport. Stack 1192' MSL 0.8 mile SSE of LOM.
 NOTE: Final approach from holding pattern at LOM not authorized. Procedure turn required.
 #After takeoff climb to 2000' MSL before proceeding in a westerly direction.
 AIR CARRIER NOTES: *No reduction in 2-engine or less aircraft takeoff minimums authorized except on Runways 14L, 32R, 17L, and 35R. ##300-1 takeoff minimums required for more than 2-engine aircraft except on Runways 14L, 32R, 17L, and 35R.
 City, Omaha; State, Nebr.; Airport Name, Eppeley Airfield; Elev., 982'; Fac. Class., LOM; Ident., OM; Procedure No. 1, Amdt. 12; Eff. Date, 29 June 63; Sup. Amdt. No. 11; Dated, 1 June 63

2. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
OOD-VOR.....	Swedesboro Int (final).....	Direct.....	1000	T-dn.....	300-1	NA	NA
				C-dn*	600-1	NA	NA
				S-dn-34*	600-1	NA	NA
				A-dn.....	1000-2	NA	NA

Procedure turn E side of crs, 179° Outbnd, 359° Inbnd, 1700' within 10 miles.
 Minimum altitude over facility on final approach crs, 1700'.
 Crs and distance, facility to airport, 359°—9.4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.4 miles after passing OOD-VOR, make a right climb-ing turn to 1700', returning to the OOD-VOR. Hold S, 1-minute right pattern, 359° Inbnd.
 #Swedesboro Int: Int OOD-VOR R-359 and EWT-VOR R-083.
 *Maintain 1000' until passing Swedesboro Int. If Swedesboro Int not received, ceiling minimum of 1000' is applicable for landing.
 City, Bridgeport; State, N.J.; Airport Name, Bridgeport; Elev., 23'; Fac. Class., BVOR; Ident., OOD; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 26 May 62

Int R-255 INK and R-145 CNM.....	CNM VOR.....	Direct.....	5000	T-dn.....	300-1	300-1	300-1
				C-d.....	500-1	500-1	500-1½
				C-n.....	500-2	500-2	500-2
				S-dn-32L.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 145° Outbnd, 325° Inbnd, 5000' within 10 miles.
 Minimum altitude over facility on final approach crs, 4300'.
 Crs and distance, facility to airport 325°—4.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing CNM-VOR, turn right, climbing to 5000' on R-050 within 20 miles.
 AIR CARRIER NOTE: Runways 3-21 and 14 R-32L only authorized for night operation.
 CAUTION: Unlighted hill 200' above airport elevation approximately 2½ miles NW of airport.
 City, Carlsbad; State, N. Mex.; Airport Name, Carlsbad Municipal; Elev., 3276'; Fac. Class., BVOR; Ident., CNM; Procedure No. 1, Amdt. 4; Eff. Date, 29 June 63; Sup. Amdt. No. 3; Dated, 25 May 57

				T-d.....	300-1	NA	NA
				C-d.....	900-1	NA	NA
				A-d.....	NA	NA	NA

Procedure turn W side of crs, 019° Outbnd, 199° Inbnd, 1500' within 10 miles.
 Minimum altitude over facility on final approach course 1000'.
 Course and distance, facility to airport 199°—2.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.0 miles after passing DPK VOR, climb on crs 199° to 1500' within 10 miles. Make left turn and return to DPK VOR. Hold N 1-minute right turns, Inbnd crs 199°.
 NOTE: Night operations not authorized.

City, Deer Park; State, N. Y.; Airport Name, Deer Park; Elev., 78'; Fac. Class. and Ident., BVOR-DPK; Procedure No. 1, Amdt. Orig.; Eff. Date, 29 June 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn-----	300-1	300-1	200-1½
				C-dn-----	400-1	500-1	500-1½
				S-dn-21-----	400-1	400-1	400-1
				A-dn-----	800-2	800-2	800-2

Procedure turn N side of crs, 034° Outbnd, 214° Inbnd, 5200' within 10 miles.

Minimum altitude over facility on final approach crs, 4700'.

Crs and distance, facility to airport, 214°—4.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing HOB-VOR, climb to 5200' on R-214 HOB-VOR within 20 miles.

City, Hobbs; State, N. Mex.; Airport Name, Lea County; Elev., 3659'; Fac. Class., BVOR; Ident., HOB; Procedure No. 1, Amdt. 8; Eff. Date, 29 June 63; Sup. Amdt. No. 7; Dated, 22 July 61

PROCEDURE CANCELLED, EFFECTIVE 29 JUNE 1963.

City, Honolulu; State, Hawaii; Airport Name, International; Elev., 13'; Fac. Class., VORTAC; Ident., HNL; Procedure No. 1, Amdt. 12; Eff. Date, 10 Dec. 60; Sup. Amdt. No. 11; Dated, 21 May 60

				T-dn#-----	300-1	300-1	*300-1
				C-d#-----	800-1	800-2	800-2
				C-n-----	800-2	800-2	800-2
				A-dn-----	800-2	800-2	800-2
				The following minimum applies for aircraft equipped with operating dual VOR receivers and the Tank Int** is identified:			
				C-dn#-----	600-1	600-1½	600-1½

Radar vectoring to final approach crs authorized in accordance with approved patterns.

Procedure turn W side of crs, 357° Outbnd, 177° Inbnd, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 2600'; over Tank Int*, 1800'.

Crs and distance, facility to airport, 177°—7.5 mi; **Tank Int to airport, 177°—2.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing MKC-VOR or within 2.3 miles after passing Tank Int**, make right turn climbing to 2700', intercept the 310° bearing to Farley RBN. Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700' via BSP-VOR R-283 to Lansing Int.

NOTE: Aircraft executing missed approach may be radar vectored after being reidentified.

CAUTION: Numerous obstructions 1100' or below NE, SW, and NW quadrants within 1.7 miles of airport.

*No reduction takeoff minimums except Runway 31.

**Tank Int: Int MKC-VOR R-177 and BSP-VOR R-291.

%Circling SE of airport from 090° clockwise 180° not authorized, obstructions above 1000' in this area, highest 2049' 4.0 miles SSE of airport.

#Unless radar vectored and the weather is below 100-3: Aircraft taking off SE, S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-200 or MKC R-180, climb to 2500' before proceeding on course. Aircraft taking off NW, N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

City, Kansas City; State, Kans.; Airport Name, Fairfax Municipal; Elev., 746'; Fac. Class., BVORTAC; Ident., MKC; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 16 June 62

				T-dn*-----	#300-1	#300-1	#300-1
				C-dn#-----	1000-3	1000-3	1000-3
				S-dn-18-----	1000-3	1000-3	1000-3
				A-dn-----	1000-3	1000-3	1000-3

Radar vectoring authorized to final approach crs in accordance with approved patterns.

Procedure turn W side of crs, 351° Outbnd, 171° Inbnd, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 2600'.

Crs and distance, facility to airport, 171°—8.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.7 miles after passing MKC-VOR, make right turn, climbing to 2700', intercept the 310° bearing to Farley RBN.

Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700', intercept BSP-VOR R-283 and proceed to Lansing Int.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

*Unless radar vectored when weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-210 or MKC-VOR R-190, climb to 2500' before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

#AIR CARRIER NOTE: No reduction in takeoff minimums except on Runway 36.

##AIR CARRIER NOTE: 200-½ authorized Runway 36 only.

%Circling not authorized E of airport in sector 090° through 180° due to numerous tall obstructions.

City, Kansas City; State Mo.; Airport Name, Kansas City; Elev., 758'; Fac. Class., BVORTAC; Ident., MKC; Procedure No. 1, Amdt. 6; Eff. Date, 29 June 63; Sup. Amdt. No. 5; Dated, 16 Sept. 61

TYS RBN-----	TYS-VOR-----	Direct-----	3100	T-dn-----	300-1	300-1	200-1½
				C-d-----	800-1	800-1	800-1½
				C-n-----	800-1½	800-1½	800-1½
				S-dn-22R-----	800-1	800-1	800-1
				A-dn-----	800-2	800-2	800-2
				If aircraft has operating VOR and ADF receiver and Rockford Int* is received, following minimums authorized:			
				C-d-----	600-1	600-1	600-1½
				C-n-----	600-1½	600-1½	600-1½
				S-dn-22R-----	500-1	500-1	500-1

Radar vectoring authorized in accordance with approved patterns.

Procedure turn E side of crs, 041° Outbnd, 221° Inbnd, 3100' within 10 miles.

Minimum altitude over facility on final approach crs, 2500'; over Rockford Int*, 1800'.

Crs and distance facility to airport, 221°—6.6 miles; Rockford Int* to airport, 221°—2.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 6.6 miles after passing TYS-VOR, turn right, climb to 3000' on R-248 TYS-VOR within 20 miles or, when directed by ATC, climb to 3000' on 225° magnetic bearing from LOM within 15 miles.

*Rockford Int: Int R-221 TYS-VOR and 281° bearing to TYS RBN.

City, Knoxville; State, Tenn.; Airport Name, McGhee-Tyson; Elev., 989'; Fac. Class., H-BVORTAC; Ident., TYS; Procedure No. 1, Amdt. 5; Eff. Date, 29 June 63; Sup. Amdt. No. 4; Dated 23 Mar. 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Colin Int.....	Mud Flat Int.....	Direct.....	8200	T-dn.....	300-1	300-1	200-1½
Corinne RBN.....	Mud Flat Int.....	Direct.....	8000	C-dn.....	500-1	500-1	500-1½
Mud Flat Int.....	OGD VOR (final).....	Direct.....	5500	S-dn-7.....	400-1	400-1	400-1
Huntsville FM.....	OGD VOR.....	Direct.....	11,000	A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn N side of crs, 299° Outbnd, 119° Inbnd, 6500' within 10 miles. Nonstandard due to terrain.

Minimum altitude over facility on final approach crs, 5500'.

Crs and distance, facility to airport, 098°—3.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing OGD VOR, immediate right turn, climb to 9000' on R-299 within 20 miles.

*T-dn Runway 3, 400-1.

City, Ogden; State, Utah; Airport Name, Municipal; Elev., 4455'; Fac. Class., BVOR; Ident., OGD; Procedure No. 1, Amdt. 9; Eff. Date, 29 June 63; Sup. Amdt. No. 8; Dated, 14 July 62

PROCEDURE CANCELLED, EFFECTIVE 29 JUNE 1963.

City, Ogden; State, Utah; Airport Name, Municipal; Elev., 4455'; Fac. Class., BVOR; Ident., OGD; Procedure No. 2, Amdt. 6; Eff. Date, 14 July 62; Sup. Amdt. No. 5; Dated, 3 Dec. 60

All directions.....	AWK VOR.....	Direct.....	1500	T-dn.....	400-1	400-1	400-1
15-mi DME Fix on R-300.....	AWK VOR (final).....	Direct.....	500	C-dn.....	500-1	500-1	500-1½
				S-dn-9**.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 300° Outbnd, 120° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 500'.

Crs and distance facility to airport, 120°—1.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing AWK-VOR, climb to 1500' on R-120 within 20 miles.

*CAUTION: Standard obstruction clearance not provided for circling N side of airport. When necessary to circle N of airport, 700' ceiling minimums apply due to 422' MSL towers 1.5 miles N in vicinity of AWK HHW.

**Straight-in approaches from VOR to Runway 9 not authorized for turbojet aircraft. No restriction on use of transition from 15-mile DME Fix to VOR on R-300.

City, Wake Island; Airport Name, Wake; Elev., 15'; Fac. Class., VORTAC; Ident., AWK; Procedure No. 1, Amdt. 2; Eff. Date, 29 June 63; Sup. Amdt. No. 1; Dated, 12 Jan. 63

				T-d.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				S-d-33.....	500-1	500-1	500-1
				A-dn.....	NA	NA	NA

Procedure turn left side of crs, 155° Outbnd, 335° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach course 1200'.

Crs and distance, facility to airport, 335°—4.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing HCM VOR, make right climbing turn to 2000'. Hold SE, 1-minute right turns, 335° Inbnd.

Note: Lights on E-W runway only.

CAUTION NOTE: 160' tower 1.7 miles W of airport.

City, West Point; State, Va.; Airport Name, West Point Municipal; Elev., 24'; Fac. Class., BVOR; Ident., HCM; Procedure No. 1, Amdt. Orig.; Eff. Date, 29 June 63

3. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MIA-VOR.....	FLL-VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1½
MIA RBN.....	FLL-VOR.....	Direct.....	2000	C-dn.....	600-1	600-1	600-1½
New River VHF Int.....	FLL-VOR.....	Direct.....	1600	S-dn-13.....	600-1	600-1	600-1
Int BSY VOR-345/FLL VOR-306.....	Play Boy Int**.....	Direct.....	1600	A-dn#.....	800-2	800-2	800-2
Play Boy Int**.....	Levee Int* (final).....	Direct.....	600	If aircraft equipped with VOR and ADF receivers and Levee Int* identified the following minimums apply: S-dn-13.....	500-1	500-1	500-1

Procedure turn N side of crs, 306° Outbnd, 126° Inbnd, 1500' within 10 miles. Nonstandard due Miami, Fla. terminal traffic.

Minimum altitude over facility on final approach crs 600'; over Levee Int* 600'.

Crs and distance, Levee Int* to Breakoff Point 126°—3.5 miles.

Crs and distance Breakoff Point to Runway 13, 135°—0.4 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FLL-VOR, turn left and climb to 2000' on R-079, and proceed to Martin VHF Int.

#Limited weather information available to public. Alternate usage authorized for air carriers only.

*Levee Int: Int FLL-VOR R-306 and 008° bearing to FLL RBN.

**Play Boy Int: Int FLL VOR R-306 and MIA VOR R-042.

City, Fort Lauderdale; State, Fla.; Airport Name, Broward County International; Elev., 10'; Fac. Class., VOR; Ident., FLL; Procedure No. TerVOR-13, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 30 May 63

RULES AND REGULATIONS

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Liberty RBn	Avondale Int	Direct	2600	T-dn#	*300-1	*300-1	**300-1
Farley RBn	Avondale Int	Direct	2600	C-dn%	700-1	700-1	700-1½
BSP-VOR	Avondale Int	Direct	2600	S-dn-18	700-1	700-1	700-1
MKC VOR	Avondale Int	Direct	2600	A-dn	800-2	800-2	800-2
Kearney Int	Avondale Int	Via MKC R-082 and RIS R-010.	2600				

Radar vectoring to final approach authorized in accordance with approved patterns.

Procedure turn W side of crs, 010° Outbnd, 190° Inbnd, 2600' within 10 miles of Avondale Int.

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

Crs and distance, Avondale Int to airport, 190°—5.1 miles.

Crs and distance, breakoff point to approach end of Runway 18, 184°—1.0 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Avondale Int, make right turn, climb to 2700' MSL, intercept the 310° bearing to Farley RBn. Proceed to FRY RBn.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

CAUTION: Numerous obstructions 1000' MSL or below, NE, SW, and NW quadrants within 1.7 miles of airport.

*No reduction in takeoff minimums except on Runway 36.

**AIR CARRIER NOTE: 200-½ authorized on Runway 36 only.

%Circling SE of airport from 090° clockwise 180° not authorized, obstructions above 1000' MSL in this area, highest 2049' MSL 2.7 miles SSE of airport.

#Unless radar vectored and if the weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS VOR R-210 or MKO VOR R-190, climb to 2500' MSL before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' MSL before proceeding S of the 090° ADF bearing of KC LMM.

City, Kansas City; State, Mo.; Airport Name, Municipal; Elev., 758'; Fac. Class., BVOR; Ident., RIS; Procedure No. TerVOR-18, Amdt. 1; Eff. Date, 29 June 63; Sup. Amdt. No. Orig.; Dated, 29 Dec. 62

				T-dn#	*300-1	*300-1	**300-1
				C-dn%	600-1	700-1	700-1½
				S-dn-21	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn not authorized. Radar vectoring to final approach crs required in accordance with approved patterns.

If radar contact not established or radar inoperative, execution of this procedure not authorized.

Aircraft will be released for final approach over the 5-mile radar fix or Maple Park Int.

Minimum altitude over 5-mile radar fix or Maple Park Int on final approach crs, 2400'.

Crs and distance, 5-mile radar fix or Maple Park Int to airport, 214°—5.0 miles.

Crs and distance, breakoff point to approach end of runway, 210°—1.0 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Maple Park Int or 5-mile radar fix, make right turn, climb to 2700', intercept the 310° bearing to Farley RBn and proceed to FRY RBn. Aircraft executing missed approach may be radar controlled after being reidentified.

CAUTION: Numerous obstructions 1000' MSL or below, NE, NW and SW quadrants within 1.7 miles of airport.

%Circling SE of airport from 090° clockwise to 180° not authorized, obstructions above 1000' MSL in this area, highest 2049' MSL 2.7 miles SSE of airport.

*No reduction in takeoff minimums except on Runway 36.

**AIR CARRIER NOTE: 200-½ authorized on Runway 36 only.

#Unless radar vectored and if the weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-210 or MKC-VOR R-190, climb to 2500' MSL before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' MSL before proceeding S of the 090° ADF bearing of KC LMM.

City, Kansas City; State, Mo.; Airport Name, Municipal; Elev., 758'; Fac. Class., L-BVOR; Ident., RIS; Procedure No. TerVOR-21, Amdt. 1; Eff. Date, 29 June 63; Sup. Amdt. No. Orig.; Dated, 29 Dec. 62

OKK VOR	MZZ VOR	Direct	2200	T-dn	300-1	300-1	200-½
OKK RBn	MZZ VOR	Direct	2200	C-dn	500-1	500-1	500-1½
OKK VOR	Sweet Int**	Direct	2200	S-dn-15	500-1	500-1	500-1
Sweet Int**	Show Int# (final)	Direct	1400	A-dn*	NA	NA	NA

Procedure turn W side of course 320° Outbnd, 140° Inbnd, 2200' within 10 miles.

Minimum altitude over MZZ VOR on final approach course 1300'.

Course and distance, breakoff point to approach end of runway 150°—0.3 mile.

Course and distance, Show Int to airport 140°—3.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MZZ VOR climb to 2200' on MZZ VOR R-140 and then return to VOR.

NOTE: Use of final transition from Sweet Int** to Show Int# authorized for dual VOR equipped aircraft only.

*AIR CARRIER NOTE: 800-2 authorized for air carrier with weather reporting service.

**Sweet Int: Int MZZ VOR R-320 and OKK VOR R-075.

#Show Int: Int MZZ VOR R-320 and OKK VOR R-090.

City, Marion; State, Ind.; Airport Name, Marion Municipal; Elev., 850'; Fac. Class., BVOR; Ident., MZZ; Procedure No. TVOR-15, Amdt. 1; Eff. Date, 29 June 63; Sup. Amdt. No. Orig.; Dated, 23 Feb. 63

Shirley Int%	PNE VOR (final)	Direct	500	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-24#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn* E or N side of crs, 049° Outbnd, 229° Inbnd, 2000' within 10 miles of Shirley Int%.

Facility on airport.

Minimum altitude over facility on final approach crs, 500'.

Crs and distance, breakoff point to approach end of Runway 24, 238°—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make a right climbing turn to 2000' on R-049 within 10 miles, then return to VOR, hold 1-minute, right turns, Inbnd crs 229°.

CAUTION: Standard obstruction clearance not provided over two smoke stacks, 2.2 miles NE of field, elevation 306' and 340' MSL.

*Procedure turn nonstandard to provide lateral separation with Willow Grove, Pa. and McGuire AFB.

The direction of procedure turn to be issued in approach clearance.

#Maintain 800' until after passing Shirley Int%. If Shirley Int% not identified, ceiling minimum of 700' is applicable for landing.

%Shirley Int: Int PNE VOR R-049 and 319° bearing from PNE RBn.

City, Philadelphia; State, Pa.; Airport Name, North Philadelphia; Elev., 120'; Fac. Class., VOR; Ident., PNE; Procedure No. TerVOR-24, Amdt. 4; Eff. Date, 29 June 63; Sup. Amdt. No. 3; Dated, 27 Oct. 62

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
SHV VOR.....	DTN VOR.....	Direct.....	3000	T-dn.....	300-1	300-1	300-1
BAD VOR.....	DTN VOR.....	Direct.....	3000	C-dn.....	1000-1½	1000-1½	1000-1½
Cotton Int.....	DTN VOR.....	Direct.....	3000	A-dn.....	1000-2	1000-2	1000-2
Tee Vee Int**.....	Lee Int* (final).....	Direct.....	1200	If aircraft equipped with operating dual VOR and Lee Int* received, minima become:			
Lee Int*.....	DTN VOR (final).....	Direct.....	700	C-dn.....	600-1½	600-1½	600-1½
				S-dn-14.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn N side of crs, 310° Outbnd, 130° Inbnd, 3000' within 10 miles. Beyond 10 miles not authorized.
 Minimum altitude over facility on final approach crs 1200'; over Lee Int, 1200'.

Facility on airport.

Course and distance, Lee Int to airport, 130°—6.0 miles; breakoff point to end of Runway 14, 132°—0.7 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing DTN VOR, climb on the DTN R-130 to 1700' within 20 miles.

CAUTION: 2049' MSL towers 12 miles NW; 375' MSL tower 1.5 miles NW of airport on approach path. Numerous other towers and smoke stacks in area surrounding field.

NOTE: Air carrier use not authorized.

*Lee Int: Int ASL R-057 and DTN R-310.

**Tee Vee Int: Int SHV R-213 and DTN R-310.

City, Shreveport; State, La.; Airport Name, Shreveport—Downtown; Elev., 179'; Fac. Class., VOR; Ident., DTN; Procedure No. TerVOR-14, Amdt. 2; Eff. Date, 29 June 63; Sup. Amdt. No. 1; Dated, 25 May 63

4. The very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 609.300 are amended to read in part:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Breakers Int.....	10-mile DME Fix R-258.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1½
10-mile DME Fix R-258.....	1.1-mile DME Fix R-258 or LOM.....	Direct.....	2000	C-dn**.....	500-1	500-1	500-1½
1.1-mile DME Fix R-258 or LOM.....	HNL VOR.....	Direct.....	1000	S-dn-8#.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn S side of crs, 258° Outbnd, 078° Inbnd, 3600' within 10 miles.

Minimum altitude at 1.1-mile DME Fix R-258 or LOM *2000'.

Crs and distance, facility to airport, 078°—4.8 miles; 1.1-mile DME Fix R-258 or LOM to airport, 078°—5.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing HNL-VOR or at 4.8-mile DME Fix R-078, make right turn, climb to 2000' and proceed to Southgate Int via R-168 HNL-VOR.

NOTE: When authorized by ATC, DME may be used between R-168 and R-260 clockwise at 2000' between 12 and 15 miles to position aircraft for final approach to the 10-mile DME Fix with the elimination of procedure turn.

CAUTION: Terrain rises sharply on N side final approach crs; within 2.2 miles, 1000'; 4.1 miles, 2566'; 5.4 miles, 3098'.

*Do not descend below 2000' until over the 1.1-mile DME (LOM) Inbnd due NAS Barber's Point traffic pattern.

**Circling N of airport not authorized because of terrain 385' 1.5 miles N and 524' 2 miles NE.

#Straight-in minima not authorized unless aircraft receives 1.1-mile DME Fix or LOM.

City, Honolulu; State, Hawaii; Airport Name, Honolulu International; Elev., 10'; Fac. Class., BVORTAC; Ident., HNL; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 29 June 63

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Blue Springs VOR.....	LOM.....	Direct.....	2600	T-dn#.....	300-1	300-1	*300-1
Kansas City VOR.....	LOM.....	Direct.....	2600	C-dn%.....	700-1	700-1	700-1½
Farley RBN.....	LOM.....	Direct.....	2600	A-dn.....	800-2	800-2	800-2
Liberty RBN.....	LOM.....	Direct.....	2600				

Radar vectoring authorized to final approach crs in accordance with approved patterns.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2600' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2600'.

Altitude of glide slope and distance to approach end of runway at LOM, 2558'—4.4 miles; at Bluff FM, 1460'—0.7 mile.

Crs, Bluff FM to airport, 223°.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at Bluff FM, make right turn climbing to 2700', intercept the 310° bearing to Farley RBN. Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700' via BSP-VOR R-283 to Lansing Int.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

CAUTION: Numerous obstructions 1100' or below NE, SW and NW quadrants within 1.7 miles of airport.

*No reduction takeoff minimums except Runway 31.

%Circling SE of airport from 090° clockwise to 180° not authorized, obstructions above 1000' in this area, highest 2049' 4.0 miles SSE of airport.

#Unless radar vectored and the weather is below 1000-3: Aircraft taking off SE, S, or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-200 or MKC R-180, climb to 2500' before proceeding on course. Aircraft taking off NW, N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

City, Kansas City; State, Kans.; Airport Name, Fairfax Municipal; Elev., 746'; Fac. Class., ILS; Ident., I-MKC; Procedure No. ILS-22, Amdt. 4; Eff. Date, 29 June 63; Sup. Amdt. No. 3; Dated, 16 Sept. 61

MKC VOR.....	LOM.....	Direct.....	2600	T-dn#.....	**300-1	**300-1	%300-1
Liberty RBN.....	LOM.....	Direct.....	2600	C-dn*.....	#600-1	700-1	700-1½
Farley RBN.....	LOM.....	Direct.....	2600	S-dn-18@##.....	400-1	400-1	400-1
BSP VOR.....	LOM.....	Direct.....	2600	A-dn.....	800-2	800-2	800-2

When glide slope inoperative and Bluff FM received (cross FM not less than 1460'), the following minimums apply:

C-dn*.....	600-1	700-1	700-1½
S-dn-18.....	500-1	500-1	500-1

Radar vectoring to final approach course authorized in accordance with approved patterns.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2600' within 10 miles of MK LOM.

Minimum altitude at glide slope Int Inbnd, 2600'.

Altitude of glide slope and distance to approach end of runway at OM, 2558'—5.4 miles; at MM, 1030'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at KC LMM, make right turn, climbing to 2700', intercept the 310° bearing to Farley RBN, proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700', intercept BSP-VOR R-283 and proceed to Lansing Int.

NOTE: Aircraft executing missed approach may be radar vectored after being reidentified.

#Unless radar vectored and the weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-210 or MKC-VOR R-190, climb to 2500' before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

**AIR CARRIER NOTE: No reduction in takeoff minimums except on Runway 36.

%AIR CARRIER NOTE: 200-½ authorized Runway 36 only.

@Circling not authorized E of airport in sector from 090° through 180° due to numerous tall obstructions. Sliding scale not authorized for circling approaches.

@Approach lights inoperative—500-1.

#Glide slope inoperative—700-1.

City, Kansas City; State, Mo.; Airport Name, Municipal; Elev., 758'; Fac. Class., ILS; Ident., I-MKC; Procedure No. ILS-18, Amdt. 5; Eff. Date, 29 June 63; Sup. Amdt. No. 4; Dated, 16 Sept. 61

MKC-VOR.....	Platte City Int#.....	Direct.....	2600	T-dn.....	300-1	300-1	200-½
Camden Int.....	Platte City Int# (final).....	Direct.....	2200	C-dn.....	500-1	500-1	500-1½
MC LOM.....	Platte City Int#.....	Direct.....	2600	S-dn-18.....	400-1	400-1	400-1
				A-dn*.....	800-2	800-2	800-2

Radar vectoring to final approach authorized in accordance with approved patterns.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 2600' within 10 miles of Platte City Int.

Minimum altitude over Platte City Int# on final approach crs, 2200'.

Crs and distance, facility to airport, 185°—3.7 miles.

No glide slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing Platte City Int#, turn right, climb to 2700', proceed to FRY RBN.

NOTE: Control tower service and control zone designated during hours 0700-2300 local time daily.

*Alternate minimums not applicable during hours control tower service not available.

#Platte City Int: Int N crs MCI ILS and R-310 MKC-VOR.

City, Kansas City; State, Mo.; Airport Name, Mid-Continent; Elev., 1011'; Fac. Class., ILS; Ident., I-MCI; Procedure No. ILS-18, Amdt. 2; Eff. Date, 29 June 63; Sup. Amdt. No. 1; Dated, 16 Feb. 63

MKC-VOR.....	LOM.....	Direct.....	2600	T-dn.....	300-1	300-1	200-½
Farley Int.....	LOM.....	Direct.....	2600	C-dn.....	500-1	500-1	500-1½
Lansing Int.....	LOM.....	Direct.....	2600	S-dn-30#.....	*200-½	*200-½	*200-½
Bonner Springs Int.....	LOM.....	Direct.....	2600	A-dn*.....	600-2	600-2	600-2
Camden Int.....	LOM.....	Direct.....	2600				
BSP-VOR.....	LOM.....	Direct.....	3000				

Radar vectoring to final approach authorized in accordance with approved patterns.

Procedure turn W side of crs, 185° Outbnd, 005° Inbnd, 2600' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2500'.

Altitude of glide slope and distance to approach end of runway at OM, 2470'—4.4 miles; at MM, 1239'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2700' on N crs MCI localizer, proceed to Camden Int or, when directed by ATC, turn left, climb to 2700', proceed to FRY RBN.

NOTE: Control tower service and control zone designated during hours 0700-2300 local time daily.

*400-1 required and alternate minimums not applicable during hours control service not available.

#400-½ required with glide slope inoperative.

City, Kansas City; State, Mo.; Airport Name, Mid-Continent; Elev., 1011'; Fac. Class., ILS; Ident., I-MCI; Procedure No. ILS-36, Amdt. 2; Eff. Date, 29 June 63; Sup. Amdt. No. 1; Dated, 16 Feb. 63

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
000° ##-----	360°-----	0-25 miles-----	2600	Precision approach			
				T-dn***-----	*300-1	*300-1	**300-1
				C-dn%-----	600-1	700-1	700-1½
				S-dn-18-----	400-1	400-1	400-1
				A-dn-----	800-2	800-2	800-2

Radar transition altitudes: All bearings and distances are from Kansas City Municipal Airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make right turn climbing to 2700', intercept the 310° bearing to Farley RBN. Proceed to Farley RBN or, when directed by ATC, make right turn climbing to 2700', intercept BSP-VOR R-283, proceed to Lansing Int.

NOTE: Aircraft executing missed approach may be radar controlled after being reidentified.

CAUTION: Numerous obstructions 1100' or below NE, SW, and NW quadrants within 3.0 miles of airport. #2700' within 0-3 miles of 1664' tower located 2.5 miles South of airport. 3000' within 0-3 miles of 2049' tower located 2.7 miles SSE of airport. 2900' within 0-3 miles of 1946' tower located 4.0 miles S of airport.

*AIR CARRIER NOTE: No reduction in takeoff minimums except on Runway 36.

**AIR CARRIER NOTE: 200-½ authorized Runway 36 only.

%Circling not authorized E of airport in sector 090° through 180° due to numerous tall obstructions.

***Unless radar vectored when weather is below 1000-3: Aircraft taking off S or SW and planned route is between 090° and 180°, intercept the RIS-VOR R-210 or MKC-VOR R-190, climb to 2500' before proceeding on course. Aircraft taking off N or NE and planned route is between 090° and 180°, climb to 2500' before proceeding S of the 090° ADF bearing from KC LMM.

City, Kansas City; State, Mo.; Airport Name, Kansas City Municipal; Elev., 758'; Fac. Class. and Ident., Kansas City Radar; Procedure No. 1, Amdt. 3; Eff. Date, 29 June 63; Sup. Amdt. No. 2; Dated, 16 Sept. 61

These procedures shall become effective on the dates specified therein.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on May 24, 1963.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 63-5784; Filed, July 11, 1963; 8:45 a.m.]

[Reg. Docket No. 1778; Amdt. 327]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ABQ VOR	ABQ SABH	Direct	8000	T-dn	300-1	300-1	200-½
Valencia Int	ABQ SABH	Direct	7000	C-dn	400-1	500-1	500-1½
Coyote Int	ABQ SABH	Direct	10,000	S-dn-35	400-1	400-1	500-1½
Dallas Int	ABQ SABH	Direct	7000	A-dn	800-2	800-2	800-2

Radar transitions and vectoring using Albuquerque Radar authorized in accordance with approved radar patterns. Procedure turn W side of crs, 175° Outbd, 355° Inbd, 7000' within 10 miles. Nonstandard due high terrain E side.

Minimum altitude over facility on final approach crs, 6000'.

Crs and distance, facility to airport, 355°—2.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.6 miles after passing RBN, turn left and climb to 8000' on 260° bearing from RBN within 20 miles.

CAUTION: Terrain exceeding 8000' in E quadrants; make all turns to W side of 175-355° courses.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Fac. Class., SABH; Ident., ABQ; Procedure No. 1, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 29 Dec. 62

RULES AND REGULATIONS

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ADM VOR.....	ADM RBN.....	Direct.....	2500	T-dn.....	300-1	300-1	200-1½
DUC VOR.....	ADM RBN.....	Direct.....	2600	C-d.....	500-1	500-1	600-1½
				C-n.....	600-1	600-1	600-1½
				S-d-8.....	500-1	500-1	500-1
				S-n-8.....	600-1	600-1	600-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 256° Outbnd, 076° Inbnd, 2500' within 10 miles.
 Minimum altitude over facility on final approach crs, 2300'.
 Crs and distance, facility to airport, 076°—5.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing ADM RBN, climb to 2700' on crs of 076° from ADM RBN within 20 miles.
 Other changes: Removes weather availability note and alternate usage note.

City, Ardmore; State, Okla.; Airport Name, Ardmore Municipal; Elev., 762'; Fac. Class., BMH; Ident., ADM; Procedure No. 1, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 27 Aug. 60

Honolulu LFR.....	HN LOM.....	Direct.....	3600	T-dn.....	300-1	300-1	200-1½
Honolulu VOR.....	HN LOM.....	Direct.....	3600	C-dn*.....	500-1	500-1	500-1½
Breakers Int.....	10-mile DME fix, R-258 HNL VOR.....	Direct.....	2000	S-dn-8.....	500-1	500-1	500-1
10-miles DME fix, R-258 HNL-VOR.....	HN LOM (final).....	Direct.....	2000	A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side of crs, 258° Outbnd, 078° Inbnd, 3600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 079°—5.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles after passing LOM, make right turn, climbing to 2000' and proceed to Southgate LF Int via S crs Honolulu LFR.
 CAUTION: Terrain rises sharply N side of final approach course; within 2.2 miles, 1000'; 4.1 miles, 2566'; 5.4 miles, 3098'.
 *Circling N of airport not authorized due 385' terrain 1.5 miles N and 524' 2 miles NE.
 **Do not descend below 2000' until over LOM Inbnd due NAS Barber's Point traffic pattern.

City, Honolulu; State, Hawaii; Airport Name, Honolulu International; Elev., 13'; Fac. Class., LOM; Ident., HN; Procedure No. 1, Amdt. 3; Eff. Date, 6 July 63; Sup. Amdt. No. 2; Dated, 25 Feb. 61

Clinton RBN.....	Cecil RBN.....	Direct.....	3000	T-dn.....	300-1	300-1	200-1½
Pittsburgh VOR.....	Cecil RBN.....	Direct.....	3000	C-dn.....	500-1	500-1	500-1½
McKeesport RBN.....	Cecil RBN.....	Direct.....	3000	S-dn-9.....	400-1	500-1	500-1
Old Concord Int.....	Cecil RBN.....	Direct.....	3000	A-dn.....	800-2	800-2	800-2
Imperial VOR.....	Cecil RBN.....	Direct.....	3000				
Wheeling VOR.....	Cecil RBN (final).....	Direct.....	3000				
GP LOM.....	Cecil RBN.....	Direct.....	3000				

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side of crs, 265° Outbnd, 085° Inbnd, 3000' within 10 miles of Cecil MHW.
 Minimum altitude over Cecil MHW on final approach crs, 3000'; over Pittsburgh RBN, 1900'.
 Crs and distance, Cecil MHW to Pittsburgh RBN, 085°—8.9 miles; from Pittsburgh RBN to airport, 085°—2.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.0 miles after passing Pittsburgh RBN, climb to 3000' on 095° crs to McKeesport MHW. Hold E left turns, 1-minute pattern, 275° Inbnd.
 NOTE: This procedure predicated on the combined use of Cecil MHW and Pittsburgh RBN. Both facilities must be operational.
 Other change: Deletes transitions from Butler RBN and River RBN.

City, Pittsburgh; State, Pa.; Airport Name, Allegheny County; Elev., 1252'; Fac. Class., MHW and MH; Ident., CEU and PIT; Procedure No. 2, Amdt. 3; Eff. Date, 6 July 63; Sup. Amdt. No. 2; Dated, 14 Dec. 61

Highland Int.....	GP LOM (final).....	Direct.....	3000	T-dn.....	300-1	300-1	200-1½
Imperial VOR.....	GP LOM.....	Direct.....	3000	C-dn.....	500-1	500-1	500-1½
Pittsburgh VOR.....	Highland Int.....	Direct.....	3000	S-dn-28L.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved radar patterns.
 Procedure turn N side of E crs, 097° Outbnd, 277° Inbnd, 3000' within 10 miles of GP LOM.
 Minimum altitude over facility on final approach crs, 3000'.
 Crs and distance, facility to airport, 277°—5.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing GP LOM, climb to 3000' on 277° crs to Clinton RBN. Hold W right turns, 1-minute pattern, 097° Inbnd.
 CAUTION: Runway 28R approach: Fluorescent street lighting aligned with Runway 28R and terminating approximately ¾ mile from runway, can be mistaken for runway lights.

City, Pittsburgh; State, Pa.; Airport Name, Greater Pittsburgh; Elev., 1203'; Fac. Class., LOM; Ident., GP; Procedure No. 1, Amdt. 4; Eff. Date, 6 July 63; Sup. Amdt. No. 3; Dated, 14 Dec. 61

Spring Int.....	Clinton RBN (final).....	Direct.....	2200	T-dn.....	300-1	300-1	200-1½
Imperial VOR.....	Clinton RBN.....	Direct.....	3000	C-dn.....	500-1	500-1	500-1½
Ellwood City VOR.....	Spring Int.....	Direct.....	3000	S-dn-10R.....	500-1	500-1	500-1
Wheeling VOR.....	Spring Int.....	Direct.....	3000	A-dn.....	800-2	800-2	800-2
Pittsburgh VOR.....	Spring Int.....	Direct.....	3000				

Radar vectoring authorized in accordance with approved radar patterns.
 Procedure turn S side of crs, 277° Outbnd, 097° Inbnd, 3000' within 10 miles of Clinton RBN.
 Minimum altitude over facility on final approach crs, 2200'.
 Crs and distance, facility to airport, 097°—4.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing Clinton RBN, climb to 3000' on 097° crs to GP LOM. Hold E right turns, 1-minute pattern, 277° Inbnd.
 CAUTION: Runway 28R approach: Fluorescent street lighting aligned with Runway 28R and terminating approximately ¾ mile from runway, can be mistaken for runway lights.

City, Pittsburgh; State, Pa.; Airport Name, Greater Pittsburgh; Elev., 1203'; Fac. Class., MHW; Ident., GHW; Procedure No. 2, Amdt. 6; Eff. Date, 6 July 63; Sup. Amdt. No. 5; Dated, 8 Sept. 62

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Highland Int.-----	GP LOM (final)-----	Direct-----	3000	T-dn-----	300-1	300-1	200-1½
Imperial VOR-----	GP LOM-----	Direct-----	3000	C-d-----	500-1	500-1	500-1½
Ellwood City VOR R-153-----	Highland Int.-----	Direct-----	3000	C-n-----	500-2	500-2	500-2
				S-d-28R-----	500-1	500-1	500-1
				S-n-28R-----	500-2	500-2	500-2
				A-dn-----	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved radar patterns.

Procedure turn N side of crs, 103° Outbnd, 283° Inbnd, 3000' within 10 miles.

Minimum altitude over facility on final approach crs, 3000'.

Crs and distance, facility to airport, 283°—6.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.9 miles after passing GP LOM, climb to 3000' on 266° crs to Clinton RBN. Hold W 1-minute right turns, 097° Inbnd.

CAUTION: Fluorescent street lighting, aligned with Runway 28R and terminating approximately ¾ mile from runway end, can be mistaken for runway lights.

City, Pittsburgh; State, Pa.; Airport Name, Greater Pittsburgh; Elev., 1203'; Fac. Class., LOM; Ident., GP; Procedure No. 4, Amdt. 1; Eff. Date, 6 July 63; Sup. Amdt. No. Orig.; Dated, 2 Feb. 63

Waco VOR-----	Waco LOM-----	Direct-----	1800	T-dn-----	300-1	300-1	200-1½
Brandon Int.-----	Int 185° bearing to LOM and ACT-VOR R-028-----	Direct-----	1800	C-d-----	400-1	500-1	500-1½
				S-dn-18-----	400-1	400-1	400-1
Int 185° bearing to LOM and ACT-VOR R-028-----	Waco LOM (final)-----	Direct-----	1800	A-dn-----	800-2	800-2	800-2
Bostic Int*-----	Int 005° bearing to LOM and ACT-VOR R-164-----	Direct-----	2000				
Int 005° bearing to LOM and ACT-VOR R-164-----	Waco LOM-----	Direct-----	2000				

Radar vectoring may be used to position aircraft for a final approach within 5 miles N of LOM with elimination of the procedure turn.

Radar terminal maneuvering area 2000' within 20 miles of radar site (James Connally AFB).

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 1749' MSL TV tower 12 miles S of airport.

Procedure turn W side of crs, 005° Outbnd, 185° Inbnd, 1800' within 10 miles.

Minimum altitude over facility on final approach crs, 1800'.

Crs and distance, facility to airport, 185°—4.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, climb to 2700' on 185° crs from LOM within 20 miles or, when directed by ATC, (1) turn right, climb to 2000' proceeding to Waco LOM or (2) turn left, climb to 2000' and intercept R-136 Waco VOR within 20 miles.

CAUTION: 1749' MSL tower located 12 miles S of airport.

*Bostic Int: Int TPL-VOR R-029 and ACT-VOR R-164.

City, Waco; State, Tex.; Airport Name, Waco Municipal; Elev., 515'; Fac. Class., LOM; Ident., AC; Procedure No. 1, Amdt. 3; Eff. Date, 6 July 63; Sup. Amdt. No. 2; Dated, 26 May 62

2. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ABQ-RBN-----	ABQ-VOR-----	Direct-----	8000	T-dn-----	300-1	300-1	200-1½
				C-d-----	1000-1	1000-1	1000-1½
				C-n-----	1000-2	1000-2	1000-2
				S-d-8-----	1000-1	1000-1	1000-1
				S-n-8-----	1000-2	1000-2	1000-2
				A-dn-----	1200-2	1200-2	1200-2

Radar transitions and vectoring using Albuquerque Radar authorized in accordance with approved radar patterns.

Procedure turn N side of crs, 257° Outbnd, 077° Inbnd, 8000' within 10 miles. All turns to be made on N side of crs.

Minimum altitude over facility on final approach crs, 7500'.

Crs and distance, facility to airport, 077°—9.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.6 miles after passing VOR, make left climbing turn, climb to 8000' on 260° crs to ABQ-VOR or, when directed by ATC, turn right and climb to 7000' on 170° crs to ABQ LOM. All turns to be made W of the localizer course.

CAUTION: Terrain exceeding 8000' E of airport.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Elev., 5352'; Fac. Class., BVORTAC; Ident., ABQ; Procedure No. 1, Amdt. 11; Eff. Date, 6 July 63; Sup. Amdt. No. 10; Dated, 22 Sept. 62

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ADM RBn.....	ADM VOR.....	Direct.....	2300	T-dn.....	300-1	300-1	200-1½
DUC VOR.....	ADM VOR.....	Direct.....	2600	C-d.....	700-1	700-1	700-1½
				C-n.....	700-2	700-2	700-2
				A-dn.....	800-2	800-2	800-2
				If aircraft equipped with operating ADF and Autry Int# received, minima become:			
				C-dn*.....	500-1	600-1	600-1½

Procedure turn S side of crs, 224° Outbnd, 044° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'; over Autry Int#, 1500'.

Crs and distance, facility to airport, 044°—9.4 miles; Autry Int to airport, 044°—2.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.4 miles after passing ADM VOR, climb to 2700' on ADM-VOR R-044 within 20 miles.

Other changes: Removes weather availability note and alternate usage note.

*Maintain 1500' until passing Autry Int#.

#Autry Int: Int ADM-VOR R-044 and bearing 095° from ADM RBn.

City, Ardmore; State, Okla.; Airport Name, Ardmore Municipal; Elev., 762'; Fac. Class., BVOR; Ident., ADM; Procedure No. 1, Amdt 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 27 Aug. 60

				T-dn.....	300-1	300-1	300-1
				C-dn.....	600-1	600-1	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 301° Outbnd, 121° Inbnd, 2800' within 10 miles.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 121°—3.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles after passing CON-VOR, make right climbing turn, return to the Concord VOR. Continue climb to 2800' on R-301 within 10 miles. Hold NW of CON-VOR on R-301, right turns, 1-minute.

Other change: Deletes transition from Concord LFR.

City, Concord; State, N.H.; Airport Name, Municipal; Elev., 345'; Fac. Class., BVOR; Ident., CON; Procedure No. 1, Amdt. 5; Eff. Date, 6 July 63; Sup. Amdt. No. 4; Dated, 23 Sept. 61

				T-dn.....	300-1	300-1	*200-1½
				C-dn.....	500-1	500-1	500-1½
				S-dn-6.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side crs, 239° Outbnd, 059° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 059°—6.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles after passing ERI-VOR, climb to 3000' on crs 059° from Erie VOR within 10 miles, return to ERI-VOR hold SW, 1-minute right turns, 059° Inbnd.

AIR CARRIER NOTE: Sliding scale for takeoff and reduction in takeoff minimums authorized only on Runways 6-24.

*300-1 required for all runways except 6-24.

City, Erie; State, Pa.; Airport Name, Port Erie; Elev., 732'; Fac. Class., BVORTAC; Ident., ERI; Procedure No. 1, Amdt. 4; Eff. Date, 6 July 63; Sup. Amdt. No. 3; Dated, 20 May 61

Mercer Int.....	FKL VOR.....	Direct.....	3200	T-dn.....	300-1	300-1	200-1½
Wesley Int.....	FKL VOR.....	Direct.....	3200	C-dn.....	500-1	500-1	500-1½
Hadley Int.....	FKL VOR.....	Direct.....	3200	S-dn-20.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 007° Outbnd, 187° Inbnd, 3200' within 10 miles.

Minimum altitude over facility on final approach crs, 2500'.

Crs and distance, facility to airport, 187°—3.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing VOR, climb to 3200' on R-187, make right turn to VOR; hold N 1-minute right turns; Inbnd crs 187°.

City, Franklin; State, Pa.; Airport Name, Chess-Lamberton; Elev., 1540'; Fac. Class., BVOR; Ident., FKL; Procedure No. 1, Amdt. 1; Eff. Date, 6 July 63; Sup. Amdt. No. Orig; Dated, 6 Oct 62

Brookley HW.....	MOB VOR.....	Direct.....	1800	T-dn.....	300-1	300-1	200-1½
				C-d.....	500-1	500-1	500-1½
				C-n.....	500-2	500-2	500-2
				S-d-9.....	500-1	500-1	500-1
				S-n-9.....	500-2	500-2	500-2
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn S side of crs, 287° Outbnd, 107° Inbnd, 1800' within 10 miles.

Minimum altitude over facility on final approach crs, 1600'.

Crs and distance, facility to airport, 107°—6.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles after passing MOB-VOR, turn left, climb to 1800' on R-059 within 20 miles.

City, Mobile; State, Ala.; Airport Name, Bates Field; Elev., 217'; Fac. Class., BVORTAC; Ident., MOB; Procedure No. 1, Amdt. 10; Eff. Date, 6 July 63; Sup. Amdt. No. 9; Dated, 16 June 62

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	500-1	500-1	500-1
				C-dn.....	1500-1	1500-1	1500-1½
				A-dn.....	2000-3	2000-3	2000-3

Procedure turn E side crs, 360° Outbnd, 180° Inbnd, 8000' within 10 miles. Not authorized beyond 10 miles. (Nonstandard due to higher terrain W.)
 Minimum altitude over facility on final approach crs, 6800'.
 Crs and distance, facility to airport, 162°—2.4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing VOR, climb to 10,000' on R-130 within 20 miles of TCS VOR.

City, Truth or Consequences; State, N. Mex.; Airport Name, Truth or Consequences Municipal; Elev., 4860'; Fac. Class., BVOR; Ident., TCS; Procedure No. 1, Amdt. 4; Eff. Date, 6 July 63; Sup. Amdt. No. 3; Dated, 24 June 61

5.4 mile fix R-321.....	ACT-VOR (final).....	Direct.....	1400	T-dn.....	300-1	300-1	200-½
				C-dn.....	400-1	500-1	500-1½
				S-dn-14.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar may be used to position aircraft for a final approach within 5.4 miles of ACT VOR with elimination of procedure turn.
 Radar terminal maneuvering altitude 2000' all directions within 20 miles of radar site (James Connally AFB).
 Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 1749' tower 12 miles S of airport.
 Procedure turn W side of crs, 321° Outbnd, 141° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1400'.
 Crs and distance, facility to airport, 141°—3.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles after passing ACT-VOR, climb to 2000' on R-136 within 20 miles or, when directed by ATC, turn right, climb to 2000' on R-187 within 20 miles, or turn right, climb to 2000' and return to ACT-VOR.
 CAUTION: 1749' MSL tower 12 miles S of airport.
 Other change: Deletes transition from Brazo Int.

City, Waco; State, Tex.; Airport Name, Municipal; Elev., 515'; Fac. Class., BVORTAC; Ident., ACT; Procedure No. 1, Amdt. 7; Eff. Date, 6 July 63; Sup. Amdt. No. 6; Dated, 26 May 62

3. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MIA VOR.....	FLL-VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-½
MIA-RBN.....	FLL-VOR.....	Direct.....	2000	C-dn.....	600-1	600-1	600-1½
New River VHF Int.....	FLL-VOR.....	Direct.....	1500	S-dn-9.....	600-1	600-1	600-1
Int BSY-VOR-345/FLL-VOR-278.....	Big Horse Int**.....	Direct.....	1500	A-dn#.....	800-2	800-2	800-2
Big Horse Int**.....	Wagon Wheel Int* (final).....	Direct.....	600	If aircraft equipped with VOR and ADF receivers and Wagon Wheel Int identified, the following minimum apply:			
				S-dn-9.....	500-1	500-1	500-1

Procedure turn N side of crs, 278° Outbnd, 098° Inbnd, 1500' within 10 miles. Nonstandard due Miami, Fla. terminal traffic.
 Minimum altitude over facility on final approach crs, 600'; over Wagon Wheel Int* 600'.
 Course and distance, Wagon Wheel Int* to breakoff point, 098°—3.3 miles.
 Course and distance breakoff point to Runway 9, 091°—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FLL-VOR, turn left and climb to 2000' on 079° rad., and proceed to Martin VHF Int.
 *Wagon Wheel Int: Int FLL-VOR R-278 and 008° bearing to FLL RBN.
 **Big Horse Int: Int FLL-VOR R-278 and MIA VOR R-053.
 #Limited weather information available to public. Alternate usage authorized for air carriers only.

City, Fort Lauderdale; State, Fla.; Airport Name, Broward County International; Elev., 10'; Fac. Class., VOR; Ident., FLL; Procedure No. TerVOR-9, Amdt. 3; Eff. Date, 6 July 63; Sup. Amdt. No. 2; Dated, 30 May 63

				T-dn.....	300-1	300-1	200-½
				C-d.....	500-1	500-1	500-1½
				C-n*.....	500-1½	500-1½	500-2
				S-dn-17.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 353° Outbnd, 173° Inbnd, 4000' within 10 miles.
 Minimum altitude over facility on final approach crs, 3400'.
 Crs and distance from Int runway center line extended and final crs to approach end of runway, 169°—0.65 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 4100' on R-173 within 10 miles.
 Make left turn, return to GCK VOR.
 Other change: Deletes transition from GC LFR.
 *Night operation authorized N-S runway only.

City, Garden City; State, Kans.; Airport Name, Garden City Municipal; Elev., 2895'; Fac. Class., BVORTAC; Ident., GCK; Procedure No. TerVOR-17, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 1 Sept. 62

PROCEDURE CANCELLED, EFFECTIVE 27 JUNE 1963.

City, International Falls; State, Minn.; Airport Name, Falls International; Elev., 1180'; Fac. Class., BVOR; Ident., INL; Procedure No. TerVOR-13, Amdt. Orig.; Eff. Date, 10 Nov. 62

RULES AND REGULATIONS

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn-----	300-1	300-1	NA
				C-d-----	600-1	600-1	NA
				C-n-----	600-2	600-2	NA
				S-dn-13---	600-1	600-1	NA
				A-dn-----	800-2	800-2	NA

Procedure turn W side of crs, 315° Outbnd, 135° Inbnd, 2700' within 10 miles.

Minimum altitude over facility on final approach crs, 1800'.

Facility on airport. Breakoff point to runway, 129°—0.7 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing VOR, climb to 2700' on R-124 within 10 miles.

City, International Falls; State, Minn.; Airport Name, Falls International; Elev., 1180'; Fac. Class., BVOR; Ident., INL; Procedure No. TerVOR-13, Amdt. Orig.; Eff. Date 27 June 63

PROCEDURE CANCELLED, EFFECTIVE 27 JUNE 1963.

City, International Falls; State, Minn.; Airport Name, Falls International; Elev., 1180'; Fac. Class., BVOR; Ident., INL; Procedure No. TerVOR-31, Amdt. 3; Eff. Date, 1 Dec. 62; Sup. Amdt. No. 2; Dated, 28 June 62

				T-dn-----	300-1	300-1	NA
				C-d-----	400-1	500-1	NA
				C-n-----	400-2	500-2	NA
				S-dn-31---	400-1	400-1	NA
				A-dn-----	800-2	800-2	NA

Procedure turn E side of crs, 124° Outbnd, 304° Inbnd, 2800' within 10 miles.

Minimum altitude over facility on final approach crs, 1600'.

Facility on airport. Breakoff point to runway, 309°—0.7 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing VOR, make left-climbing turn to 2800' on R-124 within 10 miles.

City, International Falls; State, Minn.; Airport Name, Falls International; Elev., 1180'; Fac. Class., BVOR; Ident., INL; Procedure No. TerVOR-31, Amdt. Orig.; Eff. Date, 27 June 63

4. The very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 609.300 are amended to read in part:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
17-mile DME fix R299 OGD VOR-----	9-mi DME fix R299 OGD VOR-----	Direct-----	6000	T-dn*	300-1	300-1	200-1/4
9-mile DME fix R299 OGD VOR-----	OGD VOR-----	Direct-----	5500	C-dn-----	500-1	500-1	500-1/4
OGD VOR-----	3.7-mile DME fix R098 OGD VOR-----	Direct-----	4900	S-dn-7---	400-1	400-1	400-1
Huntsville FM-----	OGD VOR-----	Direct-----	11,000	A-dn-----	800-2	800-2	800-2
15-mile DME fix R259 OGD VOR-----	13-mile DME fix R259 OGD VOR-----	Direct-----	8200				
13-mile DME fix R259 OGD VOR-----	9-mile DME fix R259 OGD VOR-----	Direct-----	6500				
9-mile DME fix R259 OGD VOR-----	9-mile DME fix R299 OGD VOR-----	Via 9-mile ARC-----	6000				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn N side of crs, 299° Outbnd, 119° Inbnd, 6500' within 10 miles.

Minimum altitude over facility on final approach, 5500'.

Crs and distance, facility to airport, 098°—3.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing OGD VOR or at 3.7-mile DME fix R-098, make immediate right turn, climb to 9000' on R-299 within 20 miles.

When authorized by ATC, DME may be used within 9 miles at 6000' between R-159 clockwise to R-328 to position aircraft for final approach with the elimination of procedure turn.

*T-dn—Runway 3, 400-1.

City, Ogden; State, Utah; Airport Name, Municipal; Elev., 4455'; Fac. Class., BVORTAC; Ident., OGD; Procedure No. VOR-DME No. 1, Amdt. 1; Eff. Date, 6 July 63; Sup. Amdt. No. Orig.; Dated, 15 June 63

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Annette LFR.....	GVN RBn.....	Direct.....	4000	T-dn*.....	300-1	300-1	200-½
Guard Island Int.....	GVN RBn (final).....	Direct.....	4000	C-dn*.....	500-1½	500-2	500-2
				S-dn-12#.....	300-½	300-½	300-½
				A-dn.....	600-2	600-2	600-2

Procedure turn E side of crs, 303° Outbnd, 123° Inbnd, 4000' within 10 miles of GVN RBn. Nonstandard due to terrain.

Minimum altitude at glide slope interception Inbnd, 3700'.

Altitude of glide slope and distance to approach end of runway at GVN RBn, 3521'—9.6 miles; at ANN LFR, 710'—1.6 miles; at MM, 358'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 4100' on 155° bearing from ANN LFR within 20 miles.

CAUTION: Glide slope angle set at 3.27° to obtain obstruction clearance.

*If glide slope inoperative, minimums become 300-½, descent below 519' not authorized until past ANN LFR.

*Runway 2-20: Night operation not authorized. Runway 2: T-d restricted to 600-1 due to high terrain N through E, 1000' within 2 miles. Make immediate left turn after takeoff.

City, Annette Island; State, Alaska; Airport Name, Annette; Elev., 119'; Fac. Class., ILS; Ident., I-ANN; Procedure No. ILS-12, Amdt. 6; Eff. Date, 6 July 63; Sup. Amdt. No. 5; Dated, 21 Jan. 61

CID-VOR.....	LOM.....	Direct.....	2100	T-dn.....	300-1	300-1	200-½
IOW-VOR.....	LOM.....	Direct.....	2100	C-dn.....	400-1	500-1	500-1½
Watkins Int*.....	LOM (final) (via localizer crs).....	025°—0.5 mile.....	1900	S-dn-8#.....	200-½	200-½	200-½
				A-dn.....	600-2	600-2	600-2

Procedure turn S side of crs, 265° Outbnd, 085° Inbnd, 2100' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1900'.

Altitude of glide slope and distance to approach end of runway at OM, 1838'—3.6 miles; at MM, 1047'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2200' on 085° bearing from LOM within 15 miles or, when directed by ATC, make right climbing turn to 2100' and proceed to LOM.

*Watkins Int: Int CID-VOR R-260 and IOW-VOR R-320.

#400-½ required when glide slope inoperative.

City, Cedar Rapids; State, Iowa; Airport Name, Municipal; Elev., 863'; Fac. Class., ILS; Ident., I-CID; Procedure No. ILS-8, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 25 May 63

Duluth VOR.....	LOM.....	Direct.....	3000	T-dn.....	300-1	300-1	200-½
Duluth RBn.....	LOM.....	Direct.....	3000	C-d.....	400-1	500-1	500-1½
Taft Int**.....	LOM.....	Direct.....	3000	C-n.....	400-1½	500-1½	500-1½
Bartlett*.....	LOM.....	Direct.....	3000	S-dn-9*.....	300-1	300-1	300-1
Lakewood Int#.....	LOM.....	Direct.....	3000	A-dn.....	600-2	600-2	600-2
Palmer Int##.....	LOM.....	Direct.....	3000				

Procedure turn S side of final approach crs, 268° Outbnd, 088° Inbnd, 3000' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2800'.

Altitude of glide slope and distance to approach end of runway at LOM, 2733'—4.3 miles; at MM, 1649'—0.7 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on E crs ILS within 15 miles.

CAUTION: 2049' tower approximately 4.5 miles SE of Duluth Municipal Airport.

*400-1 required with glide slope inoperative.

**Taft Int: Int 360° bearing from DL LOM and R-320 DLH VOR.

*Bartlett Int: Int 360° bearing from DL LOM and 322° bearing from DLH RBn.

#Lakewood Int: Int 046° bearing from DLH RBn and E crs ILS.

##Palmer Int: Int R-047 DLH VOR and E crs ILS.

\$No approach lights. No MM.

City, Duluth; State, Minn.; Airport Name, Duluth International; Elev., 1429'; Fac. Class., ILS; Ident., I-DLH; Procedure No. ILS-9, Amdt. 7; Eff. Date, 6 July 63; Sup. Amdt. No. 6; Dated, 9 Mar. 63

GS LOM.....	Wellford Int*.....	Direct.....	2500	T-dn.....	300-1	300-1	200-½
SPA RBn.....	Wellford Int*.....	Direct.....	2500	C-dn.....	500-1	500-1	500-1½
SPA VOR.....	Wellford Int*.....	Direct.....	2500	S-dn-21.....	400-1	400-1	400-1
Carter Int**.....	Wellford Int* (final).....	Direct.....	2000	A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn S side of Crs 033° Outbnd, 213° Inbnd, 2500' within 10 miles of Wellford Int.*

Minimum altitude over Wellford Int on final approach crs 2000'.

Crs and distance, Wellford Int to airport, 213°—5.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing Wellford Int,* climb to 2500' on front crs of GSP localizer to GS LOM. Hold SW of GS LOM (213°) 1-minute, right turns.

*Wellford Int: Int GSP ILS NE crs and R-257 SPA VOR or 303° bearing from SPA RBn.

**Carter Int: Int GSP ILS NE crs and R-324 SPA VOR.

City, Greer; State, S.C.; Airport Name, Greenville-Spartanburg; Elev., 960'; Fac. Class., ILS; Ident., I-GSP; Procedure No. ILS-21, Amdt. 1; Eff. Date, 6 July 63; Sup. Amdt. No. Orig.; Dated, 13 Apr. 63

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Downey FM-RBn	LOM (final)	Direct	1800	T-dn	300-1	300-1	200-1/2
La Habra Int	Downey FM-RBn	Direct	3000	C-dn	500-1	600-1	600-1 1/2
LGB VOR	Downey FM-RBn	Direct	3000	S-dn-25R	#200-1/2	#200-1/2	300-1/2
LGB VOR	LOM	Direct	3000	A-dn	600-2	600-2	600-2
Hollywood Hills FM	LOM	Direct	3000				
LAX VOR	LOM	Direct	3000				
LAX VOR	LOM	Direct	3000				
LAX RBn	LOM	Direct	3000				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 3000' within 10 miles of OM.

Minimum altitude at glide slope interception Inbnd, 2000'. (Aircraft will maintain 3000' until intercepting glide slope unless otherwise advised by ATC.)

Altitude of glide slope and distance to approach end of runway at OM, 1830'—5.4 miles; at MM, 335'—0.6 mile. (LOM and LMM located 750' to left of runway centerline.)

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on W crs LAX ILS within 20 miles.

NOTE: If glide slope not received, minimums shall be 500-3/4.

*Runway visual range 2600' also authorized for takeoff on Runways 25L and 25R in lieu of 200-1/2 when 200-1/2 is authorized; provided high intensity runway lights are operational.

#AIR CARRIER NOTE: Due to lack of PAR coverage below 300', privileges of CAR 40.406(c) (Look-see) may be exercised only down to 300-3/4.

City, Los Angeles; State, Calif.; Airport Name, International; Elev., 126'; Fac. Class., ILS; Ident., I-LAX; Procedure No. ILS-25R, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 18 Aug. 62

Chatham RBn	NE crs ILS	095°—14.5 miles	2000	T-dn	300-1	300-1	200-1/2
Paterson RBn	NE crs ILS (final)	161°—7.5 miles	2000	C-dn	600-1	600-1	600-1 1/2
Teterboro LMM	LOM (final)	Direct	2000	S-dn-22*	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2

Radar vectors may be used to effect above transitions.

Radar transitions:

058°—090° within 20 miles 2500',

090°—058° within 20 miles 2000',

S quad EWR-LFR within 15 miles 1500'.

Procedure turn W side NE crs, 037° Outbnd, 217° Inbnd, 2000' within 10 miles.

Minimum altitude at glide slope int Inbnd, 2000'.

Altitude of glide slope and distance to approach end of runway at OM, 2029'—6.1 miles; at MM, 236'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' straight ahead on SW crs of Newark ILS to Amboy VHF Int, then turn right and proceed direct to Kilmer VHF Int at 2000'. Hold SW Kilmer Int right turns, 1 minute, 069° Inbnd.

CAUTION: F0' hangar row 200' E of approach light lane between MM and end of runway 22.

CAUTION: Procedure turn accomplished over Teterboro LMM. Teterboro OM and Newark OM at approximately same geographic location and signals are simultaneously keyed to indicate 1 OM serving 2 ILS systems.

*600-1 required when glide path inoperative.

City, Newark; State, N.J.; Airport Name, Newark; Elev., 18'; Fac. Class., ILS; Ident., I-ARK; Procedure No. ILS-22, Amdt. 7; Eff. Date, 6 July 63; Sup. Amdt. No. 6; Dated, 15 Sept. 62

Imperial VOR	Spring Int	Direct	3000	T-dn	300-1	300-1	200-1/2
Ellwood City VOR	Spring Int	Direct	3000	C-dn	500-1	500-1	500-1 1/2
Wheeling VOR	Spring Int	Direct	3000	S-dn-10R	400-1	400-1	400-1
Pittsburgh VOR	Spring Int	Direct	3000	A-dn	800-2	800-2	800-2
Spring Int	Clinton RBn (final)	Direct	2200				

Radar vectoring authorized in accordance with approved radar patterns.

Procedure turn S side of crs, 277° Outbnd, 097° Inbnd, 3000' within 10 miles of Clinton RBn.

No glide slope. Minimum altitude over Clinton RBn on final approach crs, 2200'.

Crs and distance, Clinton RBn to Runway 10R, 097°—4.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing Clinton RBn, climb to 3000' on E crs ILS to GP LOM. Hold E right turns, 1 minute pattern, 277° Inbnd.

CAUTION: Runway 28R approach; Fluorescent street lighting aligned with Runway 28R and terminating approximately 3/4-mile from runway, can be mistaken for runway lights.

City, Pittsburgh; State, Pa.; Airport Name, Greater Pittsburgh; Elev., 1203'; Fac. Class., ILS; Ident., I-GPB; Procedure No. ILS-10R, Amdt. 4; Eff. Date, 6 July 63; Sup. Amdt. No. 3; Dated, 14 Dec. 61

				T-dn	300-1	300-1	200-1/2
				C-dn	500-1	600-1	600-1 1/2
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

No procedure turn. Radar vectoring to final approach crs required.

No glide slope.

Minimum altitude over 5-mile radar fix on final approach crs 1600'.

Crs and distance, 5-mile radar fix to airport 195°—5.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1600' on the S crs of the SAC ILS localizer and hold S of the LOM in a 1-minute holding pattern, 195° Outbnd, 015° Inbnd, right turns.

Other changes: Deletes transitions.

City, Sacramento; State, Calif.; Airport Name, Sacramento Municipal; Elev., 21'; Fac. Class., ILS; Ident., I-SAC; Procedure No. ILS-20, Amdt. 5; Eff. Date, 6 July 63; Sup. Amdt. No. 4; Dated, 29 July 61

				T-dn	300-1	300-1	200-1/2
				C-dn	600-1	600-1	600-1 1/2
				S-dn-16R	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn not authorized.

Minimum altitude over Lake Radar fix, 6000'.

Crs and distance Lake Radar fix to airport, 158°—6.0 miles.

No glide slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles after passing Lake Radar fix, make a climbing right turn, climb on SLC-VOR R-248 to 9000' within 20 miles.

NOTE: If radar contact not established or radar inoperative, execution of this procedure not authorized.

*1500-2 required for takeoff Runway 7.

City, Salt Lake City; State, Utah; Airport Name, Salt Lake City Municipal No. 1; Elev., 4226'; Fac. Class., ILS; Ident., I-SLC; Procedure No. ILS-16R, Amdt. 4; Eff. Date, 6 July 63; Sup. Amdt. No. 3; Dated, 23 Mar. 63

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Waco VOR.....	Waco LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	200-1½
Brandon Int.....	N crs ILS.....	Via R-028 ACT-VOR.....	1800	C-dn.....	400-1	500-1	500-1½
N crs ILS and R-028 ACT-VOR.....	Waco LOM (final).....	Direct.....	1800	S-dn-18.....	200-1½	200-1½	200-1½
Bostic Int*.....	S crs ILS.....	Via R-164 ACT-VOR.....	2000	A-dn.....	600-2	600-2	600-2
S crs ILS and R-164 ACT-VOR.....	Waco LOM.....	Direct.....	2000				

Radar vectoring may be used to position aircraft for a final approach within 5 miles N of LOM with elimination of the procedure turn.

Radar terminal maneuvering area 2000' within 20 miles of radar site (James Connally AFB).

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 1749' MSL tower located 12 miles S of airport.

Procedure turn W side of N crs, 005° Outbnd, 185° Inbnd, 1800' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1800'.

Altitude of glide slope and distance to approach end of runway at OM, 1766'—4.6 miles; at MM, 700'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2700' on S crs of ILS (185°) within 20 miles or, when directed by ATC, (1) turn right and climb to 2000' proceeding to Waco VOR or (2) turn left, climb to 2000' and intercept R-136 of Waco VOR within 20 miles.

CAUTION: 1749' MSL tower 12 miles S of airport.

*Bostic Int: Int TPL-VOR R-029 and ACT-VOR R-164.

City, Waco; State, Tex.; Airport Name, Waco Municipal; Elev., 515'; Fac. Class., ILS; Ident., I-ACT; Procedure No. ILS-18, Amdt. 3; Eff. Date, 6 July 63; Sup. Amdt. No. 2; Dated, 26 May 62

ACT-VOR.....	Turner Int*.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1½
Bostic Int**.....	Turner Int* (final).....	Via ACT R-164 and ILS S crs.....	1700	C-dn.....	400-1	500-1	500-1½
TPL-VOR.....	Lambert Int#.....	Via TPL-VOR R-020.....	2700	S-dn-36.....	400-1	400-1	400-1
Lambert Int#.....	Turner Int* (final).....	Direct.....	1700	A-dn.....	800-2	800-2	800-2

Radar vectoring may be used to position aircraft for a final approach within 6.4 miles S of Turner Int* with elimination of procedure turn.

Radar terminal maneuvering area 2000' within 20 miles of radar site (James Connally AFB).

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 1749' MSL tower located 12 miles S of airport.

Procedure turn E side of crs, 185° Outbnd, 005° Inbnd, 2700' within 10 miles of Turner Int*.

No glide slope. Minimum altitude over Turner Int* on final approach crs, 1700'.

Crs and distance, Turner Int* to airport, 005°—4.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing Turner Int*, climb to 2000' on N crs ILS to LOM or, when directed by ATC, turn left, climb to 2700' and proceed direct to ACT-VOR.

CAUTION: 710' stacks 7.5 miles SSE and 1049' tower 4.6 miles SE. TV tower 1749' MSL 12 miles S of airport.

Other change: Deletes transition from Brazos Int.

#Lambert Int: Int S crs ACT ILS and 240° bearing from Connally RBN.

*Turner Int: Int S crs ACT ILS and 274° bearing from Connally RBN.

**Bostic Int: Int TPL-VOR R-029 and ACT-VOR R-164.

City, Waco; State, Tex.; Airport Name, Municipal; Elev., 515'; Fac. Class., ILS; Ident., I-ACT; Procedure No. ILS-36, Amdt. 2; Eff. Date, 6 July 63; Sup. Amdt. No. 1; Dated, 26 May 62

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less		More than 2-engine, more than 65 knots
															65 knots or less	More than 65 knots	
000	360	20	3000					40	5000						Surveillance approach		
000	340			25	3000	30	4000							T-dn#	300-1	300-1	200-1½
340	360			25	4000									C-dn@	500-1	500-1	500-1
														S-dn@	500-1	500-1	500-1
														S-dn-28R	500-1½	500-1½	500-1½
														A-dn	800-2	800-2	800-2
														Precision approach			
														S-dn-28L*	200-1½	200-1½	200-1½
														A-dn	600-2	600-2	600-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—Runways 5, 10R, 10L, 14: Climb to 3000' within 10 miles and proceed to GP LOM, hold E right turn, 1-minute pattern, 277° Inbnd. Runways 23, 28R, 28L, 32: Climb to 3000' within 10 miles and proceed to Clinton RBN. Hold W, right turn, 1-minute pattern, 097° Inbnd.

CAUTION: Runway 28R approach: Fluorescent street light aligned with Runway 28R and terminating approximately ¼ mile from runway end. Can be mistaken for runway lights.

*Runway visual range 2600' also authorized for landing on Runway 28L providing all components of the PAR, high-intensity runway lights, approach lights, condenser discharge flashers and middle and outer compass locators are operating satisfactorily. Descent below 1403' MSL shall not be made unless visual contact with approach lights has been established or the aircraft is clear of clouds.

#Runway visual range 2600' also authorized for takeoff on Runway 28L when 200-1½ is authorized, providing high-intensity runway lights are operational.

@All runways except 28R.

City, Pittsburgh; State, Pa.; Airport Name, Greater Pittsburgh; Elev., 1203'; Fac. Class., Pittsburgh; Ident., Radar; Procedure No. 1, Amdt. 5; Eff. Date, 6 July 63; Sup. Amdt. No. 4; Dated, 28 July 62

These procedures shall become effective on the dates specified therein.
(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on May 31, 1963.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 63-6009; Filed, July 11, 1963; 8:45 a.m.]

[Reg. Docket No. 1792; Amdt. 328]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ABQ VOR.....	LOM.....	Direct.....	8000	T-dn.....	300-1	300-1	200-½
Valencia Int.....	LOM.....	Direct.....	7000	C-dn.....	400-1	500-1	500-1½
Coyote Int.....	LOM.....	Direct.....	10,000	S-dn-35.....	400-1	400-1	400-1
Dalles Int.....	LOM.....	Direct.....	7000	A-dn.....	800-2	800-2	800-2

Radar transitions and vectoring using Albuquerque Radar authorized in accordance with approved radar patterns.

Procedure turn W side of crs, 170° Outbnd, 350° Inbnd, 7000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach crs 6400'.

Crs and distance, facility to airport 350°—3.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, turn left, climb to 8000' on 260° bearing from AB LOM within 20 miles or, when directed by ATC, turn left, climb to 8000' on 260° bearing from ABQ SABH within 20 miles.

CAUTION: Terrain exceeding 8000' in E quadrant.

Other change: Deletes landing weight restriction on Runway 17/35.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Elev., 5352'; Fac. Class., LOM; Ident., AB; Procedure No. 2, Amdt. 1; Eff. Date, 13 July 63; Sup. Amdt. No. Orig.; Dated, 2 Mar. 63

DLN VOR.....	DLN RBN.....	Direct.....	9700	T-d.....	1000-1	1000-1	NA
				T-n.....	2000-3	2000-3	NA
				C-dn.....	2000-3	2000-3	NA
				A-dn.....	2000-3	2000-3	NA

Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 9700' within 10 miles.

Minimum altitude over facility on final approach crs 7200'.

Crs and distance, facility to airport 171°—1.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing DLN RBN, turn right, climb to 9700' in a 1-minute right hand pattern on the 006° bearing from the DLN RBN.

City, Dillon; State, Mont.; Airport Name, Dillon; Elev., 5239'; Fac. Class., SBH; Ident., DLN; Procedure No. 1, Amdt. Orig.; Eff. Date, 13 July 63

Shuttle to 2000' on crs 031° Outbnd, 211° Inbnd.				T-dn.....	300-1	300-1	200-½
				C-dn.....	400-1	500-1	500-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 031° Outbnd, 211° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport 211°—0.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.5 mile after passing FTO RBN, climb to 2000' on crs 211° from FTO RBN within 20 miles.

CAUTION: Antenna 494' MSL located on airport.

NOTE: Avoid flight below 300 feet above terrain between 4500' and 5500' from end of Runway 21.

City, Fort Yukon; State, Alaska; Airport Name, Williams Field; Elev., 420'; Fac. Class., H; Ident., FTO; Procedure No. 1, Amdt. Orig.; Eff. Date, 13 July 63

2. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

From—	Transition	To—	Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
						2-engine or less		More than 2-engine, more than 65 knots
						65 knots or less	More than 65 knots	
Lansing LOM.....	LAN-VOR.....	Direct.....		2200	T-dn.....	300-1	300-1	200-½
Potter Int.....	LAN VOR.....	Direct.....		1900	C-dn.....	400-1	500-1	500-1½
					S-dn-6.....	400-1	400-1	400-1
					A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 234° Outbnd, 054° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 054°—5.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing VOR, climb to 2400' on R-054 and proceed direct to LAN LOM, or when directed by ATC make left turn, climbing to 2400', proceed to St. Johns Int via LAN R-031.

City, Lansing; State, Mich.; Airport Name, Capital City; Elev., 859'; Fac. Class., BVOR; Ident., LAN; Procedure No. 1, Amdt. 7; Eff. Date, 13 July 63; Sup. Amdt. No. 6; Dated, 21 Feb. 59

					T-d.....	300-1	NA	NA
					C-d.....	700-1	NA	NA
					A-d.....	1000-3	NA	NA

Procedure turn N side of crs, 068° Outbnd, 248° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 248°—11.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing VOR, climb to 2000' on R-245 within 20 miles of VOR.

CAUTION: 792' MSL tower located 2.5 miles NW of airport, 847' MSL tower 1.3 miles E of airport, and 570' MSL tower 2.3 miles ENE of airport.

NOTE: Air carrier use not authorized.

*Descent to 1200' authorized after passing VOR within 6 miles, then proceed VFR to airport, 248°—5.1 miles.

City, McComb; State, Miss.; Airport Name, McComb-Pike County; Elev., 460'; Fac. Class., BVOR; Ident., MCB; Procedure No. 1, Amdt. 5; Eff. Date, 13 July 63; Sup. Amdt. No. 4; Dated, 11 May 63

MYR-VOR.....	Skipper Int (final)*.....	Direct.....		800	T-dn.....	300-1	300-1	200-½
					C-d.....	800-1	800-1	800-1½
					C-n.....	800-2	800-2	800-2
					S-d-5.....	800-1	800-1	800-1
					S-n-5.....	800-2	800-2	800-2
					A-dn#.....	800-2	800-2	800-2
					If aircraft equipped with VOR and ADF receivers operating normally and Skipper Int* received, the following minimums are authorized:			
					C-dn.....	400-1	500-1	500-1½
					S-dn-5.....	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.

Procedure turn W side of crs, 241° Outbnd, 061° Inbnd, 1300' within 10 miles.

Minimum altitude over facility on final approach crs, 1300'; over Skipper Int, 800'.

Crs and distance, facility to airport, 061°—9.2 miles; Skipper Int* to airport, 061°—4.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing Skipper Int* or 9.2 miles after passing MYR-VOR, climb to 1500' on R-056 of MYR-VOR or, when directed by ATC, turn left, climb to 1500' and proceed to MYR-VOR via MYR R-061.

NOTE: Procedure may be authorized for air carriers having approval of their arrangement for communications and weather service at this airport.

*Skipper Int: Int MYR-VOR R-061 and 123° crs from MTL "H".

#Alternate usage authorized for air carrier only.

City, Myrtle Beach; State, S.C.; Airport Name, Crescent Beach-Myrtle Beach; Elev., 33'; Fac. Class., BVOR; Ident., MYR; Procedure No. 1, Amdt. 5; Eff. Date, 13 July 63; Sup. Amdt. No. 4; Dated, 8 Dec. 62

All directions.....	AWK VOR.....	Direct.....		1500	T-dn.....	400-1	400-1	400-1
					C-dn*.....	500-1	500-1	500-1½
					S-dn-27**.....	500-1	500-1	500-1
					A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 105° Outbnd, 285° Inbnd, 1500' within 15 miles.

Minimum altitude over Lee Int# on final approach crs 500'.

Crs and distance, facility to airport 120°—1.5 miles. Breakoff point to runway 275°—0.9 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at Lee Int,** climb to 1500' on R-285 within 20 miles.

*If aircraft not equipped with operating ADF receiver or AWK RBN not received maintain 800' and execute missed approach at VOR.

**CAUTION: 700' ceiling required when circling N of airport due 422' MSL tower 1.5 miles N in vicinity of AWK RBN.

#Lee Int: Intersection of the AWK VOR R-105 and 150° bearing from AWK RBN.

City and State, Wake Island; Airport Name, Wake; Elev., 15'; Fac. Class., BVORTAC; Ident., AWK; Procedure No. 2, Amdt. Orig.; Eff. Date, 13 July 63

3. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Dorchester Int* or 6 mile DME fix BOS VOR (final).		Direct.....	700	T-dn%----- C-dn#----- A-dn----- If Dorchester Int* or 6-mile DME fix received, following minimums are authorized: C-dn#-----	300-1 900-1 900-2 700-1	300-1 900-1 900-2 700-1	200-1½ 500-1½ 900-2 700-1½

Radar vectoring authorized in accordance with approved patterns. All fixes may be determined and supplemented by radar.

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2000' within 10 miles.

Facility on airport. Crs and distance, breakoff point to approach end of Runway 4R, 035°—0.9 mile.

Minimum altitude over facility on final approach crs, 900'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make left-climbing turn to 2000' on R-029 BOS VOR to Ipswich Int, hold NE, 209° Inbnd 1-minute right turns.

CAUTION: 370' stack 1.3 miles SW, 505' building 1.7 miles W, 772' building 3.1 miles W, 1049' antenna 10 miles W of airport.

NOTES: Nonstandard approach light system serving Runway 4R. Displaced threshold lights 2523' from end of Runway 4R.

%Departures from Runway 27: Make left turn to crs 260° as soon as practicable after takeoff.

*Circling W of airport not authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.

*Dorchester Int: Int R-238 BOS VOR and R-355 HTM VOR (6-mile DME fix).

City, Boston; State, Mass.; Airport Name, Logan International; Elev., 19'; Fac. Class., BVORTAC; Ident., BOS; Procedure No. TerVOR-4R, Amdt. 4; Eff. Date, 13 July 63; Sup. Amdt. No. 3; Dated, 13 Jan. 62

Chatham Int.....	DAN VOR.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1½
Sandy River Int.....	DAN VOR.....	Direct.....	2500	C-dn.....	500-1	500-1	500-1½
Milton Int.....	DAN VOR.....	Direct.....	2300	S-dn-2.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1100'.

Crs and distance, breakoff point to approach end of Runway 2, 020°—0.9 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing DAN VOR, make right-climbing turn to 2200', hold SW on DAN VOR R-212, 1-minute right turns.

City, Danville; State, Va.; Airport Name, Danville; Elev., 582'; Fac. Class., BVOR; Ident., DAN; Procedure No. TerVOR-2, Amdt. 4; Eff. Date, 13 July 63; Sup. Amdt. No. 3; Dated, 8 June 63

South Boston VOR.....	Rock Spring Int*.....	Direct.....	2300	T-dn.....	300-1	300-1	200-1½
Sandy River Int.....	Danville VOR.....	Direct.....	2500	C-dn.....	500-1	500-1	500-1½
Chatham Int.....	Danville VOR.....	Direct.....	2700	S-dn-24.....	500-1	500-1	500-1
Milton Int.....	Danville VOR.....	Direct.....	2300	A-dn.....	800-2	800-2	800-2
				The following minimums apply if Rock Spring Int received: S-dn-24.....			
					400-1	400-1	400-1

Procedure turn N side of crs, 048° Outbnd, 228° Inbnd, 2300' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over facility on final approach course 1100'—if Rock Spring Int used—1000'.

Crs and distance, 228°—6 miles. Breakoff point to runway 241°—1 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing DAN VOR, make right-climbing turn to 2300', hold NE on DAN VOR R-048, 1-minute right turns.

*Rock Springs Int: Int DAN R-048 and SBV R-264.

City, Danville; State, Va.; Airport Name, Danville Municipal; Elev., 582'; Fac. Class., LBVOR; Ident., DAN; Procedure No. TerVOR-24, Amdt. 1; Eff. Date, 13 July 63; Sup. Amdt. No. Orig.; Dated, 15 June 63

FTO RBN.....	FTO VOR.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				S-dn-3.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn SE side of crs, 183° Outbnd, 003° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 900'.

Facility on airport.

Crs and distance, breakoff point to approach end of Runway 3, 030°—1.0 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, turn right, climb to 2000' on R-045 within 20 miles.

CAUTION: Restricted area. Avoid flight below 300' above terrain between 4500' and 5500' from end of Runway 21.

City, Fort Yukon; State, Alaska; Airport Name, Fort Yukon; Elev., 423'; Fac. Class., H-VOR; Ident., FTO; Procedure No. TerVOR-3, Amdt. Orig.; Eff. Date, 13 July 63

FTO RBN.....	FTO VOR.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				S-dn-21.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 900'.

Facility on airport. Crs and distance, breakoff point to approach end of Runway 21, 210°—1.0 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, turn left, climb to 2000' on R-183 within 20 miles.

CAUTION: Restricted area. Avoid flight below 300' above terrain between 4500' and 5500' from end of Runway 21.

City, Fort Yukon; State, Alaska; Airport Name, Fort Yukon; Elev., 423'; Fac. Class., H-VOR; Ident., FTO; Procedure No. TerVOR-21, Amdt. Orig.; Eff. Date, 13 July 63

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Steele Int.....	Clair Int* (final).....	Direct.....	2200	T-dn..... C-dn..... S-dn-6..... A-dn#.....	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1½ 500-1½ 400-1 800-2

Procedure turn S side of crs, 231° Outbnd, 051° Inbnd, 3000' within 10 miles.

Minimum altitude on final approach crs until passing Clair Int,* 2200'.

Crs and distance, Clair Int* to VOR, 051°—5.8 miles; breakoff point to Runway 6, 060°—1.0 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 3000' on R-040 within 15 miles.

NOTE: This procedure is authorized only for aircraft having 2 operating VOR receivers and Clair Int* received.

#Alternate minimum authorized for air carriers only, provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.

*Clair Int: Int GAD R-231 and ANB R-340.

City, Gadsden; State, Ala.; Airport Name, Gadsden Municipal; Elev., 564'; Fac. Class., BVOR; Ident., GAD; Procedure No. TerVOR-6, Amdt. Orig.; Eff. Date, 13 July 63

				T-dn..... C-dn..... A-dn**.....	300-1 500-1 800-2	300-1 500-1 800-2	300-1 500-1½ 800-2
				If aircraft equipped with dual VOR and Kennedy Int# received, the following minimums are authorized:			
				S-dn-23.....	500-1	500-1	500-1

Radar vectoring authorized in accordance with approved patterns. All fixes may be defined or supplemented by use of radar.

Procedure turn N side of crs, 055° Outbnd, 235° Inbnd, 1800' within 10 miles.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 235°—1.5 miles; Kennedy Int# to airport, 235°—3.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing LWM-VOR, make left-climbing turn to 1800' to LWM-VOR. Hold NE 230° Inbnd, right turns, 1 minute.

CAUTION: 314' terrain 1.5 miles S of LWM-VOR.

#Kennedy Int: Int R-055 LWM-VOR and R-132 MHT-VOR.

**Alternate minimums of 800-2 authorized only when prior arrangements have been made for weather service at the airport.

City, Lawrence; State, Mass.; Airport Name, Lawrence Municipal; Elev., 165'; Fac. Class., BVOR; Ident., LWM; Procedure No. 1, Amdt. Orig.; Eff. Date, 13 July 63, or upon commissioning of facility

OKK VOR.....	MZZ VOR.....	Direct.....	2200	T-dn.....	300-1	300-1	200-1½
OKK RBN.....	MZZ VOR.....	Direct.....	2200	C-dn.....	500-1	500-1	500-1½
OKK VOR.....	Sweet Int#.....	Direct.....	2200	S-dn-15.....	500-1	500-1	500-1
Sweet Int**.....	Show Int# (final).....	Direct.....	1400	A-dn*.....	NA	NA	NA

Procedure turn W side of crs 320° Outbnd, 140° Inbnd 2200' within 10 miles.

Minimum altitude over MZZ VOR on final approach crs 1400'.

Crs and distance, breakoff point to approach end of runway 150°—0.3 mile.

Crs and distance, Show Int to airport 140°—3.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of MZZ VOR, climb to 2200' on MZZ VOR R-140 and then return to VOR.

NOTE: Use of final transition from Sweet Int** to Show Int# authorized for dual VOR equipped aircraft only.

*AIR CARRIER NOTE: 800-2 authorized for air carrier with weather reporting service.

**Sweet Int: Int MZZ VOR R-320 and OKK VOR R-075.

#Show Int: Int MZZ VOR R-320 and OKK VOR R-090.

City, Marion; State, Ind.; Airport Name, Marion Municipal; Elev., 850'; Fac. Class., BVOR; Ident., MZZ; Procedure No. TVOR-15, Amdt. 2; Eff. Date, 13 July 63; Sup Amdt. No. 1; Dated, 29 June 63

4. The very high frequency omnirange-distance measuring equipment (VOR-DME) procedures prescribed in § 609.300 are amended to read in part:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
20-mile fix R-075.....	18-mile fix R-075.....	Direct.....	12,000	T-dn.....	300-1	300-1	200-1½
18-mile fix R-075.....	15-mile fix R-075.....	Direct.....	10,000	S-dn-08*.....	400-1	400-1	*400-1
15-mile fix R-075.....	ABQ VOR.....	Direct.....	8000	C-dn.....	400-1	500-1	500-1½
25-mile fix R-256.....	15-mile fix R-256.....	Direct.....	9000	A-dn.....	800-2	800-2	800-2
15-mile fix R-256.....	10-mile fix R-256.....	Direct.....	8000				
10-mile fix R-256.....	ABQ VOR.....	Direct.....	7500				
ABQ VOR.....	5-mile fix R-077.....	Direct.....	6500				
5-mile fix R-077.....	9-mile fix R-077.....	Direct.....	5800				

Radar transitions and vectoring using ABQ Radar authorized in accordance with approved radar pattern.

Procedure turn N side of crs 257° Outbnd 077° Inbnd 8000' within 10 miles when authorized by ATC, DME may be used within 15 miles between radials 125° clockwise to 025° at 8000' to position aircraft for final approach with elimination of a procedure turn.

Minimum altitude over facility on final approach crs 7500'.

Crs and distance, facility to airport 077°—9.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 9-mile fix on R-077, make left-climbing turn to 8000' and proceed direct to ABQ VOR.

CAUTION: Terrain exceeding 8000' located beyond 18 miles E of VOR.

Other change: Deletes landing weight restriction on Runway 17/35.

*500-1½ required for civil jet aircraft.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Support-Kirtland AFB; Elev., 5352'; Fac. Class., H-BVORTAC; Ident., ABQ; Procedure No. VOR-DME No. 1, Amdt. 2; Eff. Date, 13 July 63; Sup. Amdt. No. 1; Dated, 9 Mar. 63

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lakeview Int or 19.8-mile DME fix.....	Kids Int.....	Direct.....	5000	T-dn.....	300-1	300-1	200-1/4
Kids Int or 12.9-mile DME fix.....	Sunrise Int* (final).....	Direct.....	3500	C-dn.....	500-1	500-1	500-1 1/2
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 065° Outbnd, 245° Inbnd, 5000' within 10 miles of Sunrise Int.*

Minimum altitude over Sunrise Int* on final approach crs, 3500'.

Crs and distance, Sunrise Int* to airport, 245°—4.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, turn left and climb to 5000' on R-065 to Kids Int or 12.9-mile DME fix.

*Sunrise Int: Int LAS R-065 and 346° bearing to LAS RBn or 4.1-mile DME fix.

City, Las Vegas; State, Nev.; Airport Name, McCarran Field; Elev., 2171'; Fac. Class., DVORTAC; Ident., LAS; Procedure No. 2; Amdt. 2; Eff. Date, 13 July 63; Sup. Amdt. No. 1; Dated, 30 June 62

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Aden Int.....	Weller Int.....	Direct.....	8000	T-dn.....	300-1	300-1	200-1/4
Weller Int.....	Sandoval Int (final).....	Direct.....	7000	C-d.....	500-1	500-1	500-1 1/2
				C-n.....	500-2	500-2	500-2
				S-d-17.....	500-1	500-1	500-1 1/2
				S-n-17.....	500-2	500-2	500-2
				A-dn.....	800-2	800-2	800-2

Radar transitions and vectoring using Albuquerque Radar authorized in accordance with approved radar patterns.

Procedure turn W side of N crs 350° Outbnd; 170° Inbnd; 8000' within 10 miles of Sandoval Int.

Minimum altitude over Sandoval Int on final approach—7000'.

No glide slope.

Crs and distance, Sandoval Int to airport, 170°—6.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles after passing Sandoval Int, climb straight ahead to 7000' on ABQ ILS localizer to ABQ LOM or when directed by ATC, make right-climbing turn, climb to 8000' direct to ABQ VOR.

CAUTION: Terrain exceeding 8000' E of ILS localizer; all turns to be made W of crs.

Other change: Deletes landing weight restriction on Runway 17/35.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Elev., 5352'; Fac. Class., ILS; Ident., I-ABQ; Procedure No. ILS-17, Amdt. 8; Eff. Date, 13 July 63; Sup. Amdt. No. 7; Dated, 20 Oct. 62

Albuquerque RBn.....	LOM.....	Direct.....	7000	T-dn.....	300-1	300-1	200-1/4
Albuquerque VOR.....	LOM.....	Direct.....	8000	C-dn.....	400-1	500-1	500-1 1/2
Aden Int.....	LOM.....	Direct.....	8000	S-dn-35.....	200-1/2	200-1/2	200-1/2
Bacaville VOR.....	S crs ILS.....	Via R-020 BCV VOR 19.4 miles.	7000	A-dn.....	600-2	600-2	600-2
Coyote Int.....	LOM.....	Direct.....	10,000				
Sandoval Int.....	LOM.....	Direct.....	7000				
Dalies Int.....	LOM.....	Direct.....	7000				
Bean Int.....	LOM.....	Direct.....	10,500				
Valencia Int.....	S crs ILS.....	061°—5.8 miles.....	7000				

Radar transitions and vectoring using Albuquerque Radar authorized in accordance with approved radar patterns.

Procedure turn W side S crs, 170° Outbnd, 350° Inbnd, 7000' within 10 miles.

Minimum altitude at glide slope Int Inbnd, 7000'.

Altitude of glide slope and distance to approach end of runway at OM, 6400'—3.8 miles at MM, 5530'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make a left-climbing turn, climb to 8000' direct to ABQ-VOR or, when directed by ATC, turn left and climb to 8000' on 260° crs from ABQ RBn within 20 miles.

CAUTION: Terrain exceeding 8000' E of ILS localizer—all turns to be made W of localizer crs.

Other change: Deletes landing weight restriction on Runway 17/35.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Elev., 5352'; Fac. Class., ILS; Ident., I-ABQ; Procedure No. ILS-35, Amdt. 25; Eff. Date, 13 July 63; Sup. Amdt. No. 24; Dated, 18 May 63

Boston VOR.....	BO LOM.....	Direct.....	1800	T-dn% §.....	300-1	300-1	200-1/4
Franklin Int.....	ILS SW crs (final).....	Direct.....	2000	C-dn#.....	600-1	600-1	600-1 1/2
				S-dn-4R* ##.....	200-1/2	200-1/2	200-1/2
				A-dn.....	600-2	600-2	600-2

Radar vectoring authorized in accordance with approved patterns. All fixes may be determined and supplemented by surveillance radar.

Procedure turn E side of crs, 215° Outbnd, 035° Inbnd, 2000' within 10 miles.

Minimum altitude at glide slope Int Inbnd, 1900'.

Altitude of glide slope and distance to displaced threshold of runway at OM, 1821'—5.3 miles; at MM, 270'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing BO LOM, climb to 2000' on R-020 BOS VOR to Ipswich Int, hold NE 209° Inbnd, right turns, 1 minute.

CAUTION: 370° stack 1.2 miles W, 505' building 1.7 miles W, 772' building 3.1 miles W, 1349' antennas 10 miles W of airport.

NOTES: ILS touchdown point approximately 3500' in from approach end of runway to allow clearance over ship channel. Nonstandard approach light system serving runway 4R. Displaced threshold lights 2523' from end of Runway 4R.

*ILS ceiling 200' and runway visual range 2600' also authorized for landing on Runway 4R provided all components of the ILS and all related airborne equipment are in satisfactory operating condition.

†Runway visual range 2600' is authorized for takeoff on Runway 4R in lieu of 200-1/2 when 200-1/2 authorized, providing associated high intensity runway lights are operational.

%Departures from Runway 27 make left turn to crs 260° as soon as practicable after takeoff.

#No circling southwest of airport authorized from centerline extended Runway 4L to centerline extended Runway 15, when ceiling is less than 800'.

##400-3/4 required with glide slope inoperative.

City, Boston; State, Mass.; Airport Name, Logan International; Elev., 19'; Fac. Class., ILS; Ident., I-BOS; Procedure No. ILS-4R, Amdt. 14; Eff. Date, 13 July 63; Sup. Amdt. No. 13; Dated, 13 Jan. 62

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Sterling Int.....	PV LOM.....	Direct.....	2200	T-dn.....	300-1	300-1	200-1½
Lafayette Int.....	PV LOM (final).....	Direct.....	1700	C-dn.....	500-1	500-1	500-1½
				S-dn-5R*.....	300-¾	300-¾	300-¾
				A-dn.....	600-2	600-2	600-2

Radar vectoring authorized in accordance with approved patterns utilizing NAS Quonset Point Radar.

Procedure turn W side of crs, 226° Outbnd, 046° Inbnd, 1700' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1700'.

Altitude of glide slope and distance to approach end of runway at OM, 1642'—5.4 miles; at MM, 238'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make a climbing left turn to 2300' to Foster Int. Hold SW on R-057 ORW VOR, 1 minute, left turns, 057° Inbnd or, when directed by ATC, make a climbing left turn and return to the PV LOM at 1700'. Hold SW, 046° Inbnd, 1 minute, left turns.

CAUTION: 849' tower 4.8 miles N of airport.

NOTE: Procedure turn is conducted W to provide separation from traffic at Quonset Point NAS.

Other changes: Deletes transitions from Providence LFR, Providence VOR, Wyoming FM, Moosup Int and Wyoming Int via crs 086°.

*500-1 required with glide slope inoperative.

City, Providence; State, R.I.; Airport Name, Green; Elev., 56'; Fac. Class., ILS; Ident., I-PVD; Procedure No. ILS-5R, Amdt. 4; Eff. Date, 13 July 63; Sup. Amdt. No. 3; Dated, 11 July 59

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums		
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	2-engine or less	More than 2-engine, more than 65 knots
															65 knots or less	More than 65 knots
355	075	5-10	11,000	---	---	---	---	---	---	---	---	---	---	Surveillance approach		
020	150	0-3	6,800	3-5	8,100	---	---	---	---	---	---	---	---	T-dn.....	300-1	300-1
075	122	5-10	8,600	---	---	---	---	---	---	---	---	---	---	C-dn.....	400-1	500-1
122	355	5-10	7,000	---	---	---	---	---	---	---	---	---	---	S-dn-35, 17.....	400-1	400-1
150	020	0-5	6,400	---	---	---	---	---	---	---	---	---	---	S-dn-8, 3**.....	400-1	400-1
100	130	10-12	9,500	---	---	---	---	---	---	---	---	---	---	A-dn.....	800-2	800-2
130	160	10-12	7,500	---	---	---	---	---	---	---	---	---	---	Precision approach		
355	065	10-30	12,500	---	---	---	---	---	---	---	---	---	---	S-dn-8**.....	300-¾	300-¾
065	100	10-30	9,500	---	---	---	---	---	---	---	---	---	---	A-dn.....	600-2	600-2
100	160	12-30	11,500	---	---	---	---	---	---	---	---	---	---			
160	355	10-30	7,500	---	---	---	---	---	---	---	---	---	---			

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of Manzano Peak 10,098' located 27 miles SE and 6850'-peak located 29 miles SW.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—Runways 35, 8, and 3: Turn left and climb to 8000' on 260° crs direct to ABQ-VOR or, when directed by ATC, turn left and climb to 8000' on 260° crs from ABQ-RBn within 20 miles. Runway 17: Climb straight ahead to AB-LOM and climb in a holding pattern S to 7000' (Inbnd bearing 350°), left turns, or (1) when directed by ATC, turn right, climb to 8000' on 260° crs from ABQ-RBn within 20 miles and (2) make right-climbing turn to 8000' on 260° crs direct to ABQ VOR.

NOTES: No approach lights.

CAUTION: Terrain exceeding 8000' MSL in E quadrants.

Other change: Deletes landing weight restriction on Runway 17/35.

**500-1½ required for civil jet aircraft.

City, Albuquerque; State, N. Mex.; Airport Name, Albuquerque Sunport-Kirtland AFB; Elev., 5352'; Fac. Class., Kirtland; Ident., Radar; Procedure No. 1, Amdt. 12; Eff. Date, 13 July 63; Sup. Amdt. No. 11; Dated, 8 June 63

These procedures shall become effective on the dates specified therein.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on June 6, 1963.

W. LLOYD LANE,
Acting Director, Flight Standards Service.

[F.R. Doc. 63-6214; Filed, July 11, 1963; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-514]

PART 13—PROHIBITED TRADE PRACTICES

Interstate Engineering Corp. et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—Misrepresenting oneself and goods—business status, advantages or connections: § 13.1510 *Operations as special or other advertising*; § 13.1520 *Personnel or staff*. [Misrepresenting oneself and goods]—goods: § 13.1663 *Individual's special selection or situation*; § 13.1747 *Special or limited offers*; § 13.1757 *Surveys*. [Misrepresenting oneself and goods]—prices: § 13.1817 *Reductions for prospect referrals*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Interstate Engineering Corporation [Anaheim, Calif.], et al., Docket C-514, June 21, 1963]

In the Matter of Interstate Engineering Corporation, a Corporation, Compact Distributing Company, Inc., a Corporation, and Compact Distributing Co., Inc., a Corporation

Consent order requiring a corporation in Anaheim, Calif., and its two franchised corporate distributors in Minneapolis and Milwaukee, engaged in selling, through house-to-house sale, and by the customer referral sales plan, "Compact Home Renovating Systems" consisting of vacuum cleaners, floor polishers and carpet sweepers, to cease making such misrepresentations—through use by salesmen of instructions furnished them by respondents in manuals, illustrated sales kits, etc.—as that they were not selling but were advertising executives seeking the opinion of the public as to the efficacy of advertising methods, making surveys of television advertising, and demonstrating their products; that prospects could obtain the products at no cost by inducing friends to grant appointments in their homes to salesmen; that prospects must sign contracts at the time of the interview and would have no further opportunity; and that prospects were specially selected.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Interstate Engineering Corporation, a corporation, and its officers, and Compact Distributing Company, Inc., a corporation, and its officers, and Compact Distributing Co., Inc., a corporation, and its officers, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of vacuum cleaners, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or indirectly: (a) That respondents, their salesmen or other representatives or any of them, are advertising executives or are in the business of advertising.

(b) That respondents, their salesmen or other representatives or any of them, are seeking the opinion of the public as to the efficacy of different advertising methods.

(c) That respondents, their salesmen or other representatives or any of them, are making surveys for any purpose.

(d) That respondents, their salesmen or other representatives or any of them, are not selling anything but only demonstrating respondents' products.

(e) That respondents' products can be had at no cost to the purchaser or that said products can be had in exchange for the names of a given number of prospective purchasers, unless a full and complete disclosure is made of the facts and circumstances surrounding the offer.

(f) That the time during which respondents' products are obtainable is limited.

(g) That prospective purchasers of respondents' products are specially selected.

2. (a) Misrepresenting in any manner the amount of credits or money to be derived by purchasers participating in respondents' lead referral program.

(b) Representing in any manner that the purpose of respondents' salesmen in arranging for or making calls upon prospective purchasers is other than to sell respondents' products.

3. Furnishing or otherwise placing in the hands of respondents' dealers, retailers or salesmen dealing in said products the means and instrumentalities by and through which they may mislead or deceive the public in the manner or as to the things hereinabove prohibited.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 21, 1963.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-7318; Filed, July 11, 1963; 8:47 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—)

Subpart Q—Representative Payee

MISCELLANEOUS AMENDMENTS

Regulations No. 4 of the Social Security Administration, as amended (20 CFR

404.1 et seq.) are further amended as follows:

1. Section 404.1605 is amended to read as follows:

§ 404.1605 Conservation and investment of payments.

Payments certified to a relative or other person on behalf of a beneficiary which are not needed for the current maintenance of the beneficiary except as they may be used pursuant to § 404.1607, shall be conserved or invested on the beneficiary's behalf. Preferred investments are U.S. Savings Bonds, but such funds may also be invested in accordance with the rules applicable to investment of trust estates by trustees. For example, surplus funds may be deposited in an interest or dividend bearing account in a bank or trust company or in a savings and loan association if the account is either Federally insured or is otherwise insured in accordance with State law requirements. Surplus funds deposited in an interest or dividend bearing account in a bank or trust company or in a savings and loan association must be in a form of account which clearly shows that the representative payee has only a fiduciary, and not a personal, interest in the funds. The preferred forms of such accounts are as follows:

(Name of beneficiary)
by -----
(Name of representative payee)
representative payee; or

(Name of beneficiary)
by -----
(Name of representative payee)
trustee. U.S. Savings Bonds purchased with surplus funds by representative payees for minor or incapacitated adult beneficiaries should be registered as follows:

(Name of beneficiary)
a minor beneficiary for whom -----
(Name of representative payee)
has been designated representative payee by the Secretary of Health, Education, and Welfare, pursuant to 42 U.S.C., section 405(j); or

(Name of beneficiary)
an incapacitated adult beneficiary for whom -----
(Name of representative payee)
has been designated representative payee by the Secretary of Health, Education, and Welfare, pursuant to 42 U.S.C., section 405(j).

A representative payee who is the legally appointed guardian or fiduciary of the beneficiary may also register U.S. Savings Bonds purchased with funds from Title II payments in accordance with applicable regulations of the U.S. Treasury Department (31 CFR 315.5 through 315.8). Any other approved investment of the beneficiary's funds made by the representative payee must clearly show that the payee holds the property in trust for the beneficiary.

2. Section 404.1608 is amended to read as follows:

§ 404.1608 Claims of creditors.

A relative or other person to whom payments under Title II of the Act are

certified as representative payee on behalf of a beneficiary may not be required to use such payments to discharge an indebtedness of the beneficiary which was incurred before the first month for which payments are certified to a relative or other person on the beneficiary's behalf. In no case, however, may such payee use such payments to discharge such indebtedness of the beneficiary unless the current and reasonably foreseeable future needs of the beneficiary are otherwise provided for.

3. A new § 404.1610 is added after § 404.1609 to read as follows:

§ 404.1610 Transfer of accumulated benefit payments.

A representative payee who has conserved or invested funds from Title II payments certified to him on behalf of a beneficiary shall, upon direction of the Administration, transfer any such funds (including interest earned from investment of such funds) to a successor payee appointed by the Administration, or, at the option of the Administration, shall transfer such funds, including interest, to the Administration for recertification to a successor payee or to the beneficiary.

(Secs. 205, 207, 1102, 53 Stat. 1368, 49 Stat. 624, 647, sec. 5, Reorg. Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 407, 1302)

4. *Effective date.* The foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

Dated: June 21, 1963.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: July 1, 1963.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 63-7339; Filed, July 11, 1963;
8:51 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

PART 9—COLOR CERTIFICATION

Citrus Red No. 2; Confirmation of Effective Date of Order for Use in Coloring Oranges; Deletion of Obsolete Material

1. Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 402; 21 U.S.C.A. 376(d)) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), notice is given that no objections were filed to the order published in the FEDERAL REGISTER of May 22, 1963 (28 F.R. 5082), prescribing the listing and certification of the color additive Citrus Red No. 2 for use in coloring oranges. Accordingly, the regulation promulgated

by that order will become effective July 21, 1963.

2. Effective July 21, 1963, § 8.501(d) *Color additives provisionally listed for use on mature oranges* and § 9.16 *Citrus Red No. 2* are revoked.

(Sec. 706(d), 74 Stat. 402; 21 U.S.C.A. 376(d))

Dated: July 5, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-7340; Filed, July 11, 1963;
8:52 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER H—ECONOMIC ENTERPRISES

PART 88—INDIAN FISHING IN ALASKA

On pages 4259 and 4260 of the FEDERAL REGISTER of April 30, 1963, there was published, pursuant to the authority vested in the Secretary of the Interior by 25 U.S.C. sections 2 and 9; 5 U.S.C. section 485; section 15 of the Act of March 3, 1891 (26 Stat. 1101; 48 U.S.C. sec. 358); the Presidential Proclamation of April 28, 1916 (39 Stat. 1777); section 2 of the Act of May 1, 1936 (49 Stat. 1250; 48 U.S.C. sec. 358a); and section 4 of the Act of July 7, 1958 (72 Stat. 339), as amended (73 Stat. 141), a notice and text of an amendment of Part 88 of Title 25, Code of Federal Regulations. The purpose of the amendment was to govern Indian commercial fishing in Alaska.

Interested persons were allowed 30 days after publication of the notice to submit written comments, suggestions or objections concerning the proposed amendment.

Comments were received that the purpose of the regulations should be broadened to regulate all fishing within the Annette Islands Reserve. The comments have been considered, and, where appropriate, incorporated into the amendment set forth below.

Because of the imminence of the fishing season, it found to be "impracticable, unnecessary, and contrary to the public interest" (5 U.S.C. 1003(a)) to republish the amendment as a Notice of Proposed Rule Making. The following amendment shall be effective as of the date of publication in the FEDERAL REGISTER.

Sec.

88.1 Purpose.

88.2 Annette Islands Reserve; definition; exclusive fishery; licenses.

88.3 Commercial fishing, Annette Islands Reserve.

88.4 Subsistence and sport fishing, Annette Islands Reserve.

88.5 Commercial fishing, Karluk Indian Reservation.

88.6 Enforcement; violation of regulations; corrective action; penalties; closure of restriction, Annette Islands Reserve.

§ 88.1 Purpose.

The purpose of the regulations in this part is to regulate all fishing within the Annette Islands Reserve and to regulate

Indian and other native commercial fishing in the Karluk Indian Reservation, but they shall not be construed to limit any rights of Indians or other natives of Alaska not specifically covered hereby.

§ 88.2 Annette Islands Reserve; definition; exclusive fishery; licenses.

(a) *Definition.* The Annette Islands Reserve is defined as the Annette Islands in Alaska, as set apart as a reservation by section 15 of the Act of March 3, 1891 (26 Stat. 1101, 48 U.S.C. sec. 358), and including the area identified in the Presidential Proclamation of April 28, 1916 (39 Stat. 1777), as the waters within three thousand feet from the shore lines at mean low tide of Annette Island, Ham Island, Walker Island, Lewis Island, Spire Island, Hemlock Island, and adjacent rocks and islets, located within the broken line upon the diagram attached to and made a part of said Proclamation; and also the bays of said islands, rocks, and islets.

(b) *Exclusive fishery.* The Annette Islands Reserve is declared to be exclusively reserved for fishing by the members of the Metlakatla Indian Community and such other Alaskan natives as have joined or may join them in residence on the aforementioned islands, and any other person fishing therein without authority or permission of the Metlakatla Indian Community shall be subject to prosecution under the provisions of section 2 of the Act of July 2, 1960 (74 Stat. 469, 18 U.S.C. sec. 1165).

(c) *Licenses.* Members of the Metlakatla Indian Community, and such other Alaskan natives as have joined them or many join them in residence on the aforementioned islands, shall not be required to obtain a license or permit from the State of Alaska to engage in fishing in the waters of the Annette Islands Reserve.

§ 88.3 Commercial fishing, Annette Islands Reserve.

(a) *Definition.* Commercial fishing is the taking, fishing for, or possession of fish, shellfish, or other fishery resources with the intent of disposing of such fish, shellfish or other fishery resources or parts thereof for profit, or by sale, barter, trade, or in commercial channels.

(b) *Trap fishing sites; number and location.* During 1963, and until the Secretary of the Interior or his duly authorized representative determines otherwise, the Metlakatla Indian Community is permitted to operate not more than one trap per site for salmon fishing at any four of the following sites in the Annette Islands Reserve, Alaska:

(1) Annette Island at 55°15'09" north latitude, 131°36'00" west longitude.

(2) Annette Island at 55°12'52" north latitude, 131°36'10" west longitude.

(3) Annette Island at 55°02'47" north latitude, 131°38'53" west longitude.

(4) Annette Island at 55°05'41" north latitude, 131°36'39" west longitude.

(5) Annette Island at 55°01'54" north latitude, 131°38'36" west longitude.

(6) Annette Island at 55°00'45" north latitude, 131°33'30" west longitude.

(7) Annette Island at 54°59'41" north latitude, 131°36'48" west longitude.

(8) Ham Island at 55°10'13" north latitude, 131°19'31" west longitude.

(c) *Trap fishing season.* Fishing for salmon with traps operated by the Metlakatla Indian Community is permitted only at such times as commercial salmon fishing with purse seine is permitted by order or regulation of the Alaska Board of Fish and Game for Commercial Fishing in any part of Fishing District No. 1: *Provided*, That in any event, fishing for salmon with traps operated by the Metlakatla Indian Community is permitted for not less than one week beyond the last closing date established either by order or regulation of the Alaska Board of Fish and Game for commercial salmon fishing with purse seines in that portion of Fishing District No. 1 which lies east of 131 degrees 12 minutes west longitude.

(d) *Size, construction and closure of fish traps*—(1) *Size.* When any part of a trap is in a greater depth of water than 100 feet, the trap as measured from shore at mean high tide to the outer face of the pot shall not extend beyond 900 feet.

(2) *Construction.* Poles shall be permanently secured to the webbing at each side of the mouth of the pot tunnel and shall extend from the tunnel floor to a height at least four feet above the water. A draw line shall be reeved through the lower end of both poles and the upper end of one.

(3) *Method of closing.* The tunnel walls shall be overlapped as far as possible across the pot gap and the draw line shall be pulled tight and both secured so as to completely close the tunnel. In addition, 25 feet of the webbing of the heart on each side next to the pot shall be lifted or lowered in such manner as to permit the free passage of fish.

(e) *Other forms of commercial fishing.* All commercial fishing, other than salmon fishing with traps, shall be in accordance with the season and gear restrictions established by rule or regulation for Fishing District No. 1E by the Alaska Board of Fish and Game for Commercial Fishing except that the season for purse seine fishing for salmon shall be the same as provided in paragraph (c) of this section.

§ 88.4 Subsistence and sport fishing, Annette Island Reserve.

(a) *Definitions.* (1) Subsistence fishing is the taking or attempting to take any species of fish or shellfish for purposes other than sale or barter, except as provided for in subparagraph (2) of this paragraph.

(2) Sport fishing is the taking or attempting to take for personal use, and not for sale or barter, any fresh water, marine, or anadromous fish by hook and line or by such means as defined by regulation or statute of the State of Alaska.

(b) *Restrictions.* Subsistence fishing within the Annette Islands Reserve shall be in accordance with the season, gear and bag restrictions established by rule or regulation of the Alaska Board of Fish and Game for Commercial Fishing in Fishing District No. 1. Sport fishing within the Annette Islands Reserve shall be in accordance with the season, gear

and bag restrictions established by rule or regulation for Southeastern Alaska by the Alaska Board of Fish and Game. Both subsistence and sport fishing shall also be in accordance with such ordinances as may be adopted by the Council of the Metlakatla Indian Community and approved by the Secretary of the Interior.

§ 88.5 Commercial fishing, Karluk Indian Reservation.

(a) *Definition.* The Karluk Indian Reservation includes all waters extending 3,000 feet from the shore at mean low tide on Kodiak Island beginning at the end of a point of land on the shore of Shelikof Strait about 1¼ miles east of Rocky Point and in approximate latitude 57°39'40" N., longitude 154°12'20" W.; thence south approximately 8 miles to latitude 57°32'30" N.; thence west approximately 12½ miles to the confluence of the north shore of Sturgeon River with the east shore of Shelikof Strait; thence northeasterly following the easterly shore of Shelikof Strait to the place of beginning, containing approximately 35,200 acres.

(b) *Who may fish; licenses.* The waters of the Karluk Indian Reservation shall be open to commercial fishing by bona fide native inhabitants of the native village of Karluk and vicinity, and to other persons insofar as the fishing activities of the latter do not restrict or interfere with fishing by such natives. Such natives shall not be required to obtain a license to engage in commercial fishing in the waters of the Karluk Indian Reservation.

(c) *Salmon fishing; restrictions.* Commercial fishing for salmon by native inhabitants of the native village of Karluk and vicinity in the waters of the Karluk Indian Reservation shall be in accordance with the seasonal and gear restrictions of the rules and regulations of the Alaska Board of Fish and Game for Commercial Fishing in the fishing district embracing the Karluk Indian Reservation except that: (1) Beach seines up to 250 fathoms in length may be used northeast of Cape Karluk; and (2) prior to July 1, fishing shall be permitted to within 100 yards of the Karluk River where it breaks through the Karluk Spit into Shelikof Strait.

§ 88.6 Enforcement; violation of regulations; corrective action; penalties; closure of restrictions, Annette Islands Reserve.

(a) *Enforcement.* The regulations in this part shall be enforced by any duly authorized representative of the Secretary of the Interior. Any fish trap, vessel, gear, processing establishment or other operation or equipment subject to the regulations of this part shall be available for inspection at all times by such representative.

(b) *Violation of regulations.* Whenever any duly authorized enforcement representative of the Secretary of the Interior has reasonable cause to believe any violation of the regulations of this part relating to fish traps has occurred, he shall direct immediate closure of the trap involved and shall affix an appropriate seal thereto to prevent further

fishing. The matter shall be reported without delay to the Area Director, Bureau of Indian Affairs, who shall thereupon report and recommend to the Secretary of the Interior appropriate corrective action.

(c) *Corrective action.* Any violation of the regulations of this part relating to fish traps shall be ground for the temporary or permanent closure, as the Secretary of the Interior may determine, of any or all traps authorized by § 88.3(a), or the withdrawal and rescission of the right to fish for salmon with traps at any or all sites authorized thereby.

(d) *Penalties.* Any person who violates any of the regulations of this part shall be subject to prosecution under section 2 of the Act of July 12, 1960 (74 Stat. 469, 18 U.S.C. sec. 1165), which provides as follows:

"Whoever, without lawful authority or permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band, or group and either are held by the United States in trust or are subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing thereon, or for the removal of game, peltries, or fish therefrom, shall be fined not more than \$200 or imprisoned not more than ninety days, or both, and all game, fish, and peltries in his possession shall be forfeited.

(e) *Closure or restriction, Annette Islands Reserve.* The Commissioner of Fish and Wildlife, after consultation with officials of the Metlakatla Indian Community, is authorized and directed, upon a determination of its necessity to promote sound conservation practices, to restrict or close to commercial, subsistence or sport fishing any portion of the Annette Islands Reserve by notice given appropriate local publicity.

JAMES K. CARR,
Acting Secretary of the Interior.

JULY 9, 1963.

[F.R. Doc. 63-7412; Filed, July 11, 1963; 9:14 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 5—General Services Administration, Renegotiation Procedures

PART 5-53—CONTRACT ADMINISTRATION

Subpart 5-53.3—Audit of Contractors' Records

Subpart 5-53.8—Renegotiation

1. Section 5-53.305 (Audit reports) is deleted.

2. Part 5-53 is amended by adding Subpart 5-53.8, to read as follows:

Subpart 5-53.8—Renegotiation

Sec.	
5-53.801	General.
5-53.802	Contract clause.
5-53.803	Exemptions by statute.
5-53.804	National defense considerations.
5-53.804-1	Determinations by the Renegotiation Board.
5-53.804-2	Determinations by GSA.
5-53.804-3	Individual prime contracts.

Sec. 5-53.805	Exemptions by the Renegotiation Board.
5-53.805-1	Exempted classes of contracts.
5-53.805-2	Contracts exempt subject to prescribed conditions.
5-53.805-3	Subcontracts exempted by the Renegotiation Board.

AUTHORITY: §§ 5-53.801 to 5-53.805-3 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), implements 65 Stat. 7, as amended; 50 U.S.C. App. 1211-1224.

§ 5-53.801 General.

(a) The Renegotiation Act of 1951, as amended (50 U.S.C. App. 1211-1224), provides for recovery by the Government of contractors' excessive profits under certain contracts. GSA contracts are subject to renegotiation under the terms of the Renegotiation Act of 1951 unless exempted by the statute or by authorization of the Renegotiation Board.

(b) The Renegotiation Board, in its Regulations under the Renegotiation Act of 1951 (32 CFR Ch. XIV), prescribes definitions, sets forth mandatory and permissive exemptions, implements the statute with substantive rules, and provides procedures in connection with contracts subject to renegotiation.

§ 5-53.802 Contract clause.

(a) Contracts which are determined to be subject to the Renegotiation Act of 1951 shall contain the following clause:

RENEGOTIATION

The contract is subject to the Renegotiation Act of 1951, as amended, and shall be deemed to contain the provisions required by section 104 thereof. The extent of renegotiation will be determined in accordance with regulations under the Act. The Contractor agrees to include this Renegotiation clause (including this sentence) in each subcontract made to perform any part of the work or to furnish any materials required for this contract.

(b) When this clause is to be included in preprinted supplemental provisions, the clause set forth in paragraph (a), of this section, may be preceded by a preamble setting forth the basic exemptions applicable to the contracting programs for which the supplemental provisions form is generally used; for example:

The following Renegotiation clause shall apply unless the contract calls for delivery to a GSA supply depot or a Government agency not included in the Renegotiation Act of 1951.

§ 5-53.803 Exemptions by statute.

The Renegotiation Act of 1951 exempts the following:

(a) Any contract with any Territory, possession, or State, or any agency or political subdivision thereof, or with any foreign government or any agency thereof. (See Renegotiation Board Regulations 32 CFR 1453.1.)

(b) Any contract or subcontract for an agricultural commodity in its raw or natural state, or if the commodity is not customarily sold or has not an established market in its raw or natural state, in the first form or state, beyond the raw or natural state, in which it is customarily sold or in which it has an established market. The term "agricul-

tural commodity" includes but is not limited to (see 32 CFR 1453.2):

(1) Commodities resulting from the cultivation of the soil, such as grains of all kinds, fruits, nuts, vegetables, hay, straw, cotton, tobacco, sugarcane, and sugar beets.

(2) Natural resins, saps, and gums of trees.

(3) Animals, such as cattle, hogs, poultry, and sheep, fish and other marine life, and the produce of live animals, such as wool, eggs, milk, and cream.

(c) Any contract or subcontract for the product of a mine, oil, or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use. (See 32 CFR 1453.2(b).)

(d) Any contract or subcontract with a common carrier for transportation, or with a public utility for gas, electric energy, water, communications, or transportation, when made in either case at rates not in excess of published rates or charges filed with, fixed, approved, or regulated by a public regulatory body, State, Federal, or local, or at rates not in excess of unregulated rates of such a public utility which are substantially as favorable to users and consumers as are regulated rates. In the case of the furnishing or sale of transportation by common carrier by water, this paragraph shall apply only to such furnishing or sale which is subject to the jurisdiction of the Interstate Commerce Commission under Part III of the Interstate Commerce Act or subject to the jurisdiction of the Federal Maritime Board under the Intercoastal Shipping Act, 1933, and to such furnishing or sale in any case in which the Renegotiation Board finds that the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Renegotiation Board, that excessive profits are improbable. (See 32 CFR 1453.3.)

(e) Any contract or subcontract with an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1954, but only if the income from such contract or subcontract is not includible under section 512 of such Code in computing the unrelated business taxable income of such organization. (See 32 CFR 1453.4.)

(f) Any contract which the Renegotiation Board determines does not have a direct and immediate connection with the national defense. In designating those classes and types of contracts which shall be exempt and in exempting any individual contract under this paragraph, the Board considered as not having a direct or immediate connection with national defense any contract for the furnishing of materials or services to be used by the United States, a Department or agency thereof, in the manufacture and sale of synthetic rubbers to a private person or to private persons which are to be used for non-defense purposes. (See 32 CFR 1453.5.)

(g) Any subcontract directly or indirectly under a contract or subcontract already exempt in accordance with para-

graph (b), (c), (d), (f), or (h) of this § 5-53.803. (See 32 CFR 1453.6.)

(h) Any contract, awarded as a result of competitive bidding, for the construction of any building, structure, improvement, or facility other than a contract for the construction of housing financed with a mortgage or mortgages insured under the provisions of Title VIII of the National Housing Act, as now or hereafter amended. (See 32 CFR 1453.7.)

(i) Any contract or subcontract which the Renegotiation Board exempts, as provided in § 5-53.805.

(j) Contracts and subcontracts for standard commercial articles and standard commercial services (and "like" articles and services) exempt from renegotiation in accordance with section 106(e) of the Renegotiation Act of 1951. The exemption on standard commercial articles only is self-executing; the other require application to the Renegotiation Board.

§ 5-53.804 National defense considerations.

§ 5-53.804-1 Determinations by the Renegotiation Board.

Subject to § 1453.5(c) of the Renegotiation Board's Regulations, the Renegotiation Board has determined that the following contracts do not have direct and immediate connection with the national defense and, therefore, are exempt from renegotiation:

(a) All contracts of the Public Buildings Service and the National Archives and Records Service.

(b) All stores stock contracts for delivery to GSA supply depots.

(c) All Federal Supply Schedule contracts and consolidated direct delivery contracts with respect to deliveries made to Government agencies other than the Department of Defense (including the military departments), Atomic Energy Commission, and National Aeronautics and Space Administration.

(d) Contracts for maintenance and repair of buildings and structures.

(e) Contracts to the extent they obligate funds of, or are reimbursed by, another Department named in section 103 of the Renegotiation Act of 1951 as exercising functions having a direct and immediate connection with the national defense, if the contracts would be exempt if made by such other Department. Contractors should be informed that funds of other Departments are being used. (See 32 CFR 1453.5(b)(2).) The Departments named in section 103 are the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Maritime Administration, the Federal Maritime Board, the General Services Administration, the National Aeronautics and Space Administration, and the Atomic Energy Commission. (See 32 CFR 1451.14(b).)

(f) Contracts to the extent they obligate funds of another agency of the Government, other than a Department named in or designated in section 103 of the Renegotiation Act of 1951, or to the extent that GSA is to be reimbursed by such other Government agency or other person. Contractors should be in-

formed that funds of other Departments are being used. Those contracts obligating funds for military assistance in connection with foreign aid programs are not exempt from renegotiation under this paragraph. (See 32 CFR 1453.5(b)(3)(ii).)

(g) Contracts for the purchase of materials for authorized resale except contracts for the purchase of materials to be issued or sold under the monetary clothing allowance system of the armed services. (See 32 CFR 1453.5(b)(4).)

(h) Contracts for the removal of waste materials. (See 32 CFR 1453.5(b)(5).)

(i) Contracts for laundry, cleaning, and pressing services. (See 32 CFR 1453.5(b)(6).)

§ 5-53.804-2 Determinations by GSA.

(a) Notwithstanding the determination set forth in § 5-53.804-1, individual contracts will be subject to renegotiation when the Head of the appropriate Service or Staff Office, or any of his designees, determines that such individual contract does have a direct and immediate connection with the national defense. This determination shall be set forth in the contract as follows:

For the purpose of the Renegotiation Act of 1951, as amended, it has been determined that this contract has a direct and immediate connection with the national defense. (See 32 CFR 1453.5(c).)

(b) In considering whether a specific contract does have a direct and immediate connection with the national defense, the Renegotiation Board requested that such determination be made in any case in which:

(1) The language of the appropriation act making funds available, enabling legislation, or the legislative history, is such that it is evident that the project was presented to, and approved by, the Congress because of its importance to the national defense.

(2) Award of the contract cannot be made without a certification, determination, or comparable prior action that the procurement is essential or necessary in the interests of the national defense. Such certification, determination, or comparable prior action would normally be made by the General Services Administration, but could be made by any agency of the Government which is competent to act in such manner.

(3) The contract is to be made under a War Powers Act—such as Public Law 85-804 (50 U.S.C. 1431-1435).

(4) Loans or advances are to be made to the contractor under the Defense Production Act of 1950 in order to facilitate performance of the contract.

(5) For other reasons, it is believed that the contract has a direct and immediate connection with the national defense.

§ 5-53.804-3 Individual prime contracts.

Individual prime contracts may be determined not to have a direct and immediate connection with the national defense by the Renegotiation Board on application of the prime contractor through GSA.

§ 5-53.805 Exemptions by the Renegotiation Board.

§ 5-53.805-1 Exempted classes of contracts.

In the exercise of its discretion as authorized by the Renegotiation Act of 1951, the Renegotiation Board has exempted the following classes of contracts from renegotiation:

(a) All prime contracts and subcontracts wholly performed outside the United States by any person who is not engaged in a trade or business in the United States and is (1) an individual who is not a national of the United States; (2) a partnership or joint venture in which individuals who are not nationals of the United States or corporations which are not domestic corporations are entitled to more than 50 percent of the profits; or (3) a corporation (other than a domestic corporation) more than 50 percent of the voting stock of which is owned directly or indirectly by persons described in subparagraphs (1) and (2) of this paragraph. (See 32 CFR 1455.2(c), (c-1).)

For the purposes of this paragraph, the term "United States", when used in a geographical sense, includes the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the Canal Zone; and the term "domestic corporation" means a corporation organized under the laws of the United States or of any State, any Territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Canal Zone. (See 32 CFR 1455.2(c), (c-1).)

(b) Individual prime contracts or subcontracts, or the prime contracts or subcontracts related to a particular authorized procurement program, when such prime contracts or subcontracts are to be performed outside the territorial limits of the continental United States or in Alaska, and when it is established to the satisfaction of the Board that (1) the prime contracts or subcontracts involved in the request are to be placed with foreign nationals or foreign corporations whom it is not practicable to subject to renegotiation; (2) the provisions of the prime contracts or subcontracts are otherwise sufficient to prevent excessive profits; (3) the program is of direct and immediate concern to the defense of the United States and refusal to grant the exemption would jeopardize the success of the program; or (4) the contract or group of contracts should be exempted for any combination of the foregoing reasons or for any other reason. (See 32 CFR 1455.2(d).)

(c) Contracts or subcontracts under which, in the opinion of the Board, the profits can be determined with reasonable certainty when the contract price is established. On this basis, the Board has exempted the following:

(1) All prime contracts with natural persons (not partnerships, joint ventures, or corporations) which call for performance of personal or professional services by the individual contractor in person under the supervision of the Government, and which are paid for on a time basis. (See 32 CFR 1455.3(b)(1).)

(2) Prime contracts for the sale or rental of any interest in existing real estate. (See 32 CFR 1455.3(b)(2).)

(3) Prime contracts and subcontracts for the sale or exchange of tangible property used in the trade or business of the vendor with respect to which depreciation is allowable under section 167 of the Internal Revenue Code of 1954. (This exemption extends only to contracts under which the price is a fixed or determinable amount at the time the contract is entered into, and does not apply to any contract under which the price, at the time the contract is entered into, is contingent upon a subsequent event or is thereafter to be determined by reference to a variable element.) (See 32 CFR 1455.3(b)(3).)

(4) Prime contracts and subcontracts for perishable subsistence supplies. (See 32 CFR 1455.3(b)(4).)

(5) Prime contracts where the aggregate amount does not exceed \$1,000 and the period of performance is not in excess of 30 days. (See 32 CFR 1455.3(b)(5).)

(6) Subcontracts for architectural, design, or engineering services are provided in the Renegotiation Board's Regulations § 1455.3(b)(6).

(7) Contracts entered into with a non-profit-making agency for the blind pursuant to the program for the purchase of blind-made products. (See 32 CFR 1455.3(b)(7).)

§ 5-53.805-2 Contracts exempt subject to prescribed conditions.

The following contracts or subcontracts may be exempted on an individual contract basis on application to the Renegotiation Board by GSA:

(a) Contracts or subcontracts where the profits thereunder can be determined with reasonable certainty when the contract price is established. (See 32 CFR 1455.3(c).)

(b) Contracts or subcontracts where the contract provisions are otherwise adequate to prevent excessive profits. (See 32 CFR 1455.4(c).)

(c) Contracts or subcontracts the renegotiation of which would jeopardize secrecy required in the public interest. (See 32 CFR 1455.5(b).)

§ 5-53.805-3 Subcontracts exempted by the Renegotiation Board.

(a) Stock item exemption. Amounts received or accrued prior to January 1, 1964 on subcontracts and groups of subcontracts subject to the Act for materials (including maintenance, repair, and operating supplies) customarily purchased for stock in the normal course of the purchaser's business, except when such materials are specially purchased for use in performing one or more prime contracts or higher tier subcontracts subject to the Act. (See 32 CFR 1455.6.)

(b) Subcontracts related to exempt prime contracts and subcontracts except those performed outside the United States (see § 5-53.805-1(a)) and other subcontracts, when the Board, in exempting prime contracts or subcontracts, determines that the exemption will not extend to some or all of the subcontracts related to such prime contracts or subcontracts. (See 32 CFR 1455.7.)

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

Dated: July 5, 1963.

LAWSON B. KNOTT, Jr.,
Acting Administrator,
of General Services.

[F.R. Doc. 63-7349; Filed, July 11, 1963;
8:54 a.m.]

Title 45—PUBLIC WELFARE

Chapter IV—Vocational Rehabilitation Administration, Department of Health, Education, and Welfare

PART 401—THE VOCATIONAL REHABILITATION PROGRAM

PART 403—VENDING STAND PROGRAM FOR THE BLIND ON FEDERAL AND OTHER PROPERTY

PART 404—ADMINISTRATIVE PROCEDURE

Miscellaneous Amendments

The purpose of these amendments is to conform the regulations to changes which have been made in the administrative organization of the Department of Health, Education, and Welfare, primarily the change in the name of the Office of Vocational Rehabilitation to "Vocational Rehabilitation Administration" and in the title of the Director, Office of Vocational Rehabilitation to "Commissioner of Vocational Rehabilitation."

1. The heading of Chapter IV of Title 45 is amended by changing "Office of Vocational Rehabilitation" to read "Vocational Rehabilitation Administration."

2. Section 401.1(d) is revised to read as follows:

(d) "Commissioner" means the Commissioner of Vocational Rehabilitation in the Department of Health, Education, and Welfare.

3. Section 403.1(c) is revised to read as follows:

(c) "Commissioner" means the Commissioner of Vocational Rehabilitation in the Department of Health, Education, and Welfare.

4. Section 404.6(b) is amended by changing "Director of the Office of Vocational Rehabilitation", wherever it appears, to read "Commissioner."

5. Parts 401, 403, and 404 are amended by changing "Director" or "director", wherever it elsewhere appears with reference to the Director of the Office of Vocational Rehabilitation (and not to the State director of vocational rehabilitation), to read "Commissioner." The sections in which this change is made include §§ 401.2(a), 401.6(a), 401.12, 401.50a(b) (1) (3 places), 401.50a(b) (2), 401.50a(c), 401.51 (3 places), 401.52(a) (2 places), 401.52(b) (2 places), 401.53(a), 401.60 (2 places), 401.61 (3 places), 401.64(a), 401.64(c), 401.67 (2 places), 401.68 (2 places), 401.72, 401.73, 401.76 (2 places), 401.77 (a) (2 places), 401.80, 401.81 (2 places), 401.82 (4 places), 401.83(a) (2 places),

401.84, 401.85, 401.86, 401.87, 401.88 (2 places), 401.90, 401.91, 401.92, 403.1(d), 403.2(b) (1), 403.4(j) (1), 403.4(j) (3), 403.4(j) (4), 403.4(j) (6) (2 places), 403.8, 403.11, 403.15(a), 403.15(b), 403.16(a), 404.1.

6. Parts 401 and 404 are amended by changing "Office of Vocational Rehabilitation", wherever it elsewhere appears, to read "Vocational Rehabilitation Administration." The sections in which this change is made include §§ 401.2(b), 401.2(c), 401.50a(b) (1), 401.61, 401.62, 401.74 (2 places), 401.75, 401.82 (2 places), 401.83(b), 401.83(c), 401.83(d), 401.85, 401.88 (2 places), 401.89 (2 places), 401.91, 404.2 (3 places), 404.6 (5 places), 404.7 (2 places), 404.8(a), 404.10, 404.11.

7. Section 404.2(a) is amended by changing "Assistant Director for State Administration Development" to read "Assistant Commissioner for State Program Operations."

8. Section 404.6(b) is amended by changing "Assistant Director for Program Planning and Evaluation," wherever it appears, to read "Assistant Commissioner for Research and Training."

9. Section 404.6 is amended by changing "Assistant Director for Rehabilitation Services," wherever it appears, to read "Assistant Commissioner for Research and Training."

10. Section 401.13 is amended by changing "Bureau of Old-Age and Survivors Insurance" to read "Social Security Administration."

(Applies Department of Health, Education, and Welfare Statement of Organization and Delegation of Authority, as amended, 28 F.R. 1512, February 16, 1963; 28 F.R. 4207, 4208, April 27, 1963)

Dated: July 8, 1963.

[SEAL] ANTHONY J. CELEBREZZE,
Secretary.

[F.R. Doc. 63-7348; Filed, July 11, 1963;
8:53 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14981 (RM-383); FCC 63-623]

PART 3—RADIO BROADCAST SERVICES

Table of Assignments, Television Broadcast Stations; Pennsylvania

1. In response to a petition filed by the Pennsylvania Educational Network Study on behalf of the Department of Public Instruction of the Commonwealth of Pennsylvania, a notice of proposed rule making in the above-captioned matter was released by the Commission on February 21, 1963. The times for filing comments and reply comments pursuant to this notice were April 1, 1963, and April 16, 1963 respectively.

2. The rule making under consideration herein would amend § 3.606 of the Commission's rules to assign and reserve for non-commercial educational use five channels as follows:

City	Channel No.	
	Present	Proposed
Allentown.....	39, 67	*39, 67
Altoona.....	10-, 25-	10-, 25-, *36-
Clearfield.....		*3+
Harrisburg.....	21+, 27-, 33+	21+, 27-, 33+, *65
Scranton.....	16-, 22-, 44	16-, 22-, 44, *68-
Shamokin.....	65	71+

3. The only objections filed were directed to the proposed assignment of Channel 3 to Clearfield. As indicated by Penn Traffic Company, American Broadcasting Company and Storer Broadcasting Company, this proposal was mutually exclusive with the proposal in Docket No. 14232 to assign Channel 3 to Johnstown, Pennsylvania. However, on May 29, 1963, the Commission issued a Report and Order disposing of Docket No. 14232, in which we refused to assign Channel 3 to Johnstown.¹ The assignment therein would have been at less than standard separations under the Commission's rules, but the assignment to Clearfield as proposed by the Department of Public Instruction meets all the requirements of the rules.

4. The Commission has examined the record in this proceeding and is persuaded that the public interest will be served by adoption of the channel assignments as proposed. We indicated in our notice of proposed rule making that since the channels here involved are less than 250 miles from the United States-Canadian border, assignment of the channels would require concurrence of the Canadian authorities. On March 11, 1963 the Department of Transport of Canada advised it has no objection to the proposed assignments.

5. In the notice of proposed rule making in this proceeding, we called attention to Docket No. 14229 in which we are considering measures which will enhance the opportunities for successful use of the UHF television channels. Although no final decision has been made in Docket No. 14229, we are concluding the instant proceeding so that the Department of Public Instruction of the Commonwealth of Pennsylvania will not be delayed in its planning. Although we are reasonably certain that a channel for educational use can be provided in each of the places named in this proceeding, we may find it necessary to change the present assignment in order to make the most efficient use of the UHF band. If this does become necessary, every effort will be made to avoid changing the channel assignment to stations which are in operation or where the construction of an authorized station has reached a point where a change in frequency assignment would require the expenditure of additional funds.

6. In view of the foregoing: *It is ordered*, That effective August 12, 1963, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is:

¹FCC 63-501. Petitions for Reconsideration of this action are being studied by the Commission. An alternative proposal in the Johnstown drop-in proceeding was to assign Channel 8 to that city.

RULES AND REGULATIONS

(a) Amended, insofar as the communities named are concerned, to read as follows:

<i>City</i>	<i>Channel No.</i>
Allentown, Pa.-----	*39, 67
Altoona, Pa.-----	10-, 25-, *36-
Harrisburg, Pa.-----	21+, 27-, 33+, *65
Scranton, Pa.-----	16-, 22-, 44, *68-
Shamokin, Pa.-----	71+

(b) The following entry is added:

<i>City</i>	<i>Channel No.</i>
Clearfield, Pa.-----	*3+

7. Authority for adoption of these rule changes is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: July 3, 1963.

Released: July 5, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7303; Filed, July 11, 1963;
8:45 a.m.]

¹ Commissioners Ford and Cox dissenting in part and concurring in part.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 55937]

SLIDE FASTENER CHAIN IN LONG LENGTHS

Complaint of American Manufacturers

JULY 9, 1963.

Under dates of February 20 and 25, 1963, domestic manufacturers, Adams Industries, Inc., Long Island City, New York, Stagg Tool & Die Corporation, Brooklyn, New York, and Ultra Slide Fastener Corporation, New York, New York, asked to be advised under the provisions of section 516(b), Tariff Act of 1930, as amended, as to the rate of duty currently assessed on the slide fastener chain in long lengths, in chief value of metal. The merchandise is stated to be sometimes called "stringer" and to consist of two strips made of cotton or other material (one edge of each strip being corded to afford anchorage for interlocking elements and to give greater strength) and interlocking elements made of metal attached to each strip. The merchandise is imported in long lengths, generally in 250-yard skeins, and must be cut apart for use in the fabrication of slide fasteners. It is in chief value of iron, steel, zinc, or aluminum.

In a letter dated March 1, 1963, the Bureau advised the three companies that it is the practice to classify articles of the type described above as manufactured articles in chief value of iron, steel, zinc, or aluminum, not specially provided for, under paragraph 397 of the tariff act, dutiable at the rate of 19 percent ad valorem under that paragraph, as modified.

In a complaint dated March 29, 1963, the domestic manufacturers took exception to this practice and claimed that this merchandise is properly classifiable under paragraph 397 as slide fastener parts, in chief value of metal, and dutiable at the rate of 50 percent ad valorem under that paragraph, as modified.

The Bureau has given careful consideration to this question and concurs in the contention of the domestic manufacturers that this merchandise is properly classifiable under the provision for slide fastener parts and dutiable at the rate of 50 percent ad valorem.

The Tariff Act of 1930 as originally enacted contained no specific provision for slide fasteners and slide fastener parts. Pursuant to a proceeding under section 336 of the tariff act, the President issued a proclamation on July 1, 1936 (published in T.D. 48423), increasing the rate of duty on slide fasteners and parts thereof, wholly or in chief value of base metal, not plated with platinum, gold, or silver, or colored with

gold lacquer, and not specially provided for.

The merchandise under consideration can be identified by visual examination and has no other known use than to be used in the manufacture of zippers. From a reading of the Tariff Commission report upon which the Presidential Proclamation was based it appears that it was intended that this merchandise be considered to be slide fastener parts. The cases of *United States v. The Harding Co.* (1933), 21 C.C.P.A. 307, T.D. 46830, and *J. E. Bernard & Co., Inc. v. United States* (1963), C.D. 2386, have been considered.

For the reasons stated, you are authorized to assess duty upon slide fastener chain of the character above described at the rate of 50 percent ad valorem under paragraph 397 of the tariff act, as modified. However, as it is the present practice to assess duty on this merchandise at the rate of 19 percent ad valorem under paragraph 397, as modified, the higher rate, as provided in section 516(b), shall be imposed only upon this merchandise entered, or withdrawn from warehouse, for consumption after 30 days after the date this decision is published in the weekly Treasury Decisions.

[SEAL]

PHILIP NICHOLS, Jr.,
Commissioner of Customs.

[F.R. Doc. 63-7344; Filed, July 11, 1963;
8:52 a.m.]

Office of the Secretary

[Dept. Circ. 570, 1962 Rev. Supp. No. 38]

SOUTHWEST CASUALTY INSURANCE CO., FAYETTEVILLE, ARK.

Expiration of Authority To Qualify as Surety on Federal Bonds

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to Southwest Casualty Insurance Company, Fayetteville, Arkansas (administrative office Chicago, Illinois), under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6-13), to qualify as sole surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States which had been extended to June 30, 1963, terminated effective that date.

1. In order that there may be a coordinated record showing the status of outstanding bonds of this company in favor of the United States, bond-approving officers are requested to examine carefully the records of their offices and report to the Surety Bonds Branch, Bureau of Accounts, Treasury Department, all outstanding bonds accepted by them and executed by Southwest Casualty Insurance Company, Fayetteville, Arkansas, as surety or co-surety on which the liability of the company has not terminated as of June 30, 1963.

2. It is also requested that the Surety Bonds Branch be advised as expeditiously as possible as to all facts, in detail, relating to any existing claim, or with respect to the occurrence of any event or the existence of any circumstance which may hereafter result in a claim against Southwest Casualty Insurance Company, Fayetteville, Arkansas.

3. In furnishing the above information, bond-approving officers will please give the name of the principal on the bond, the date and penalty of the bond and with respect to claims, the nature of the claim, the circumstances out of which it arose, and its status at the time of the report.

4. Bond-approving officers and other agents of the Government charged with the duty of taking bonds, recognizances, stipulations or undertakings should proceed immediately to secure new bonds, where necessary, with acceptable sureties in lieu of bonds executed by Southwest Casualty Insurance Company, Fayetteville, Arkansas.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

JULY 10, 1963.

[F.R. Doc. 63-7387; Filed, July 10, 1963;
3:35 p.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Anchorage 051071]

ALASKA

Order Opening Public Lands

JULY 3, 1963.

Public Land Order No. 2162 of July 15, 1960, revoked Executive Order No. 8872 of August 27, 1941, and Public Land Order No. 894 of May 19, 1953 (Cook Inlet Bombing and Gunnery Range), and opened the lands to application for selection by the State of Alaska in accordance with and subject to the provisions of the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b) and section 6g of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339).

Substantial areas of the lands have been selected by the State. The selections did not include, among others, the mountainous and glaciated areas in the western portion.

1. Subject to any existing valid rights and the requirements of applicable law, the unselected public lands are hereby opened to settlement and to filing of such applications, selections and locations as are allowable on unsurveyed lands in accordance with the following:

a. Applications and selections under the non-mineral public land laws, and applications and offers under the mineral-leasing laws may be presented to the manager named below, beginning on

the date of this order. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support thereof. All other applications will be subject to the applications and claims mentioned in this paragraph.

b. All valid applications and selections presented prior to 10:00 a.m. on August 8, 1963, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

2. The lands will be open to settlement under the Homestead and Alaska Homesite laws and to location under the United States Mining laws beginning 10:00 a.m. on August 8, 1963.

Persons desiring to file applications for, or to settle or locate on the lands, are referred to the provisions of Public Land Order No. 2162, and in particular paragraphs 9, 10, and 11 thereof, concerning the probabilities of contamination of some of the lands by unexploded ordnance and the nonliability of the United States for damages in the event of injury to person or property arising out of entry upon or use of such lands.

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

IRVING SENZEL,
Acting Assistant Director.

[F.R. Doc. 63-7319; Filed, July 11, 1963;
8:47 a.m.]

CALIFORNIA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

JULY 5, 1963.

Notice of an application, filed by the Department of Defense, Serial Number LA 0104432, for withdrawal and reservation of lands for use by the United States Department of the Navy, was published in the FEDERAL REGISTER on June 23, 1955, page 4423.

The applicant agency has cancelled its application which involves the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m., on Wednesday, July 17, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

SAN BERNARDINO MERIDIAN

T. 14 S., R. 11 E.,
Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Secs. 24 to 27, inclusive;
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$ and SW $\frac{1}{4}$;
Secs. 34 to 36, inclusive.
T. 15 S., R. 11 E.,
Secs. 1 to 4, inclusive;
Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. E $\frac{1}{2}$;
Secs. 9 to 16, inclusive;

Sec. 17, E $\frac{1}{2}$;
Sec. 20, E $\frac{1}{2}$;
Secs. 21 to 24, inclusive;
Sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 26 to 28, and 33 to 35, inclusive;
Sec. 36, NW $\frac{1}{4}$.
T. 16 S., R. 11 E.,
Sec. 2, lots 5 and 6, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 3, all;
Sec. 4, lots 3 and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 14 S., R. 12 E.,
Sec. 17, all;
Sec. 18, lots 5 and 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Secs. 19 and 20;
Secs. 29 to 32, inclusive.
T. 15 S., R. 12 E.,
Sec. 5, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Secs. 6 to 8, and 17 to 19, inclusive;
Sec. 20, lots 2, 3, 4, 5, and 6;
Sec. 30, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 30,701.50 acres.

CHARLES L. SCHAEFER,
Acting Manager,
Land Office, Riverside.

[F.R. Doc. 63-7320; Filed, July 11, 1963;
8:48 a.m.]

Bureau of Reclamation

[Public Announcement No. 16, Amdt. 2]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated December 14, 1953, published in the FEDERAL REGISTER at 19 F.R. 122, and subsequently amended, is further amended by deleting Farm Unit 118, Irrigation Block 16, from the list of farm units offered in subsection 1.a.

The purpose of this amendment is to make it possible to sell this unit as a supplemental unit as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7322; Filed, July 11, 1963;
8:48 a.m.]

[Public Announcement No. 22, Amdt. 3]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated February 21, 1955, published in the FEDERAL REGISTER at 20 F.R. 1509, and subsequently amended, is further amended by deleting Farm Unit 225, Irrigation Block 87, from the list of farm units offered in subsection 1.a.

The purpose of this amendment is to make it possible to sell this unit as a

supplemental unit as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7323; Filed, July 11, 1963;
8:48 a.m.]

[Public Announcement No. 23, Amdt. 5]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated June 1, 1955, published in the FEDERAL REGISTER at 20 F.R. 4375, and subsequently amended, is further amended as follows:

By deleting from the list of farm units offered in subsection 1.a. the farm units listed below:

Irrigation block:	Farm unit
19-----	18
19-----	20

The purpose of this amendment is to make it possible to sell these units as supplemental units as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7324; Filed, July 11, 1963;
8:48 a.m.]

[Public Announcement No. 25, Amdt. 5]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated October 18, 1956, published in the FEDERAL REGISTER at 21 F.R. 8822, and subsequently amended, is further amended by deleting from the list of farm units offered in subsection 1.a., Farm Unit 135, Irrigation Block 19.

The purpose of this amendment is to make it possible to sell this unit as a supplemental unit as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7325; Filed, July 11, 1963;
8:48 a.m.]

[Public Announcement No. 25, Amdt. 6]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated October 18, 1956,

published in the FEDERAL REGISTER at 21 F.R. 8822, and subsequently amended, is further amended for Farm Unit 82, Irrigation Block 19, and Farm Unit 177, Irrigation Block 16, by deleting in its entirety section 16.d. *Residence Requirements*.

The purchasers now own second farm units which include full sets of farm buildings. The purpose of this amendment is to waive the residence requirements on their base units to avoid unnecessary duplication of housing and wells.

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7326; Filed, July 11, 1963;
8:49 a.m.]

[Public Announcement No. 29, Amdt. 2]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated September 15, 1958, published in the FEDERAL REGISTER at 23 F.R. 7550, and subsequently amended, is further amended as follows:

By deleting from the list of farm units offered in subsection 1.a. the farm units listed below:

Irrigation block	Farm unit
85 -----	99
89 -----	11
89 -----	12
89 -----	13
89 -----	204
89 -----	205

The purpose of this amendment is to make it possible to sell these units as supplemental units as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7327; Filed, July 11, 1963;
8:49 a.m.]

[Public Announcement No. 30, Amdt. 2]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated May 19, 1959, published in the FEDERAL REGISTER at 24 F.R. 4664, and subsequently amended, is further amended as follows:

By deleting from the list of farm units offered in subsection 1.a. the farm units listed below:

Irrigation block:	Farm unit
13 -----	96
20 -----	147
20 -----	154

The purpose of this amendment is to make it possible to sell these units as

supplemental units as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7328; Filed, July 11, 1963;
8:49 a.m.]

[Public Announcement No. 31, Amdt. 2]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated January 18, 1960, published in the FEDERAL REGISTER at 25 F.R. 883, and subsequently amended, is further amended as follows:

By deleting from the list of farm units offered in subsection 1.a. the farm units listed below:

Irrigation block:	Farm unit
79 -----	96
881 -----	20

The purpose of this amendment is to make it possible to sell these units as supplemental units as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7329; Filed, July 11, 1963;
8:49 a.m.]

[Public Announcement No. 32, Amdt. 2]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the Columbia Basin Project, Washington, dated May 31, 1960, published in the FEDERAL REGISTER at 25 F.R. 5458, and subsequently amended, is further amended as follows:

By deleting from the list of farm units offered in subsection 1.a. the farm units listed below:

Irrigation block:	Farm units
19 -----	162
45 -----	248

The purpose of this amendment is to make it possible to sell these units as supplemental units as provided in the Act of October 1, 1962 (76 Stat. 677).

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7330; Filed, July 11, 1963;
8:49 a.m.]

[Public Announcement No. 32, Amdt. 3]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of Sale of Full-Time Farm Units

Public announcement of the sale of farm units in the South and East Colum-

bia Basin Irrigation Districts, Columbia Basin Project, Washington, dated May 31, 1960, published in the FEDERAL REGISTER at 25 F.R. 5458, and subsequently amended, is further amended for Farm Unit 74, Irrigation Block 13, by deleting in its entirety section 16.d. *Residence Requirements*.

The purchaser now owns a second farm unit which includes a full set of farm buildings. The purpose of this amendment is to waive the residence requirement on his base unit to avoid unnecessary duplication of housing and wells.

FLOYD E. DOMINY,
Commissioner of Reclamation.

JULY 5, 1963.

[F.R. Doc. 63-7331; Filed, July 11, 1963;
8:49 a.m.]

National Park Service

[Order 3, Amdt. 7]

SUPERINTENDENTS ET AL.

Delegation of Authority

Order No. 3, issued February 17, 1956 (21 F.R. 1494), is amended by changing the regional designation references in sections 1, 1(a), 4, and 5 from Region Three to Southwest Region; by changing the wording of sections 1(f), 2(g), and 3(m); by withdrawal of sections 1(g), 2(h), and 3(n) pertaining to the inspection of properties transferred to state and local agencies for park, recreation and historic monument purposes pursuant to the Act of June 10, 1948 (62 Stat. 350), in view of the limitation contained in 245 DM 1.2A(3); by changing section 4 so that it applies to the Assistant Regional Director (Administration) rather than to the Regional Administrative Officer; and by changing section 5 so as to apply to the Regional Chief, Division of Property Management and General Services rather than to the Regional Procurement and Property Officer. Amendments are as follows:

SECTION 1. The National Park Service superintendents in the Southwest Region whose positions are allocated to Civil Service grades GS-14 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

Section 1(a): Appointments and status changes involving personnel in GS-14 and higher grades; however appointments and status changes involving grade GS-13 must be submitted to the Southwest Regional Office for review before being finalized.

Sections 1(f), 2(g), and 3(m): Approval of preliminary construction plans and working drawings not preceded by a preliminary drawing, not requiring approval by the Director, and preliminary and final concessioners' drawings.

Section 1(g): Delete.

Section 2(h): Delete.

Section 3(n): Delete.

SEC. 4. Assistant Regional Director (Administration). The Assistant Re-

gional Director (Administration) may execute and approve contracts not in excess of \$100,000 for construction, supplies, equipment and services. This authority may be exercised by the Assistant Regional Director (Administration) in behalf of any office or area for which the Southwest Regional Office serves as the field finance office.

SEC. 5. *Regional Chief, Division of Property Management and General Services.* The Regional Chief, Division of Property Management and General Services may execute and approve contracts not in excess of \$50,000 for construction, supplies, equipment, and services. This authority may be exercised by the Regional Chief, Division of Property Management and General Services in behalf of any office or area for which the Southwest Regional Office serves as the field finance office.

(National Park Service Order No. 14 (19 F.R. 8824); 39 Stat. 535, 16 U.S.C., sec. 2; Southwest Region Order No. 3 (21 F.R. 1494))

Dated: June 18, 1963.

THOMAS J. ALLEN,
Regional Director,
Southwest Region.

[F.R. Doc. 63-7321; Filed, July 11, 1963;
8:48 a.m.]

Office of the Secretary

[Order No. 2857, Amdt. No. 1]

COMMISSIONER OF FISH AND WILDLIFE

Delegation of Authority To Enforce Regulations Governing Indian Fishing in Alaska

Secretarial Order No. 2857, dated June 6, 1961, is amended to read:

SECTION 1. *Delegation.* The Commissioner of Fish and Wildlife is authorized to enforce the regulations of the Department of the Interior governing Indian fishing in Alaska as set forth in 25 CFR Part 88, in those areas of the State of Alaska in which he is requested to do so by the Commissioner of Indian Affairs.

SEC. 2. *Redelegation.* The Commissioner of Fish and Wildlife may, in writing, redelegate or authorize written redelegation of the authority granted in section 1 of this Order, except that authority set forth in 25 CFR Part 88, § 88.6(e). The redelegation of this authority shall be published in the FEDERAL REGISTER.

JAMES K. CARR,
Acting Secretary of the Interior.

JULY 9, 1963.

[F.R. Doc. 63-7413; Filed, July 11, 1963;
9:17 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service FRESH IRISH POTATOES

Notice of Purchase Program EMP 3a

In order to encourage the domestic consumption of Irish potatoes by di-

verting them from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, an Irish potato purchase program was made effective on July 3, 1963, in Southeastern States. Purchases will be made on an announced price basis as a surplus removal activity. Potatoes purchased under the program will be distributed to eligible institutions. Quantities purchased will depend upon marketing conditions at the time of purchase, and availability of outlets for use of the potatoes without waste. Information concerning this purchase program may be obtained from the Fruit and Vegetable Division, Agricultural Marketing Service, Department of Agriculture, Washington 25, D.C.

(Sec. 32, 49 Stat. 774, as amended, 7 U.S.C. 612c)

Dated: July 9, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 63-7356; Filed, July 11, 1963;
8:57 a.m.]

Office of the Secretary

GREAT PLAINS AREA OF THE TEN GREAT PLAINS STATES

Designation of Counties Where the Great Plains Conservation Program Is Specifically Applicable

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115, 16 USC 590p(b)), as amended, the following counties in the following States are designated as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors.

COLORADO

Conejos. Saguache. Park. Teller.

KANSAS

Republic.

OKLAHOMA

Blaine. Kiowa.

Done at Washington, D.C., this 9th day of July 1963.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 63-7358; Filed, July 11, 1963;
8:57 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

LYKES BROS. STEAMSHIP CO., INC.

Notice of Application for Amendment to Agreement

Notice is hereby given that Lykes Bros. Steamship Co., Inc., has applied for amendment of its Operating-Dif-

ferential Subsidy Agreement, Contract No. FMB-59, effective January 1, 1964 and thereafter so as to increase the minimum/maximum sailing requirements on its subsidized freight service on Trade Route No. 13 (U.S. South Atlantic and Gulf/Mediterranean) to a minimum of 48 and a maximum of 60 sailings annually, and on its subsidized freight service on Trade Route No. 22 (U.S. Gulf/Far East) to a minimum of 42 and a maximum of 60 sailings annually, with provision for up to 9 additional sailings per annum on each of said services, provided that the total number of subsidized sailings shall not exceed the aggregate maximum sailings for all services listed in the operating-differential subsidy contract and that at least the minimum sailing requirements are met on each of the subsidized services.

The existing contract provides for a minimum of 42 and a maximum of 48 sailings on Trade Route No. 13, and a minimum of 36 and a maximum of 48 sailings on Trade Route No. 22, and also provides for up to 9 additional subsidized sailings per annum on each of these services provided that the Company meets the conditions as outlined above. Therefore, the contract permits a maximum of 57 sailings per annum on each of these services.

Any person, firm or corporation having any interest in such application and desiring a hearing under section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175 should by the close of business on July 26, 1963, notify the Secretary, Maritime Subsidy Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a hearing is ordered to be held on the application under section 605(c), the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry in such service, route or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: July 9, 1963.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 63-7359; Filed, July 11, 1963;
8:57 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-203]

GENERAL ELECTRIC CO.

Notice of Proposed Issuance of Facility License

Please take notice that the Atomic Energy Commission proposes to issue to General Electric Company ("the applicant") a facility license substantially in the form set forth below. Copies of the Technical Specifications referred to as Appendix A to the license are available for public inspection in the AEC Public Document Room. The license would authorize General Electric Company to operate the Mixed Spectrum Critical Assembly (MSCA). The MSCA and the existing Thermal Critical Assembly (TCA) are both located in Building 105 of the applicant's Vallecitos Atomic Laboratory in Alameda County, California, and will be operated nonconcurrently from a common console. The dual facility is known as the Critical Experiment Facility (CEF).

The Commission has found that the application, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR.

Prior to issuance of the license the facility will be inspected by representatives of the Commission to determine whether it has been constructed in accordance with the provisions of Construction Permit No. CPCX-21.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the proposed issuance of this license may file a petition for leave to intervene. A request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued. If no request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Director of Regulation will issue the license fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

For further details with respect to this proposed issuance see the application and amendments thereto and the related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation as well as the hazard analysis issued in connection with the construction permit, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the hazards analysis may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Bethesda, Md., this 3d day of July 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Re-
actor Safety Branch, Division
of Licensing and Regulation.

1. This license applies to the Mixed Spectrum Critical Assembly (hereinafter "the facility") which is owned by General Electric Company and located in Building 105 of the Vallecitos Atomic Laboratory in Alameda County, California, and described in the application for license dated October 3, 1962, and amendments thereto dated November 20, 1962, January 17, 1963, April 8, 1963 and May 10, 1963 (hereinafter collectively referred to as "the application"). Construction of the facility was authorized by Construction Permit No. CPCX-21 issued to General Electric Company on March 29, 1962.

2. Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act") and having considered the record in this matter, the Atomic Energy Commission (hereinafter "the Commission") finds that:

A. The facility has been constructed in conformity with Construction Permit No. CPCX-21 and will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission;

B. There is reasonable assurance that the facility can be operated at the designated location without endangering the health and safety of the public;

C. General Electric Company is technically and financially qualified to operate the facility, to assume financial responsibility for payment of Commission charges for special nuclear material and to undertake and carry out the proposed activities in accordance with the Commission's regulations;

D. The possession and operation of the facility and the receipt, possession and use of the special nuclear and byproduct material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public; and

E. General Electric Company has submitted proof of financial protection which satisfies the requirements of Commission regulations currently in effect.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses General Electric Company:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess and operate the facility as a utilization facility at the designated location in Alameda County, California, in accordance with the procedures and limitations described in the application and this license;

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material" to receive, possess and use up to 1,200 kilograms of contained uranium 235 for use in connection with operation of the Critical Experiment Facility, which includes the Mixed Spectrum Critical Assembly and the Thermal Critical Assembly; and

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Licensing of Byproduct Material," to possess and use up to 15 curies of polonium encapsulated as a Polonium-Beryllium (Po-Be) neutron source; and to possess, but not to separate, such byproduct material as may be produced by operation of the facility.

4. This license shall be deemed to contain and be subject to the conditions specified in § 30.32 of Part 30, §§ 50.54 and 50.59 of Part 50, and § 70.32 of Part 70, Title 10, Chapter I, CFR, and to be subject to all applicable provisions of the Act, and to the rules and regulations and orders of the Commission,

now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Technical Specifications.* The Technical Specifications contained in Appendix A attached hereto are hereby incorporated in this license. Except as hereinafter provided, General Electric Company shall operate the facility in accordance with the Technical Specifications. General Electric Company may make changes in the Technical Specifications only when authorized by the Commission in accordance with the provisions of § 50.59 of the Commission's regulations (Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities").

B. *Authorization of Changes, Test and Experiments.* General Electric Company may (1) make changes in the facility as it is described in the Hazards Summary Report, (2) make changes in the procedures as they are described in the Hazards Summary Report, and (3) conduct tests and experiments not described in the Hazards Summary Report only in accordance with the provisions of § 50.59 of the Commission's regulations (Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities").

C. *Reports.* (1) In addition to reports otherwise required under this license and applicable regulations, General Electric Company shall make an immediate report in writing to the Commission of any indication or occurrence of a condition (including without limitation any accidental release of radioactivity) relating to the operation of the facility which might be unsafe, and which might adversely affect the health and safety of the public or plant personnel, from the standpoint of nuclear hazards.

(2) General Electric Company shall immediately report to the Commission in writing any substantial variance disclosed by operation of the facility from performance specifications of the facility contained in the Hazards Summary Report or the Technical Specifications.

(3) General Electric Company shall report to the Commission in writing, within sixty (60) days, significant changes in plant organization and accident analyses, as described in the Hazards Summary Report.

D. *Records.* In addition to those otherwise required under this license and applicable regulations, General Electric Company shall keep the following records:

(1) Facility operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of General Electric Company as measured at the point of such release or discharge.

(4) Records of emergency reactor scrams, including reasons for emergency shutdowns.

5. This license is effective as of the date of issuance and shall expire at midnight March 29, 1968.

Date of issue:

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor
Safety Branch, Division of Licens-
ing and Regulation.

[F.R. Doc. 63-7367; Filed, July 10, 1963;
8:47 a.m.]

[Byproduct Material License No. 21-6564-1]

HAMLIN TESTING LABORATORIES,
INC.

License Renewal Application; Order
and Notice of Hearing

A notice of hearing before the under-
signed Presiding Officer upon the above
application was published on July 6, 1963

at 28 F.R. 6924 and 6925. Subsequently arising events preclude the attendance of certain essential Commission personnel on the notified hearing date of July 23, 1963. Counsel for the parties—applicant and the Regulatory Staff—have informally agreed to a postponement of the hearing to the time and place hereinafter specified.

Accordingly, it is ordered, This 10th day of July 1963, pursuant to § 2.718 of the Commission's rules of practice, that the hearing in this proceeding, upon the issues specified in the prior notice and amended notice above cited, shall be commenced at 10:00 a.m. local time on Tuesday, July 30, 1963, in Courtroom 734 in the United States Post Office and Court House, 231 West Lafayette Street, Detroit, Michigan.

It is further ordered, That this order and notice be published forthwith in the FEDERAL REGISTER.

J. D. BOND,
Presiding Officer.

[F.R. Doc. 63-7427; Filed, July 11, 1963;
10:57 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 13325]

NORTHWEST AIRLINES, INC.

Service to Baltimore Case; Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the public hearing in the above-entitled proceeding now assigned to be held on July 15, 1963, is hereby postponed to July 16, 1963, at 10 a.m., e.d.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., July 8, 1963.

[SEAL] WALTER W. BRYAN,
Hearing Examiner.

[F.R. Doc. 63-7354; Filed, July 11, 1963;
8:57 a.m.]

[Docket 13521, Order No. E-19786]

FRONTIER AIRLINES, INC.

Application for a Change in Service Pattern Between Denver and Riverton-Lander; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of July 1963.

By Order E-18336, May 14, 1962, the Board granted an application filed in Docket 13521, by Frontier Airlines, Inc. (Frontier) for a change in service pattern. Ordering paragraph 1 of that order reads as follows:

That Frontier be and it hereby is authorized to overfly all intermediate points between Denver, Colorado, and Riverton-Lander, Wyoming, on all flights in excess of the present service to these points on segments 5 and 7 of its Route 73.¹

¹ By Order E-19331, February 28, 1963, segments 5 and 7 were consolidated. Consolidated segment 5 reads, inter alia, as follows:

In apparent reliance upon the above order, Frontier has filed schedules with the Board which call for a Denver-Casper nonstop service, effective on or about July 10, 1963, which would be operated as part of a Denver-Casper-Riverton-Jackson round trip flight. The Board has reviewed these schedules and has concluded that the proposed service thereunder exceeds the authority intended to be granted by Order E-18336. The instant order proposes an amendment to Order E-18336 to remove any doubt as to our intention.

The stated purpose of Frontier's application in Docket 13521 was to enable it to provide service between Denver on the one hand and Riverton and Jackson on the other without making stops that would otherwise be required at various intermediate points, including Casper. Thus, the carrier indicated in its application as follows: "Frontier proposes to add a new Denver-Riverton-Jackson DC-3 flight June 15, 1962. This is the flight for which overfly authority is requested." In support of its application, Frontier alleged, inter alia, that a subsidy saving would result by eliminating the operating costs incurred by serving Casper and Cheyenne.

In the order in question the Board found that "Frontier's proposed additional schedule will provide necessary service to meet the increased seasonal needs of Jackson, Wyoming. We also find that such service * * * will further accelerate the growth of over-all traffic in the Denver-Jackson market." There is no mention whatsoever in the Board order of the needs of the Denver-Casper market.

Thus, the relief requested by Frontier and the Board's findings and conclusions in response thereto are at war with the view that Denver-Casper nonstop authority was awarded to Frontier by Order E-18336. On the contrary, the very purpose of the previous order was to relieve Frontier of the obligation to serve Casper and other intermediate points on Denver-Jackson flights. It is to be noted that whereas Frontier is the sole carrier authorized to serve Denver-Riverton-Jackson, the Denver-Casper market is served under nonstop authority by a trunkline carrier. It may also be noted that the Denver-Casper market is far larger than the Denver-Jackson market. Clearly, had we intended to grant the carrier as significant an operating right as Denver-Casper nonstop authority, we would not have done so merely as an incident to the Denver-Jackson authorization. We conclude, therefore, that Frontier may exercise its authority under Order E-18336, only if it overflies all intermediate points between Denver and Riverton.

In view of the foregoing and in order to clarify the intention of the Board and avoid further misunderstanding, we have tentatively decided to amend Order E-18336. We shall direct Frontier to show

"5. Between the terminal point Denver, Colo., the intermediate points Cheyenne, Laramie, Rawlins, Casper, and Riverton-Lander, Wyo., and * * * (b) beyond Riverton-Lander, the intermediate point Jackson, Wyo., and the terminal point Idaho Falls, Idaho * * *

cause why the Board should not issue a final order amending Order E-18336 in the manner proposed herein.

Accordingly, it is ordered, That:

1. All interested persons show cause why the Board should not issue an order amending ordering paragraph 1 of Order E-18336, May 14, 1962, so as to read as follows:

That Frontier Airlines be and it hereby is authorized to operate one round trip daily between Denver and Jackson via Riverton on segment 5 of its Route 73;

2. Any interested persons having objection to the issuance of the amended order described in ordering paragraph 1 herein, shall, within 10 days of service of this order, file with the Board a statement specifying the nature and substance of such objections.²

3. Copies of this order shall be served on Frontier Airlines, Inc., Western Air Lines, Inc., and the cities of Denver and Casper.

4. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-7355; Filed, July 11, 1963;
8:57 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14973-14975; FCC 63M-785]

CALHIO BROADCASTERS ET AL.

Order Continuing Hearing

In re applications of Thomas B. Friedman, tr/as Calhio Broadcasters, Seven Hills, Ohio, Docket No. 14973, File No. BP-13946; Salem Broadcasting Company, Salem, Ohio, Docket No. 14974, File No. BP-13950; Tele-Sonics, Inc., Parma, Ohio, Docket No. 14975, File No. BP-14992; for construction permits.

The Hearing Examiner having under consideration joint motion filed June 28, 1963 on behalf of Thomas B. Friedman tr/as Calhio Broadcasters, Salem Broadcasting Company, and Tele-Sonics, Inc., requesting that certain procedural dates heretofore determined be postponed for a period of 60 days;

It appearing, that negotiations currently are under way by the various applicants which if consummated and approved by the Commission or its Review Board will result in the dismissal of the application of Salem Broadcasting Company, and in addition a merger of the interests of Friedman and Tele-Sonics;

It further appearing, that if these negotiations are completed and approved, it will have the effect of eliminating a large part of the issues now designated for hearing and will eliminate substantial and unnecessary expenses to all parties here involved;

It further appearing, that good cause exists why said request should be granted,

² The Board will not separately entertain petitions for reconsideration of this order.

and counsel for all parties have concurred in the requested postponement and have consented to a waiver of the provisions of § 1.46 of the Commission's rules to permit immediate consideration of the instant pleading;

Accordingly, it is ordered, This 2d day of July 1963, that the joint motion is granted and that the exchange of exhibits shall be accomplished on or before September 3, 1963, in lieu of July 3, 1963;

It is further ordered, That the hearing herein now scheduled for July 22, 1963, be and the same is hereby rescheduled for September 23, 1963, at 10:00 a.m., in the Commission's Offices, Washington, D.C.

Released: July 3, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7304; Filed, July 11, 1963;
8:45 a.m.]

[Docket No. 15120; FCC 63-621]

STANLEY HELFMAN

Order Designating Application for Hearing on Stated Issues

In re application of Stanley Helfman, Fontana, California, Docket No. 15120, File No. BP-14972; requests 1470kc, 500w, DA, Day, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 3d day of July, 1963;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the following matters are to be considered in connection with the aforementioned issues specified below:

1. According to the applicant's data, the proposal would cause objectionable interference to the existing operations of Stations KWIZ, Santa Anna, and KTYM, Inglewood.

2. Applicant also indicates that, because of interference received, the proposal would not comply with the provisions of § 3.28(d) (3) of the Commission's rules.

3. A preliminary examination of the proposed antenna structure indicates that it exceeds applicable air safety criteria of the Federal Aviation Agency.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposal of Stanley Helfman and the availability of other primary service to such areas and populations.

2. To determine whether interference received would affect more than ten percent of the population within the normally protected primary service area of the proposed operation of Stanley Helfman, in contravention of § 3.28(d) (3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

3. To determine whether the proposal of Stanley Helfman would cause objectionable interference to Stations KWIZ, and KTYM, Santa Ana and Inglewood, California, respectively, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether there is a reasonable possibility that the tower height and location proposed by Stanley Helfman would constitute a menace to air navigation.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That, the Federal Aviation Agency is made a party to the proceeding.

It is further ordered, That, the Voice of the Orange Empire, Inc., Ltd., and Albert John Williams, licensees of Stations KWIZ and KTYM, respectively, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the instant application, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section

311(a) (2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

Released: July 8, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7305; Filed, July 11, 1963;
8:45 a.m.]

[Docket No. 14627; FCC 63M-787]

NORTHERN CALIFORNIA EDUCATIONAL TELEVISION ASSOCIATION, INC.

Order Continuing Hearing

In re application of Northern California Educational Television Association, Inc., Redding, California, Docket No. 14627, File No. BPCT-2890; for a construction permit for a new non-commercial educational television broadcast station.

The Hearing Examiner having under consideration a communication dated July 3, 1963, from counsel for Northern California Educational Television Association, Inc., requesting that the hearing now scheduled for July 8, 1963 be continued to July 30, 1963;

It appearing, that Redding-Chico Television, Inc., a former party applicant in this proceeding has been granted an assignment of the license for Station KVIP-TV, Channel 7, Redding, California;

It further appearing, that the former licensee of Station KVIP-TV has made certain commitments to NCETA, which will be assumed by the new licensee of Channel 7;

It further appearing, that it is essential that an amendment to the NCETA application be consummated reflecting the above agreement with Redding-Chico, which cannot be accomplished prior to July 8, 1963;

It further appearing, that good cause exists why said request should be granted and there is no objection thereto;

Accordingly, it is ordered, This 5th day of July 1963, that the request on behalf of NCETA is granted and the hearing herein now scheduled for July 8, 1963, be and the same is hereby continued to July 30, 1963, 10:00 a.m., in the Commission's Offices, Washington, D.C.

Released: July 5, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7306; Filed, July 11, 1963;
8:45 a.m.]

[Docket Nos. 14557, 14558; FCC 63R-320]

PAGE BOY RADIO CORP. AND NEW YORK TECHNICAL INSTITUTE OF CINCINNATI, INC.

Memorandum Opinion and Order Amending Issues

In re applications of Page Boy Radio Corporation, Detroit, Michigan, Docket No. 14557, File No. 2133-C2-P-61, for construction permit to establish a one-way signaling common carrier station in the Domestic Public Land Mobile Radio Service in Detroit, Michigan; New York Technical Institute of Cincinnati, Inc., Detroit, Michigan, Docket No. 14558, File No. 138-C2-ML-62, 1149-C2-ML-62, for modification of license of Station KQC884 to add type 3A2 emission to the presently authorized 6A3 emission.

1. The Review Board has for consideration a petition to reopen the record¹ filed by Airway Radio System (Airway),² to determine the effect on the proposed operation of Page Boy Radio Corporation (Page Boy), an applicant herein, of the sale by it of its companion corporation, Telansafone, Inc.

2. The above-described applications were designated for hearing³ on a number of issues, including one to determine on a comparative basis, the nature and extent of the respective services "including the rates, charges, practices, classifications, regulations and facilities pertaining thereto." On the basis of a conclusion that Page Boy and Telansafone, Inc. (a telephone answering service), were companion organizations with the same four principals as their officers, directors, and/or stockholders, the Examiner permitted Page Boy to show how it intended to rely on its already functioning telephone answering service to assist it in the launching of its paging service. The Examiner found inter alia that Robert C. Storey, one of the principals of both corporations, is now the general manager of Telansafone, and is to be the general manager of Page Boy's proposed operation; that Page Boy is to man its proposal by utilizing the Telansafone personnel until it reaches the break-even point financially when it plans to add two or three full-time employees of its own; and that Page Boy is to be housed in the Telansafone premises and will use Telansafone's subscribers list for contacts.

¹In an initial decision released on February 26, 1963 (FCC 63D-23), Hearing Examiner Thomas H. Donahue recommended a grant of each of the above-described applications. Exceptions were filed and oral argument requested. The Review Board now has before it a petition to reopen the record filed on March 26, 1963, by Airway Radio System, to consider the effect of the change in circumstances upon the Page Boy application. Page Boy on April 10, 1963, filed an answer in opposition thereto.

²Airway Radio System filed a petition to deny the application of Page Boy Radio Corporation, claiming irreparable damage in the event the Page Boy application were to be granted. As a result thereof, Airway was named a party to this proceeding.

³Designation Order released May 12, 1962, (FCC 62-251) sought determination of 13 issues.

3. Airway's position now is essentially that as a result of the completion of the purchase and sale transaction on January 25, 1963, of Telansafone, a material change has occurred in the Page Boy proposal since the time of the hearing;⁴ that this sale gives rise to a series of unanswered questions, namely, will Mr. Storey (full-time general manager of Telansafone under new management) be able to divide his time between the two separately-owned services; how many employees will Page Boy have; where will it be housed, etc. Page Boy, by its attorney-officer, acknowledges the sale of Telansafone, but, although indicating generally that everything will be taken care of, fails to answer concretely any of the direct questions posed in the moving petition. Page Boy states, for example, that the dispatching for its customers may be done by Telansafone employees "in the event that an option agreement heretofore executed is exercised by Telansafone and its successors", but it does not show any of the terms and conditions of the agreement.⁵ It contends further that the officers and administrative personnel will remain the same although the business "will be conducted from another location to be selected in the event the license has been obtained by Page Boy," and that Telansafone's physicians and surgeons lists will continue to be available to Page Boy, as will "all other physicians and surgeons who were on other telephone answering services." Page Boy does not, however, show with any specificity just where and by whom the operation will be performed; and further whether in fact the contacts previously made from the Telansafone list continue to be interested in the service in view of the separation. Moreover, Page Boy, after recognizing that Storey is at present an employee of Telansafone's successor, merely makes the conclusory remark that as one of its officers and stockholders Storey "will render the proper service to Page Boy," without indicating in any way just how this will be accomplished.

4. It is apparent from the foregoing that the conditions under which Page Boy will now perform its proposed operation are considerably different from those in existence at the time of the hearing, and upon which the Examiner based his findings. Under the circumstances, the record must be reopened so that the effect of the change may be explored and a determination reached on how Page Boy will in fact conduct its operation. Page Boy must be called upon to show the location of its proposed operation, finances, personnel, hours of

⁴The hearing was held for 5 days between June 25 and June 29, 1962; the record closed on the latter date; and the proposed findings and conclusions filed on or about September 14, 1962.

⁵Because of the identity of the principals of both corporations, the Examiner ignored Airway's argument during the hearing that Page Boy's proposal was deficient in that it did not show that there was any agreement between the two companion corporations for the handling of the dispatching function. Airway urges now that the deficiency is of greater significance in view of the absence of identity.

operation, rates, and any and all other information sought by the hearing issues which have heretofore been answered on the basis of the interrelationship of the two corporations and which now must be answered in light of the sale of Telansafone.

5. Airway contends in addition to the foregoing, first that elementary candor required that Page Boy report the material changes in circumstances to the Commission in view of Page Boy's reliance throughout the proceeding on the ownership of the telephone answering portion of the business; and second that its failure to seek leave to amend its application renders the same "fatally defective and subject to dismissal." Page Boy's response that it "did not advise the Commission of the sale of Telansafone, . . . upon information and belief, there is no requirement in the regulations therefor" is not valid. Established policy requires that so long as a case is before the Commission the applicant is obliged to apprise the Commission of significant changes in circumstances which may affect the decision.⁶ In view of this established policy, together with Page Boy's apparent reliance upon its affiliation with Telansafone and its failure to report the sale of this latter corporation, the issues specified below are being added.

6. The issues sought a determination on a comparative basis of the areas and populations which each of the applicants proposed to serve within his respective 43 dbu contour. The Examiner concluded that Page Boy's failure to adequately meet this burden did not pose an unsurmountable obstacle to a grant since the figures were only important as tools for comparative evaluation and the grant of both applications render such figures academic. In view of the Board's conclusion that the record is to be reopened for the purposes outlined above, should Page Boy desire to satisfy this deficiency in its presentation, the opportunity may be accorded it to do so at the same time.

Accordingly, it is ordered, This 3d day of July 1963, that the petition to reopen the hearing record filed on March 26, 1963, by Airway Radio System, is granted, and this proceeding is remanded to the Hearing Examiner for further proceedings consistent with this opinion, and the issuance of a Supplemental Initial Decision in accordance with such additional findings;

It is further ordered, That the following issues be added:

(a) To determine whether Page Boy Radio Corporation and its principals were lacking in candor in failing to notify the Commission of the change in material circumstances from those set forth in the application or evidenced in the hearing record.

(b) To determine what effect, if any, Page Boy Radio Corporation's failure to amend its application has upon the pos-

⁶Cf. Notice of Proposed Rule Making In the Matter of Amendment of Part I Rules of Practice and Procedure, Docket No. 14867, released November 30, 1962 (FCC 62-1247). Current Service * Pike and Fischer RR 51:xxvii.

sible grant of said application, in view of the reliance placed upon the interdependence of its operation with that of Telansafone, Inc.

Released: July 8, 1963.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7307; Filed, July 11, 1963;
8:45 a.m.]

[Docket Nos. 15006-15008; FCC 63-625]

HARRY WALLERSTEIN ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Harry Wallerstein, Receiver, Television Company of America, Inc., Docket No. 15006, File No. BRCT-397, for renewal of license of Station KSHO-TV, Las Vegas, Nevada; Harry Wallerstein, Receiver, Television Company of America, Inc., assignor, and Television Company of America, Inc., assignee; Docket No. 15007, File No. BALCT-181, for assignment of license of Station KSHO-TV, Las Vegas, Nevada; Reed R. Maxfield, Robert W. Hughes, Carl A. Hulbert and Alex Gold, transferors, and Arthur Powell Williams, transferee, Docket No. 15008, File No. BTC-3965, for transfer of control of Nevada Broadcasters' Fund, Inc., holding company of Television Company of America, Inc., licensee of Station KSHO-TV, Las Vegas, Nevada.

1. The Commission has before it for consideration a Petition for Reconsideration of Designation for Hearing and Grant Without Hearing, filed April 25, 1963, by Harry Wallerstein, Receiver, et al. In a pleading filed May 21, 1963, the Broadcast Bureau opposes the petition. Arthur Powell Williams filed a reply to the Bureau's opposition to the petition on May 23, 1963 and a supplemental statement on June 12, 1963.

2. The designation order herein (FCC 63-259, 28 F.R. 2837) sets forth the complex history of this proceeding. The instant petition, assuming arguendo the allegations to be true, resolves none of the questions raised by the issues. Moreover, the petition, in effect, requests the Commission to ignore the past events and consider only the future of KSHO-TV. This the Commission cannot do. The designation order raises a number of questions concerning serious violations of the Communications Act of 1934, as amended, and the Commission's Rules and Regulations. Resolution of these questions requires a full evidentiary proceeding. The petition will be denied.

3. The Commission has thoroughly re-examined the record of this proceeding. As a result thereof the Commission believes the issues herein should be enlarged as indicated below.

4. Accordingly, it is ordered, This 3d day of July, 1963, that the Petition for Reconsideration of Designation for Hearing and Grant Without Hearing filed April 25, 1963, by Harry Wallerstein, Receiver, et al., is denied.

No. 135—11

5. It is further ordered, That Issue 12 herein is redesignated Issue 13 and the following issue is added on the Commission's own motion:

12. To determine whether, on the basis of the evidence adduced under the foregoing issues, the proposed assignee, Television Company of America, Inc., possesses the requisite qualifications to be a licensee.

Released: July 5, 1963.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7308; Filed, July 11, 1963;
8:45 a.m.]

[Docket No. 15119; FCC 63-620]

ALBERT JOHN WILLIAMS (KTYM)

Order Designating Application for Hearing on Stated Issues

In re application of Albert John Williams (KTYM), Inglewood, California, Docket No. 15119, File No. BMP-10155, has 1460 kc, 5 kw, DA, Day, Class III, requests 1460 kc, 500 w, 5 kw-LS, DA-2, U, Class III-B, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 3d day of July 1963;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that, according to the applicant's data, the proposal would be limited at nighttime to its 23.8 mv/m contour, thereby resulting in a population loss of 1,726,415 persons who represent 83.7 percent of those residing within the normally protected nighttime service area (4 mv/m contour); and

It further appearing, that, although the proposal complies with an exception within § 3.23(d) (3) of the Commission's rules in that it would provide the first local nighttime standard broadcast facility to Inglewood, California, a question arises as to whether the operation would be inefficient within the meaning of § 3.24(b) of the rules; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station KTYM and the availability of other primary service to such areas and populations.

2. To determine, because of the interference received, whether the proposed nighttime operation of Station KTYM would be consistent with the requirements of § 3.24(b) of the Commission's rules, and, if not, whether circumstances exist which would warrant a waiver of said section.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That, to avail himself of the opportunity to be heard, the applicant, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

Released: July 8, 1963.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7309; Filed, July 11, 1963;
8:46 a.m.]

FEDERAL MARITIME COMMISSION

PACIFIC WESTBOUND CONFERENCE

Notice of Filing of Agreement

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

Agreement No. 57-80 between the member lines of the Pacific Westbound Conference (Agreement 57, as amended), modifies the basic conference agreement by amending part (b) of the third paragraph of Article 10 by deleting the words therein "which shall be a member of the San Francisco Clearing House" and inserting in lieu thereof the words "authorized to do business in the United States and which is acceptable to the Conference". This modification is concerned with a member line's security deposit in the form of a confirmed irrevocable letter of credit from a bank.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime

Commission, Washington 25, D.C., within 5 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 9, 1963.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 63-7350; Filed, July 11, 1963;
8:54 a.m.]

JOHN V. CARR & SON, INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916. All parties involved are eligible to operate as independent ocean freight forwarders, pursuant to section 44 of the Shipping Act, 1916.

Unless otherwise indicated, these agreements are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided between the parties as agreed.

John V. Carr & Son, Inc., Detroit, Mich., is party to the following agreements, the terms of which are identical. The other parties are:

Cavalier Shipping, Norfolk, Va.	FF-379
Trans-World Shipping Service, Inc., Toledo, Ohio	FF-380
F. B. Vandegrift & Co., Inc., Philadelphia, Pa.	FF-381
John S. Connor, Inc., Baltimore, Md.	FF-382
Salentine & Co., Inc., Milwaukee, Wis.	FF-383
Globe Shipping Co., Inc., New York, N.Y.	FF-384
Frank P. Dow Co., Inc. of L.A., Los Angeles, Calif.	FF-385
Harper, Robinson & Co., San Francisco, Calif.	FF-386
A. W. Fenton Co., Inc., Cleveland, Ohio	FF-387
W. R. Zanes & Co. of La., Inc., New Orleans, La.	FF-388

Schenkers International Forwarders, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Morris Friedman Co., Philadelphia, Pa.	FF-253
J. T. Steeb & Co., Inc., Portland, Oreg.	FF-254
N. D. Cunningham & Co., Mobile, Ala.	FF-255
Southern Shipping Co., Jacksonville, Fla.	FF-256
Interamerican Forwarding Corp., Los Angeles, Calif.	FF-257
W. O. Smith & Co., Inc., Morehead City, N.C.	FF-288
V. Alexander & Co. of La., Inc., Memphis, Tenn.	FF-289
Wm. A. Hausman Co., Inc., Seattle, Wash.	FF-342
Wilfred Schade & Co., Inc., Newport News, Va.	FF-503

Harper, Robinson & Co., San Francisco, Calif., and other branch offices, is party to the following agreements, the terms of which are identical. The other parties are:

G & W International Forwarders, Inc., Buffalo, N.Y.	FF-363
J. T. Steeb & Co., Inc., Portland, Oreg.	FF-364
Barr Shipping Company, Inc., New York, N.Y.	FF-365
Charleston Overseas Forwarders, Inc., Charleston, S.C.	FF-366
The Hipage Company, Inc., Norfolk, Va.	FF-367
H. S. Thielen, Inc., Lake Charles, La.	FF-368
Trio Shipping Company, New York, N.Y.	FF-369
John A. Conkey & Co., Boston, Mass.	FF-370
Wedemann & Godknecht, Inc., New York, N.Y. and other branch offices	FF-371
Morris Friedman & Company, Philadelphia, Pa.	FF-372

H. A. Gogarty, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

John S. Connor, Inc., Baltimore, Md.	FF-291
F. J. Herbelin Forwarding Co., Inc., Galveston, Tex.	FF-292
F. J. Herbelin Forwarding Co., Inc., Houston, Tex.	FF-293
J. T. Steeb & Co., Inc., Seattle, Wash.	FF-294
J. T. Steeb & Co., Inc., Portland, Oreg.	FF-295
John J. Moylan & Company, Los Angeles, Calif.	FF-296
Trans-World Shipping Service, Inc., Toledo, Ohio	FF-297
John V. Carr & Son, Inc., Detroit, Mich.	FF-298
F. V. Marotta, Inc., New York, N.Y.	FF-299
T. A. Provence & Company, Mobile, Ala.	FF-465
Oceanic Forwarding Company, San Francisco, Calif.	FF-466

Karr, Ellis & Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Palmetto Shipping Co., Inc., Charleston, S.C.	FF-344
Coastal Forwarders, Charleston, S.C.	FF-345
Paul Sustek Co., Philadelphia, Pa.	FF-346

Barr Shipping Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

N. D. Cunningham & Co., Inc., Mobile, Ala.	FF-278
John S. Connor, Inc., Baltimore, Md.	FF-279
Sockrider Forwarding Co., Lake Charles, La.	FF-280
John W. Newton, Jr., Beaumont, Tex.	FF-281

H. L. Ziegler, Inc., Houston, Tex., is party to the following agreements, the terms of which are identical. The other parties are:

J. R. Michels, Inc., Houston, Tex.	FF-320
Gerard F. Tujague, Inc., New Orleans, La.	FF-321
W. L. Richeson & Sons, Inc., New Orleans, La.	FF-322

J. W. Allen & Co., Inc., New Orleans, La., is party to the following agreements, the terms of which are identical. The other parties are:

Cavalier Shipping Company, Inc., Norfolk, Va.	FF-418
---	--------

Seaport Shipping Co. (Portland), Portland, Oreg.	FF-419
A. V. Berner & Co., Inc., New York, N.Y.	FF-252

American Union Transport, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

H. P. Lambert Co., Boston, Mass.	FF-420
Wilfred Schade & Co., Inc., Newport News, Va.	FF-421
Geo. S. Bush & Co., Inc., Seattle, Wash.	FF-422
Fillette, Green & Co. of Tampa, Tampa, Fla.	FF-423
Chase, Leavitt & Co., Portland, Maine	FF-424
John S. Conner, Inc., Baltimore, Md.	FF-425
Atlas Agencies, Inc., Jacksonville, Fla.	FF-426
Robert L. Keller, Miami, Fla.	FF-427
Paul A. Boulo, Mobile, Ala.	FF-428
N. D. Cunningham & Co., Inc., Mobile, Ala.	FF-429
Morehead City Shipping Co., Morehead City, N.C.	FF-430
Geo. S. Bush & Co., Inc., Portland, Oreg., and branch office, Park Plaza Building, Longview, Wash.	FF-431
Gerard F. Tujague, Inc., New Orleans, La.	FF-432
Southern Shipping Co., Inc., Charleston, S.C.	FF-433
Smith & Kelly Co., Savannah, Ga.	FF-434
Transoceanic Shipping Co., Inc., Houston, Tex.	FF-435
H. S. Thielen, Inc., Lake Charles, La.	FF-436
Allen Forwarding Co., Philadelphia, Pa.	FF-437
A. B. Barone Forwarding, New Orleans, La.	FF-460

Atlas Agencies, Inc., Jacksonville, Fla., is party to the following agreements, the terms of which are identical. The other parties are:

Major Forwarding Co., Inc., New York, N.Y.	FF-262
L. Grodwohl & Son, New York, N.Y.	FF-264

Bartz Forwarding Co., Inc., Brownsville, Tex., is party to the following agreements, the terms of which are identical. The other parties are:

H. S. Thielen, Inc., Lake Charles, La.	FF-402
H. L. Ziegler, Inc., Houston, Tex.	FF-403
F. J. Herbelin Forwarding Co., Inc., Houston, Tex.	FF-404
R. W. Smith & Co., Houston, Tex.	FF-405
H. E. Schurig & Co., Houston, Tex.	FF-406
Stone Forwarding Co., Inc., Houston, Tex.	FF-407

W. J. Byrnes & Co., San Francisco, Calif., is party to the following agreements, the terms of which are identical. The other parties are:

W. N. Proctor Co., Boston, Mass.	FF-396
J. D. Smith Inter-Ocean, Inc., New York, N.Y.	FF-397
J. W. Hampton Jr. & Co., Inc., New York, N.Y.	FF-398
J. T. Steeb & Co., Inc., Portland, Oreg.	FF-399
Albert E. Bowen, Inc., New York, N.Y.	FF-400
The Hipage Company, Inc., Norfolk, Va.	FF-395
Samuel Shapiro & Co., Inc., Baltimore, Md.	FF-394
Import Export Service of N.J., Inc., Newark, N.J.	FF-393
W. J. Byrnes & Company, Seattle, Wash.	FF-392
Cosmos Shipping Co., Inc., New York, N.Y.	FF-391
John A. Conkey & Co., Boston, Mass.	FF-390

John A. Hickey & Co., Inc., New York, N.Y.-----FF-401

Cosdel International Company, San Francisco, Calif., is party to the following agreements, the terms of which are identical. The other parties are:

Admiral Shipping Corp., Houston, Texas-----FF-469
Bernardine Shipping Co., Inc., New York, N.Y.-----FF-470
Fillette, Green & Co. of Tampa, Fla.-----FF-471
Magnolia Forwarding Co., New Orleans, La.-----FF-472

Frank P. Dow Co., Inc., Seattle, Wash., and branch offices, are party to the following agreements, the terms of which are identical. The other parties are:

Adolf Blum & Popper, Inc., New York, N.Y.-----FF-361
Francesco Parisi Forwarding Corp., New York, N.Y.-----FF-362
Wedemann & Godknecht, Inc., New York, N.Y.-----FF-467
Tomas Shipping Company, New York, N.Y.-----FF-468

Inge & Company, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Morris & Company, Lake Charles, La.-----FF-353
The F. H. Shallus Company, Baltimore, Md.-----FF-282
Fillette, Green & Co. of Tampa, Fla.-----FF-283
Loretz & Company, Los Angeles, Calif.-----FF-284
Pan-American Shipping Co., New Orleans, La.-----FF-285
T. A. Provence & Company, Mobile, Ala.-----FF-300
Ralph Valls, Corpus Christi, Tex.-----FF-301
Herbert B. Moller, Jacksonville, Fla.-----FF-302
John A. Merritt & Company, Pensacola, Fla.-----FF-303
The Hipage Company, Inc., Norfolk, Va.-----FF-304
Heide & Co., Inc., Wilmington, N.C.-----FF-305
Sumter Marine Corporation, Charleston, S.C.-----FF-306
Stone Forwarding Company, Inc., Corpus Christi, Houston, Galveston, and Dallas, Tex.-----FF-307
Port Services, Inc., Norfolk, Va.-----FF-308
Keer, Maurer Co., Philadelphia, Pa.-----FF-309
Hugo Zanelli & Co., Houston, Tex.-----FF-310
Lyons Export & Import, Inc., Chicago, Ill.-----FF-311
A. B. Barone Forwarding, New Orleans, La.-----FF-350
Berry & McCarthy Shipping Co., Inc., San Francisco, Calif.-----FF-351
Seaport Shipping Co. (Portland), Portland, Oreg.-----FF-352
J. K. Ebberwein, Savannah, Ga.-----FF-354

Adolf Blum & Popper, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

H. P. Lambert Co., Boston, Mass.-----FF-439
Allen Forwarding Co., Philadelphia, Pa.-----FF-440
H. S. Thielen, Inc., Lake Charles, La.-----FF-441
Transoceanic Shipping Co., Inc., Houston, Tex.-----FF-442
Southern Shipping Co., Inc., Charleston, S.C.-----FF-443
Smith & Kelly Company, Savannah, Ga.-----FF-444
Gerard F. Tujague, Inc., New Orleans, La.-----FF-445
Geo. S. Bush & Co., Inc., Portland, Oreg., and branch office, Park Plaza Building, Longview, Wash.-----FF-446
N. D. Cunningham & Co., Inc., Mobile, Ala.-----FF-447

Morehead City Shipping Co., Morehead City, N.C.-----FF-448
Paul A. Boulo, Mobile, Ala.-----FF-449
Robert L. Keller, Miami, Fla.-----FF-450
Atlas Agencies, Inc., Jacksonville, Fla.-----FF-451
John S. Connor, Inc., Baltimore, Md.-----FF-452
Chase, Leavitt & Co., Portland, Maine-----FF-453
Fillette, Green & Co. of Tampa, Tampa, Fla.-----FF-454
Geo. S. Bush & Co., Inc., Seattle, Wash.-----FF-455
A. B. Barone Forwarding, New Orleans, La.-----FF-459

Lyons Export and Import, Inc., Chicago, Ill., is party to the following agreements, the terms of which are identical. The other parties are:

Jung Forwarding Co., Inc., New York, N.Y.-----FF-489
Rupert Marine Corporation, Baltimore, Md.-----FF-490

Marine Forwarding Company, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Arthur J. Fritz & Co., San Francisco, Calif.-----FF-417
Mattoon & Co., Inc., San Francisco, Calif.-----FF-416
Geo. Wm. Rueff, Inc., New Orleans, La.-----FF-415
J. T. Steeb & Co., Inc., Portland, Oreg.-----FF-414
Mattoon & Co., Inc., Los Angeles, Calif.-----FF-413
Mattoon & Co., Inc., New Orleans, La.-----FF-412
Arthur J. Fritz & Co., New Orleans, La.-----FF-411
Seaport Shipping Co. (Portland), Portland, Oreg.-----FF-410
Arthur J. Fritz & Co., Los Angeles, Calif.-----FF-409

Trans-World Shipping Service, Inc., Toledo, Ohio, is party to the following agreements, the terms of which are identical. The other parties are:

Advance Shipping Co., New York, N.Y.-----FF-324
Karr, Ellis & Co., Inc., New York, N.Y.-----FF-325
Frank P. Dow Co., Inc., San Francisco, Calif.-----FF-326
Samuel Shapiro & Co., Inc., Baltimore, Md.-----FF-327
Dorf International Ltd., New York, N.Y.-----FF-328
Trans-Air System, Inc., Jamaica, N.Y.-----FF-464

Norton & Ellis, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

James Loudon & Co., Inc., Los Angeles and San Francisco, Calif.-----FF-482
Coastal Forwarders, Charleston, S.C.-----FF-493
Fillette Green & Co. of Tampa, Tampa, Fla.-----FF-495
R. G. Hobelmann & Co., Inc., Baltimore, Md.-----FF-496
Smith & Kelly Co., Savannah, Ga.-----FF-497
T. J. Hanson, Inc., Beaumont, Tex.-----FF-498
T. A. Provence & Co., Mobile, Ala.-----FF-499
Gerard F. Tujague, Inc., New Orleans, La.-----FF-500
Morris Friedman Co., Philadelphia, Pa.-----FF-501

Stone Forwarding Company, Inc., Corpus Christi, Dallas, Galveston, and Houston, Tex., is party to the following agreements, the terms of which are identical. The other parties are:

Copeland Shipping, Inc., New York, N.Y.-----FF-270
F. J. Herbelin Forwarding Co., Inc., Houston, Tex.-----FF-274
Freedman & Slater, Inc., New York, N.Y.-----FF-332

F. J. Herbelin Forwarding Co., Inc., Houston, Tex., is party to the following agreements, the terms of which are identical. The other parties are:

W. L. Richeson & Son, Inc., New Orleans, La.-----FF-356
T. J. Hanson, Inc., Beaumont, Tex.-----FF-355
Gerard F. Tujague, Inc., New Orleans, La.-----FF-275
Farrell Shipping Co., Inc., New Orleans, La.-----FF-357
John L. Westland & Sons, Inc., Los Angeles, Calif.-----FF-359

Wm. H. Muller Shipping Corporation, New York, N.Y., and branch office, Chicago, Illinois, are party to the following agreements, the terms of which are identical. The other parties are:

Fillette, Green & Co. of Tampa, Tampa, Fla.-----FF-375
Southern Shipping Co., Inc., Jacksonville, Fla., and branch offices at Savannah, Ga., Charleston, S.C.-----FF-376
T. D. Downing Co., Boston, Mass.-----FF-377
Cavalier Shipping Co., Inc., Norfolk, Va., and branch office, Newport News, Va.-----FF-378

Gehrig, Hoban & Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Samuel Shapiro & Co., Inc., Baltimore, Md.-----FF-456
F. B. Vandegrift & Co., Inc., Philadelphia, Pa.-----FF-457
Baxter Co. Customhouse Brokers, Inc., New Orleans, La.-----FF-475

Maron Shipping Agency, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Frank P. Dow Co., Inc., Seattle, Wash.-----FF-246
Frank P. Dow Co., Inc., Portland, Oreg.-----FF-247
Wheeler & Miller, San Francisco, Calif.-----FF-248
John L. Westland & Son, Inc., Los Angeles, Calif.-----FF-249
A. G. Wichterich & Co., New Orleans, La.-----FF-250

Behring Shipping Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Oceanic Forwarding Corp., San Francisco, Calif.-----FF-267
Air Sea Forwarders, Inc., Los Angeles, Calif.-----FF-268
Ruket Marine Corp., Baltimore, Md.-----FF-269

Wedemann & Godknecht, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Cavalier Shipping Co., Inc., Norfolk, Va.-----FF-477
Godwin Shipping Co., Mobile, Ala.-----FF-478
M. E. Dey & Company, Inc., Milwaukee, Wis.-----FF-479
South Ports Forwarding Co., Houston, Tex.-----FF-480
Carmichael Forwarding Service, Los Angeles, Calif.-----FF-481
W. R. Zanes & Co. of La., Inc., New Orleans, La.-----FF-287

Seaport Shipping Co. (Seattle), Seattle, Wash., is party to the following agreements, the terms of which are identical. The other parties are:

Bernardine Shipping Co., Inc., New York, N.Y.----- FF-313
Caldwell & Co., New York, N.Y.---- FF-312

Wm. H. Muller Shipping Corporation, New York, N.Y., and branch office, Chicago, Illinois, are party to the following agreements, the terms of which are identical. The other parties are:

Heide & Co., Inc., Wilmington, N.C., and branch office, Morehead City, N.C.----- FF-491
Chase, Leavitt & Co., Portland, Maine.----- FF-492

Trade-Lanes Shipping Corporation, New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Paul A. Boulo, Mobile, Ala.----- FF-389
Al. G. Wichterich & Co. New Orleans, La.----- FF-329
Sumter Marine Corporation, Charleston, S.C.----- FF-330
Hugo Zanelli & Co., Houston, Tex.--- FF-331
Milton O. Merion, Philadelphia, Pa.--- FF-505
Chiarella & Grimes Forwarding Co., San Francisco, Calif.----- FF-506

Barr Shipping Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

I. Frazier Co., Portland, Oreg.----- FF-485
I. Frazier Co., Seattle, Wash.----- FF-486

V. Alexander & Co. of La., Inc., New Orleans, La., is party to the following agreements, the terms of which are identical. The other parties are:

F. J. Herbelin Forwarding Co., Inc., Houston, Tex.----- FF-276
T. A. Provence & Co., Mobile, Ala.--- FF-286

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

45 Broadway,
New York 4, N.Y.

180 New Montgomery Street,
San Francisco, Calif.

Room 333, Federal Office Bldg., South,
600 South Street,
New Orleans 12, La.,

Mail address:
P.O. Box 30550,
Lafayette Station,
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 8, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-7351; Filed, July 11, 1963;
8:54 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CI63-369, RI60-468]

GRARIDGE CORPORATION ET AL.

Notice of Hearing

JULY 5, 1963.

On September 18, 1962, Graridge Corporation (Operator), et al., (Graridge) filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, all as more fully described in the application which is on file with the Commission and open to public inspection.

By notice issued April 25, 1963, in Sunray DX Oil Company, et al., Docket Nos. G-5179, et al., the application was set for hearing on June 4, 1963 (28 F.R. 4631). By notice issued May 22, 1963, the matter in Docket No. CI63-369 was severed from the Sunray DX proceeding for such further disposition as may be appropriate (28 F.R. 5449).

Graridge seeks to continue the services authorized to be rendered by Midhurst Oil Corporation (Operator)*, et al. (Midhurst) in Docket No. CI60-727.¹ That authorization covers sales of gas to Tennessee Gas Transmission Company (Tennessee) from the Areopagita G. de Garcia Lease, West Magnolia City Field, Jim Wells County, Texas.

On June 9, 1960, Midhurst filed a Notice of Change, designated Supplement No. 6 to its FPC Gas Rate Schedule No. 7, proposing a rate increase from 12.12268 cents per Mcf to 17.24347 cents per Mcf at 14.65 psia. By order issued July 8, 1960, in Docket No. RI60-468, the Commission suspended the effectiveness of the increased rate until December 10, 1960. Thereafter, Midhurst began collecting the increased rate subject to refund. Graridge, as successor in title and interest to Midhurst has been collecting the increased rate since March 1, 1962, subject to refund obligations, under its Rate Schedule No. 15.

On September 18, 1962, Graridge filed with the Commission (a) Application for certificate of public convenience and necessity, (b) Notice of succession to independent producer rate schedule, and (c) Motion to be substituted as respondent in Docket No. RI60-468 together with an agreement and undertaking.

On April 8, 1963, Graridge submitted a settlement offer covering the subject sale. Under the terms of the offer, Graridge agrees to amend its contract with Tennessee to eliminate the favored-nation and price redetermination clauses from the contract. Graridge agrees to accept a settlement rate of 14.6 cents per Mcf which would be effective from December 10, 1960 until January 1, 1964, with periodic escalations thereafter as follows:

From January 1, 1964 to January 1, 1969—
15.6 cents per Mcf.

From January 1, 1969 to January 1, 1974—
16.6 cents per Mcf.

From January 1, 1974 to balance of term—
17.6 cents per Mcf.

¹ Order issued March 10, 1961, as amended February 15, 1962 in Docket No. G-3693.

The settlement offer is in line with the Second Amendment to the Statement of General Policy No. 61-1, issued by the Commission on December 20, 1960, as amended. Tennessee has filed a statement agreeing with the settlement offer.

This matter should be disposed of as promptly as possible under the applicable rules and regulations.

Take 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 on July 22, 1963, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure in accordance with the settlement proposal filed on April 8, 1963. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Graridge to appear or to be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7312; Filed, July 11, 1963;
8:46 a.m.]

[Docket No. G-6342 etc]

CONTINENTAL OIL CO. ET AL.

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

JULY 9, 1963.

Continental Oil Company, Docket No. G-6342; Pan American Petroleum Corporation (Operator), et al., Docket No. G-7526; Apache Corporation (formerly Sherrod & Apperson), Docket No. G-9186; Apco Oil Corporation (Operator), et al. (formerly George S. Hammonds), Docket No. G-10647; Marathon Oil Company, Docket No. G-11821; Apco Oil Corporation (Operator), et al. (formerly Scott Hammonds, et al.), Docket No. G-14919; Henry S. Inger (formerly Artnell Company (Operator), et al.), Docket No. G-18786; Southwest Production Company, Docket No. CI60-686; Javelin Oil Company, Inc. (Operator), et al., Docket No. CI62-308; E. L. Fundingsland, Docket No. CI63-303; Frank A. Schultz, et al., Docket No. CI63-318; Ashland Oil & Refining Company, Docket No. CI63-489; Marathon Oil Company, Docket No. CI63-1585; Phillips Petroleum Company, Docket No. CI63-1586; Forrest C. Lattner, et al., Docket No. CI63-1587; Shannon Oil Co., Docket No. CI63-1588; D. W. Skelton, Docket No. CI63-1589; Lyda Hunt-Margaret Trusts, et al., Docket No. CI63-1590; G. E. Penn, et

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

al., Docket No. CI64-1; Skelly Oil Company, Docket No. CI64-2; Texaco Inc. (Texas Division), Docket No. CI64-3; Consolidated Oil & Gas, Inc., Docket No. CI64-4; Humble Oil & Refining Company, Docket No. CI64-5; Isaac Arnold, et al., Docket No. CI64-6; Shell Oil Company, Docket No. CI64-7; Acme Drilling Company, Docket No. CI64-8; Petroleum Exploration, Inc. of Texas, Docket No. CI64-9; Thomas J. Blaho, Jr., d/b/a Blaho Oil & Gas Company, Docket No. CI64-10; Sinclair Oil & Gas Company,

Docket No. CI64-11; Sinclair Oil & Gas Company, Docket No. CI64-12.

Take notice that each of the above Applicants 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 heretofore authorized as described below, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

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.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7345; Filed, July 11, 1963; 8:52 a.m.]

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
G-6342 C 6-24-63	E Paso Natural Gas Co.	Various Fields in Lea County, N. Mex.	Depleted	-----
G-7526 B 7-1-63	do.	Flora Vista Mesa Verde Field, San Juan County, N. Mex.	12.0	15.025
G-9186 E 6-28-63	Kansas-Nebraska Natural Gas Co., Inc.	Big Springs Field, Deuel County, Nebr.	10.0628	16.40
G-10647 E 7-1-63	Northern Natural Gas Co.	Puckett Field, Pecos County, Tex.	15.0	14.65
G-11821 C 6-27-63	United Gas Pipe Line Co.	Maxie and Pistol Ridge Fields, Forest County, Miss.	Assigned	-----
G-14919 E 7-1-63	Northern Natural Gas Co.	Puckett Field, Pecos County, Tex.	15.0	14.65
G-18786 E 7-1-63	Panhandle Eastern Pipe Line Co.	Welsch Unit, Edwards County, Kans.	15.0	14.65
CI60-686 B 7-1-63	El Paso Natural Gas Co.	Acreage in San Juan County, N. Mex.	12.0	15.025
CI62-308 B 6-27-63	Arkansas Louisiana Gas Co.	Waskom Field, Harrison County, Tex.	11.2928	14.65
CI63-303 B 7-1-63	El Paso Natural Gas Co.	Acreage in Rio Arriba County, N. Mex.	11.0	15.025
CI63-318 B 7-1-63	do.	Blanco Mesaverde and Basin Dakota Gas Pools, Rio Arriba County, N. Mex.	13.0	15.025
CI63-489 B 7-1-63	Michigan-Wisconsin Pipe Line Co.	West Valley Center, Dewey County, Oklahoma, Okadale Area, Woods County, Okla.	19.5	14.65
CI63-1585 A 6-27-63	Panhandle Eastern Pipe Line Co.	Avard Area, Woods County, Okla.	17.0	14.65
CI63-1586 A 6-27-63	El Paso Natural Gas Co.	Lancaster Hills Area, Crockett County, Tex.	15.70925	14.65
CI63-1587 A 6-28-63	United Gas Pipe Line Co.	Riggs Field, Cabeza Creek Area, Goliad County, Tex.	12.0	14.65
CI63-1588 D 6-28-63	Northern Utilities Co.	South Sand Draw Unit Area, Fremont County, Wyo.	Depleted	-----
CI63-1589 D 6-28-63	United Gas Pipe Line Co.	Acreage in Forrest County, Miss.	Depleted	-----
CI63-1590 D 6-28-63	Socony Mobil Oil Co., Inc.	Cowpen Creek Field, Beauregard Parish, La.	Depleted	-----
CI64-1 A 7-1-63	Lone Star Gas Co.	Leopard Field, Rusk County, Tex.	14.49	14.65
CI64-2 A 7-1-63	Michigan-Wisconsin Pipe Line Co.	Laverne Field, Harper County, Okla.	17.0	14.65
CI64-3 A 7-1-63	Arkansas Louisiana Gas Co.	North Carter Field, Beckham County, Okla.	17.0	14.65
CI64-4 A 7-1-63	Southern Union Gathering Co.	Basin Dakota Field, San Juan County, N. Mex.	13.014625	15.025
CI64-5 A 7-1-63	United Fuel Gas Co.	Garden City Field, St. Mary Parish, La.; Lake Sand Field, St. Mary and Iberia Parishes, La.; Pecan Island Field, Vermillion Parish, La.; Lirette Field, Terrebonne Parish, La.; West Delta Block 27 Field, Plaquemines Parish, La. and areas adjacent to Plaquemines Parish, La.	20.625	15.025
CI64-6 A 7-1-63	do.	Garden City Field, St. Mary Parish, La.	20.625	15.025
CI64-7 A 7-2-63	Arkansas Louisiana Gas Co.	W. Kelly "E" Lease, Elk City Field, Beckham County, Okla.	11.0	14.65
CI64-8 D 7-1-63	New York State Natural Gas Corp.	Benezette Township, Elk County, Pa.	Assigned	-----
CI64-9 D 7-1-63	El Paso Natural Gas Co.	Clearfork Formation, Upton County, Tex.	Depleted	-----
CI64-10 A 7-2-63	Equitable Gas Co.	Troy District, Gilmer County, W. Va.	25.0	15.325
CI64-11 A 7-2-63	Lone Star Gas Co.	Healdton Gas Products Plant (No. 31), Carter County, Okla.	16.8	14.65
CI64-12 A 7-2-63	Kansas-Nebraska Natural Gas Co., Inc.	Kirby Draw Field, Fremont County, Wyo.	15.0	14.65

Filing code: A—Initial service.
B—Amendment to add acreage.
C—Amendment to delete acreage.
D—Abandonment.
E—Change in name.

¹ Includes 0.014625-cent tax reimbursement.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 29, 1963.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Fed-

eral 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 protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely

[Docket No. CP63-311]

HOPE NATURAL GAS CO.

Notice of Application and Date of Hearing

JULY 5, 1963.

Take notice that on May 17, 1963, as supplemented on June 12, 1963, Hope Natural Gas Company (Applicant) filed an application pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity to construct and operate certain transmission and storage facilities for the greater utilization of its existing underground Fink and Kennedy storage pools in Harrison and Lewis Counties, West Virginia, as hereinafter described, all as more fully described in the application which is on file with the Commission and open to public inspection.

The proposed facilities, estimated to cost \$8,461,000, principally include a new 4,000 horsepower compressor station (Lightburn Station); 38.7 miles of 30-inch pipeline connecting Lightburn Station with Applicant's existing Hastings compressor station; 6.9 miles of 20-inch pipeline connecting Applicant's existing Sweeney Station with the proposed 30-inch pipeline; and 2.85 miles of 20-inch pipeline connecting the Fink storage pool with the proposed Lightburn Station. Applicant estimates that the proposed facilities will enable it to cycle an additional 15 Bcf of natural gas now required to be maintained as non-current or cushion gas in order to meet its deliverability requirements.

Applicant states that the proposed construction is urgently needed to supply, commencing in the 1963-1964 winter, the increased requirements of its existing customers, particularly in colder-than-normal weather. Such increased requirements are stated to represent normal growth in residential and commercial space heating in the present markets served with natural gas by Applicant.

The facilities are to be financed by funds on hand and funds to be obtained from the Applicant's parent corporation, Consolidated Natural Gas Company.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

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 on August 5, 1963, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 23, 1963. Failure of any party to appear at and participate in the hearing shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7313; Filed, July 11, 1963;
8:46 a.m.]

[Docket No. CP63-285]

NEW YORK STATE NATURAL GAS CORP.

Notice of Application and Date of Hearing

JULY 8, 1963.

Take notice that on April 15, 1963, as supplemented on June 3, 1963, New York

State Natural Gas Corporation (Applicant), 2 Gateway Center, Pittsburgh 22, Pennsylvania, filed in Docket No. CP63-285 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to construct and operate approximately 10.5 miles of 30-inch loop line extending from the present terminus of its 30-inch loop line at the Dryden Connection, in a northeasterly direction and parallel to Applicant's line No. 30, to the South Cortland Connection, all in Cortland County, New York. Applicant states that the proposed construction is necessary to supply the increased requirements of its existing customers. Such requirements are stated to represent normal growth in residential and commercial space heating in the present market served with natural gas by Applicant.

The facilities to be constructed are estimated to cost approximately \$1,373,300, to be financed from funds on hand and funds to be obtained from Applicant's parent corporation, Consolidated Natural Gas Company.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

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 on August 5, 1963, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issue presented by such application: *Provided, however*, That the Commission may, after a non-contested

hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 23, 1963. Failure of any party to appear at and participate in the hearing shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7316; Filed, July 11, 1963;
8:46 a.m.]

[Docket Nos. RI64-5, RI64-6]

CONTINENTAL OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates ¹

JULY 3, 1963.

Continental Oil Company (Operator), et al., Docket No. RI-64-5; Pan American Petroleum Corporation, Docket No. RI64-6.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. Both of the sales are made at a pressure base of 14.65 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI64-5-----	Continental Oil Co. (Operator), et al. Post Office Box 2197, Houston 1, Tex.	85	16	El Paso Natural Gas Co. (Various Fields, Lea County, N. Mex.) (Permian Basin Area).	\$28,635	6-3-63	7-4-63	12-4-63	7.5	14.321825	-----
RI64-6-----	Pan American Petroleum Corp., Post Office Box 1410, Fort Worth 1, Tex.	110	19	-----do-----	8,715	6-13-63	7-14-63	12-14-63	12.2456	14.321825	RI61-44

¹ The stated effective date is the 1st day after expiration of the required statutory notice.

² Applicable only to spent lift gas.

³ Renegotiated and tax reimbursement rate increase.

⁴ Includes 0.261925-cent per Mcf tax reimbursement for increase in New Mexico Oil and Gas Emergency School Tax.

Continental Oil Company (Continental) and Pan American Petroleum Corporation (Pan American) on June 3, 1963, and June 13, 1963, respectively, filed a letter agreement and a supplemental agreement with respect to the sale to El Paso Natural Gas Company (El Paso) of residue gas derived from spent lift gas² processed in Warren Petroleum Corporation's (Warren) Monument Plant, Lea County, New Mexico, and a notice of change in rate relating thereto.

Continental's Rate Schedule No. 85 reveals that the last effective rate for the sale of spent lift gas was 7.5 cents per Mcf. Pan American's Rate Schedule No. 110 shows 12.2456 cents per Mcf, subject to refund, as the last effective rate for spent lift gas.³

The supplemental agreements provide new arrangements for the use of certain high pressure gas for lifting oil and for the sale of residue derived therefrom at

a rate of 14.0 cents per Mcf. Respondents each filed a rate decrease from 15.5599 cents to 14.0 cents per Mcf, 15.5599 cents per Mcf being the presently effective rate, subject to refund, for high pressure gas well gas under their respective rate schedules. When gas well gas is not being diverted for gas lift operations, such gas is delivered directly into El Paso's system and sold at the

² Gas well gas returned at a reduced pressure after injection into the well bore to lift oil.

³ The last clean rate for spent lift gas under Pan American's Rate Schedule No. 110 was 8.5 cents per Mcf.

¹ This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.

15.5599 cents per Mcf rate.⁴ Since the rate schedules show the last effective rates for spent lift gas as 7.5 cents and 12.2456 cents per Mcf, respectively, the notices of change are construed as rate increases from these levels with respect to spent lift gas.

The proposed increased rates exceed the applicable 11.0 cents per Mcf area ceiling for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56), and include partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax, which increased from 2.0 percent to 2.55 percent on April 1, 1963. El Paso has protested the proposed rate increases herein. It is El Paso's position that under their tax reimbursement clauses Continental and Pan American are entitled only to partial reimbursement of the increased portion of the tax, namely 0.55 percent (2.55 percent less 2.0 percent). Under the circumstances, we shall provide that the hearings provided for herein shall concern themselves with the contractual basis as well as the statutory lawfulness of the producers' rate filings.

Pan American requests an effective date of July 1, 1963, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Pan American's proposed rate filing and such request is denied.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis of the proposed filings, and the statutory lawfulness of the producers' proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the contractual basis of the proposed rate filings which El Paso has protested, and the statutory lawfulness of the producers' proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such

⁴ The last clean rates for high pressure gas well gas under Pan American's and Continental's rate schedules are 10.5 cents and 9.5 cents per Mcf, respectively.

further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 21, 1963.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7346; Filed, July 11, 1963;
8:53 a.m.]

[Docket No. CI60-323 etc.]

JONNELL GAS, INC., ET AL.

Notice of Postponement of Hearing

JULY 8, 1963.

Jonnell Gas, Incorporated, Docket No. CI60-323; Jonnell Gas, Incorporated, Docket No. CI63-925; Delhi-Taylor Oil Corporation, Docket No. CI60-325; Joseph E. Seagram and Sons, Inc., dba Frankfort Oil Company, Docket No. CI60-506; Crescent Oil & Gas Corporation, Docket No. CI60-508; Jones O'Brien, Incorporated, Docket No. CI61-71; Gulf Resources, Incorporated and Natural Gas Gathering Company, Inc., Docket No. CI61-282; J. C. Trahan, Drilling Contractor, Inc., Docket No. CI62-123.

The hearing now scheduled to commence July 29, 1963 in the above-entitled cases is hereby postponed to a date to be fixed by further notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7314; Filed, July 11, 1963;
8:46 a.m.]

[Project No. 2364]

KENNEBEC RIVER PULP & PAPER CO., INC.

Notice of Application for License

JULY 8, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Kennebec River Pulp and Paper Company, Inc. (correspondence to: Louis Calder, Jr., Executive Vice President and Treasurer, Kennebec River Pulp and Paper Company, Inc., 1 Rockefeller Plaza, New York 20, New York) for license for constructed Project No. 2364, known as the Abenaki Project, located on the Kennebec River, in the towns of Anson and Madison, Somerset County, Maine.

The project consists of: A concrete dam and spillway having an over-all length of 774 feet, including a log sluice, with crest elevation of 77 feet topped by

5-foot flashboards; a headgate section channeling water into a forebay; 7 tunnels into the grinder room for horizontal water wheels which have an installed capacity of 13,950 horsepower; waste gates; an approximately 3,400-foot long transmission line connected to applicant's power development located upstream; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 20, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7315; Filed, July 11, 1963;
8:46 a.m.]

[Docket No. CP63-224]

THE TOWN OF POSEYVILLE, IND.

Order Granting Intervention and Fixing Date of Hearing

JULY 1, 1963.

A petition seeking leave to intervene was filed June 3, 1963, by Community Natural Gas Company, Inc., in the above-noted application pursuant to the Commission's notice of May 18, 1963 (28 F.R. 5038).

The Commission finds:

(1) The participation of the above-mentioned petitioner in this proceeding may be in the public interest.

(2) The public convenience and necessity requires that a formal hearing be held with respect to these matters.

The Commission orders:

(A) The above-named petitioner is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however*, That the participation of petitioner shall be limited to matters affecting asserted rights and interests specifically set forth in the petition to intervene; *And provided further*, That the admission of such petitioner shall not be construed as recognition by the Commission that petitioner might be aggrieved by any order or orders entered in this proceeding.

(B) 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 on July 24, 1963, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7347; Filed, July 11, 1963;
8:53 a.m.]

[Docket No. CP63-204]

TRANSWESTERN PIPELINE CO.**Order Continuing Hearings**

JULY 5, 1963.

On June 21, 1963, Gulf Pacific Pipeline Company (Gulf Pacific) filed a motion for prompt consolidation and for a continuance of hearings in this proceeding. The applications sought to be consolidated with the application of Transwestern Pipeline Company (Transwestern) in Docket No. CP63-204 are Gulf Pacific's application in Docket No. CP63-223 and the application of El Paso Natural Gas Company (El Paso) in Docket No. CP63-296. All three applications involve service to southern California.

Hearings in Docket No. CP63-224 commenced on June 25, 1963, before the Presiding Examiner and, after one day of hearings, were continued by him until July 16, 1963. On July 1, 1963, replies to Gulf Pacific's motion were separately filed by El Paso and by Transwestern. The motion to consolidate is opposed by El Paso but is not opposed by Transwestern. Transwestern states that it is in the process of concluding negotiations with Pacific Lighting Gas Supply Company for the sale of substantially greater volumes than are involved in its application now on file and that it will file an application for authorization to deliver the increased volumes as will be negotiated. Transwestern states that, when its new application is filed, consolidation will be proper.

Inasmuch as Transwestern's new application is not yet on file we are unable to determine whether consolidation of the three applications is proper and we will not now dispose of Gulf Pacific's motion to consolidate. However, we will continue these hearings until we can determine whether consolidation is proper.

The Commission orders: The hearings in Docket No. CP63-204 scheduled to resume on July 16, 1963, are postponed to a date to be hereafter fixed by further order or notice.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.[F.R. Doc. 63-7317; Filed, July 11, 1963;
8:47 a.m.]**SMALL BUSINESS ADMINISTRATION**[Delegation of Authority 30 (Rev. 8),
Amdt. 1]**REGIONAL DIRECTORS****Delegation of Authority To Conduct
Program Activities in the Regional
Offices**

Pursuant to the authority vested in the Administrator by the Small Business Act (1958), 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; Delegation of Authority No. 30 (Revision 8), 28 F.R. 3228, is hereby

amended by adding the following subparagraph I.A.11.c. thereto:

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

Effective date: July 1, 1963.

JOHN E. HORNE,
Administrator.[F.R. Doc. 63-7332; Filed, July 11, 1963;
8:50 a.m.]**DEPARTMENT OF LABOR****Wage and Hour Division****CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES**

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 561 (27 F.R. 4001) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Benjamin and Johnes, Inc., 410 Ashe Avenue, Dunn, N.C.; effective 6-24-63 to 6-23-64 (women's foundation garments).

Dillon Manufacturing Co., Dillon, S.C.; effective 7-9-63 to 7-8-64 (ladies' dresses).

Elizabethtown Manufacturing Co., Elizabethtown, N.C.; effective 7-2-63 to 7-1-64 (women's dresses).

Forest Hills Sportswear Co., Lawrenceburg, Tenn.; effective 6-25-63 to 6-24-64 (men's dress trousers).

J B C Company of Madera, Madera, Pa.; effective 7-5-63 to 7-4-64 (men's and boys' trousers).

Montgomery Sylvania Manufacturing Co., Inc., 22 East Houston, Montgomery, Pa.; effective 6-25-63 to 6-24-64 (ladies' blouses and slacks).

Moulton Manufacturing Corp., Moulton-Decatur Highway, Moulton, Ala.; effective 6-27-63 to 6-26-64 (men's sport shirts).

North Shore Manufacturing Co., Duluth, Minn.; effective 6-26-63 to 6-25-64 (ladies' and girls' jackets and babies' sleeping garments).

Oberman Manufacturing Co., Arkadelphia, Ark.; effective 6-29-63 to 6-28-64 (men's and boys' single pants).

Siceloff Manufacturing Co., Inc., East Second Avenue, Lexington, N.C.; effective 6-27-63 to 6-26-64 (men's and boys' single pants, work shirts, and overalls).

Stein-Way Clothing Co., Inc., 711 West Walnut Street, Johnson City, Tenn.; effective 6-28-63 to 6-27-64 (men's trousers and shorts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Globe Manufacturing Co., Inc., Lyons, Ga.; effective 6-27-63 to 6-26-64; 10 learners (men's and boys' zipper-type jackets).

Panther Valley Dress Co., Inc., 114 East Kline Avenue, Lansford, Pa.; effective 6-25-63 to 6-24-64; 5 learners (children's dresses).

Selden Manufacturing Corp., Route 25, Selden, N.Y.; effective 6-25-63 to 6-24-64; 10 learners (boys' sport shirts).

Semco, Inc., 830 Buncombe Street, Greenville, S.C.; effective 7-1-63 to 6-30-64; 10 learners (boys' sport shirts).

Theodora Industries, Inc., 23½ Page Avenue, Asheville, N.C.; effective 7-1-63 to 6-30-64; 10 learners (ladies' pajamas).

West Union Garment Co., Inc., West Union, W. Va.; effective 7-11-63 to 7-10-64; 10 learners (brassieres—sun halters).

Wilburton Manufacturing Co., Inc., Fourth and Orange Streets, Mt. Carmel, Pa.; effective 6-29-63 to 6-28-64; 10 learners (women's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Covco Garment Co., Corner Iris Drive and Covco Street, Sparta, Tenn.; effective 6-27-63 to 12-26-63; 30 learners (men's cotton coveralls and shop coats).

Manchester Industries, Inc., Manchester, Tenn.; effective 6-26-63 to 12-25-63; 150 learners (men's and boys' sport shirts).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

North Star Glove Co., 2317 Pacific Avenue, Tacoma 2, Wash.; effective 7-1-63 to 6-30-64; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Auburn Hosiery Mills, Inc., No. 2, Adairville, Ky.; effective 6-26-63 to 6-25-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's seamless nylon hosiery).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

The Arrow Co., Division of Cluett, Peabody and Co., Inc., Eveleth, Minn.; effective 7-2-63 to 1-1-64; 20 learners for plant expansion purposes (men's underwear).

Claxton Mfg. Co., Inc., Claxton, Ga.; effective 6-28-63 to 6-27-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's underwear).

Claxton Manufacturing Co., Inc., Claxton, Ga.; effective 6-28-63 to 12-27-63; 15 learners for plant expansion purposes (ladies' and children's underwear).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced work-

ers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 5th day of July 1963.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 63-7343; Filed, July 11, 1963;
8:52 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 9, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38417: *Gravel from Riverton, Ind., to Dalton City, Ill.* Filed by Illinois Freight Association, agent (No. 208), for and on behalf of Illinois Central Railroad Company. Rates on gravel, as described in the application, in carloads, from Riverton, Ind., to Dalton City, Ill. Grounds for relief: Motortruck competition.

Tariff: Supplement 103 to Illinois Central Railroad Company tariff I.C.C. A-11687.

FSA No. 38418: *Common Salt from Ojibway and Sarnia, Ont., Canada.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2678), for interested rail carriers. Rates on common salt (sodium chloride), as described in the application, in carloads, from Ojibway and Sarnia, Ont., Canada, to points in Illinois Freight Association, western trunkline and extended zone C territories.

Grounds for relief: Market competition.

Tariffs: Supplements 53 and 40 to Traffic Executive Association—Eastern Railroads, agent, tariffs I.C.C. C-290 and C-301, respectively.

FSA No. 38419: *Freight, All Kinds, From Monroe, La.* Filed by Southwestern Freight Bureau, agent (No. B-8415), for interested rail carriers. Rates on freight, all kinds, less-than-carload, including only articles rated higher than class 70, and applicable only as proportional rates on traffic as described in the application, from Monroe, La., to points in Texas on the lines of the Mo. Pac. and T&P railroads.

Grounds for relief: Motortruck competition.

No. 135—12

Tariff: Supplement 30 to Southwestern Freight Bureau, agent, tariff I.C.C. 4387.

FSA No. 38420: *Tin or Terne Plate to Paris, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8414), for interested rail carriers. Rates on tin or terne plate, as described in the application, in carloads, from points in Alabama, Illinois, Indiana and Missouri, to Paris, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 25 to Southwestern Freight Bureau, agent, tariff I.C.C. 4503.

FSA No. 38421: *Clay, Kaolin or Pyrophyllite to WTL Territory Points.* Filed by O. W. South, Jr., agent (No. A4344), for interested rail carriers. Rates on clay, kaolin or pyrophyllite, as described in the application, in carloads, from points in Alabama, Florida, Georgia, North Carolina and South Carolina, to points in western trunkline territory.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 139 to Southern Freight Association, agent, tariff I.C.C. S-40.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7335; Filed, July 11, 1963;
8:50 a.m.]

[Drouth Order 63]

MISSISSIPPI

Authorizing Railroads To Transport Hay and Livestock Feed to Disaster Area at Reduced Rates

It appearing, that by reason of drouth conditions existing in certain portions of the State of Mississippi, hereinafter referred to as the disaster area, the Secretary of the United States Department of Agriculture has requested the Commission to enter an order under section 22 of the Interstate Commerce Act authorizing railroads subject to the Commission's jurisdiction to transport hay and livestock feed to the disaster area at reduced rates:

It is ordered, That carriers by railroad participating in the transportation of hay and livestock feed to thirty-four (34) counties named in the appendix below, referred to herein as the disaster area, be, and they are hereby, authorized under section 22 of the Interstate Commerce Act to establish and maintain until December 31, 1963, reduced rates for such transportation, the rates to be published and filed in the manner prescribed in section 6 of the Interstate Commerce Act except that they may be effective one day after publication and filing instead of thirty.

It is further ordered, That the class of persons entitled to such reduced rates is hereby defined as persons designated as being in distress and in need of relief by the United States Department of Agriculture or by such State agents or agencies as may in turn be designated by the United States Department of Agri-

culture to assist in relieving the distress caused by the drouth.

It is further ordered, That, during the period in which any reduced rates authorized by this order are effective the carriers may, notwithstanding the provisions of section 4 of the Interstate Commerce Act, maintain higher rates to directly intermediate points and maintain through rates in excess of the aggregate of intermediate rates over the same routes if one or more of the factors of such aggregate of intermediate rates is a reduced rate established under the authority of this order.

It is further ordered, That any tariffs or tariff provisions published under the authority of this order shall explicitly so state, making reference to this order by number and date.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association—Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 8th day of July 1963.

By the Commission, Vice-Chairman Goff.

[SEAL] HAROLD D. MCCOY,
Secretary.

APPENDIX

Mississippi, 34 counties, viz.:

Adams.	Lauderdale.
Amite.	Lawrence.
Attala.	Madison.
Claiborne.	Marion.
Clarke.	Neshoba.
Clay.	Newton.
Covington.	Noxubee.
Forrest.	Perry.
Greene.	Pike.
Holmes.	Rankin.
Jackson.	Scott.
Jasper.	Simpson.
Jefferson.	Smith.
Jefferson Davis.	Walshall.
Jones.	Warren.
Kemper.	Wayne.
Lamar.	Winston.

[F.R. Doc. 63-7336; Filed, July 11, 1963;
8:50 a.m.]

[Notice 831]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 9, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 63692. By Supplemental order of July 5, 1963, the Transfer Board approved the transfer to Momsen Trucking Co., Highways 18 and 71 North, Spencer, Iowa of certificates in Nos. MC 111557 (Sub-No. 25), MC 111557 (Sub-No. 26), MC 111557 (Sub-No. 27), and MC 111557 (Sub-No. 28), issued May 17, 1962, August 30, 1962, June 21, 1962 and June 21, 1962, respectively, to Karl E. Momsen, doing business as Momsen Trucking Co., Highways 18 and 71 North, Spencer, Iowa, authorizing the transportation of: Hides, from points as specified in Iowa, South Dakota, Nebraska, Minnesota, Wisconsin and Illinois, to Milwaukee, Fond du Lac, Racine, and Sheboygan, Wis., Red Wing Minn., and Chicago, Elgin, and Waukegan, Ill.; general commodities, excluding household goods, commodities in bulk, and other specified commodities, serving Portage, Ind., as an off-route point in connection with regular route operations to and from Chicago, Ill.; meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, from Fremont, Nebr., to Austin and Owa-

tonna, Minn.; and dry superphosphate, dry manufactured fertilizer compounds, and dry urea, from Omaha, Nebr., to points in Iowa, Minnesota, and South Dakota.

No. MC-FC 65885. By order of July 3, 1963, the Transfer Board approved the transfer to Edwin Peters, Goodland, Kansas, of Certificate in No. MC 37140, issued December 11, 1961 to Elmer Peters and Edwin Peters, a partnership, doing business as Peters Truck Line, Colby, Kansas, authorizing the transportation, over irregular routes, of emigrant movables, between points in Kansas within 50 miles of Colby, Kans., on the one hand, and, on the other, points in Colorado; farm machinery and farm implements and parts, between the above-specified Kansas points, on the one hand, and, on the other, points in that part of Colorado bounded by a line beginning at the Colorado-Nebraska State line and extending along U.S. Highway 6 to Brush, Colo., thence along Colorado Highway 71 to Last Chance, Colo., thence along U.S. Highway 36 to the Colorado-Kansas State line, and thence along the Colorado-Kansas and Colorado-Nebraska State lines to the point of beginning; and livestock, between Colby, Kans., and points within 50 miles thereof, on the one hand, and, on the other, Kansas City, Mo., that part of Colorado east of U.S. Highway 85, and that part of Nebraska south of U.S. Highway 6 and west of U.S. Highway 83, including points on the indicated portions of the highways specified. Edwin Peters, 522 Clark, Goodland, Kans., for applicants.

No. MC-FC 65910. By order of July 1, 1963, the Transfer Board approved the transfer to Wm. Dehlinger, Jr., doing business as Oil Field Trucking Service, Abilene, Tex., of certificate in No. MC 123237 (Sub-No. 1), issued March 21, 1962, to William Dehlinger, Jr., and Sherrod Smith, doing business as Oil Field Trucking Service of Wichita Falls, Abilene, Texas, authorizing the transportation of: Machinery, materials, supplies, and equipment incidental to, or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Oklahoma and Texas as specified. Dan M. Fergus, Southwest Savings and Loan Building, Abilene, Tex., attorney for applicants.

No. MC-FC 66050. By order of July 1, 1963, the Transfer Board approved the transfer to William Dykeman, doing business as St. Lawrence Wrecker Service, Beloit, Wisconsin, of corrected certificate in No. MC 114270, issued by the Commission October 27, 1961, to Harry A. Sieren, doing business as St. Lawrence Wrecker Service, Beloit, Wis., authorizing the transportation, over irregular routes, of wrecked or disabled automobiles, between Beloit, Wis., on the one hand, and, on the other, points in 22 specified counties in Illinois. David Y. Collins, 405 East Grand Avenue, Beloit, Wis., attorney for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.[F.R. Doc. 63-7337; Filed July 11, 1963;
8:50 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

	Page		Page		Page
1 CFR		7 CFR		7 CFR—Continued	
CFR Checklist.....	6771	7.....	7067	PROPOSED RULES—Continued	
3 CFR		42.....	6939	1001.....	7036
PROCLAMATIONS:		46.....	7067	1002.....	7036
2416.....	6874	61.....	6870	1004.....	7036
3543.....	7065	201.....	6870	1006.....	7036
EXECUTIVE ORDERS:		401.....	6821	1007.....	7036
July 2, 1910.....	7035	730.....	6907	1010.....	7036
Jan. 24, 1914.....	6877	775.....	6907	1014.....	7036
Mar. 21, 1914.....	6876, 6877	846.....	6821	1015.....	7036
June 24, 1914.....	6877	908.....	6907	1030.....	7036
Oct. 23, 1914.....	6877	910.....	6771, 6908, 6958	1031.....	7036
Sept. 30, 1916.....	7095	911.....	6771		
July 10, 1919.....	6876	915.....	6871	9 CFR	
Jan. 26, 1920.....	6876	916.....	7119	74.....	6968
Dec. 4, 1925.....	6876	917.....	6772-6774, 6958	78.....	6781
Apr. 17, 1926.....	6877	948.....	7119	PROPOSED RULES:	
Feb. 16, 1929.....	6877	990.....	6908	131.....	6880
Mar. 7, 1929.....	6877	1001-1004.....	6821		
Oct. 5, 1934.....	6876	1014-1016.....	6821	10 CFR	
4491.....	6876	1421.....	6909, 6959	1.....	6871, 6909
7691.....	6874	1427.....	6775	9.....	6822
8009.....	6877	1483.....	7120	20.....	6822
11115.....	6905	PROPOSED RULES:		140.....	7077
5 CFR		52.....	6835		
6.....	6771, 6821, 6907, 6967, 6968, 7029	730.....	6880	13 CFR	
24.....	6870	946.....	7099	121.....	6823
36.....	7119	948.....	7099	122.....	6823, 7124
		987.....	7099	123.....	7078
				305.....	7029

	Page		Page		Page
14 CFR		24 CFR		42 CFR	
42.....	7124, 7158	203.....	6831	53.....	6784
42a.....	7158	207.....	6831		
45.....	7158	220.....	6832	43 CFR	
71 [New].....	6872,	221.....	6832	192.....	6833
6828, 6872, 6873, 6910-6914, 6968,		233.....	6832	PUBLIC LAND ORDERS:	
6969, 7029, 7030, 7158.		803.....	6832	1125.....	7035
73 [New].....	6829, 6969	25 CFR		1710.....	6875
75 [New].....	6873, 7030	88.....	7183	2434.....	6875
99.....	7159	91.....	6832	3109.....	6874
301.....	6829	26 CFR		3110.....	6874
302.....	6829	1.....	6972, 7093	3111.....	6875
507.....	6782, 6830, 6914	PROPOSED RULES:		3112.....	6875
609.....	7159, 7167, 7176	1.....	6787, 7097	3113.....	6875
PROPOSED RULES:		48.....	6989	3114.....	6876
71 [New].....	6790,	29 CFR		3115.....	6876
6880, 6882, 6883, 6918, 7100		PROPOSED RULES:		3116.....	6876
75 [New].....	7101	526.....	6885	3117.....	6877
288.....	7099	541.....	7002	3118.....	6877
297.....	6789	31 CFR		3119.....	6878
507.....	6790, 6883, 6992	500.....	6973	3120.....	7035
514.....	6884	515.....	6974	3121.....	7035
16 CFR		32 CFR		3122.....	7035
1.....	7080	766.....	6874	3123.....	7035
2.....	7085	890.....	6916	3124.....	7095
3.....	7086	32A CFR		44 CFR	
4.....	7092	BDSA (Ch. VI):		2.....	6834
13.....	6830, 7030-7032, 7182	BDSA Reg. 2, Dir. 9.....	6833	45 CFR	
17 CFR		33 CFR		401.....	7187
200.....	6970	82.....	6916	403.....	7187
19 CFR		203.....	7033	404.....	7187
8.....	6784	36 CFR		47 CFR	
9.....	6784	251.....	6833	0.....	6785
16.....	6784	PROPOSED RULES:		3.....	7187
20 CFR		6.....	7098	9.....	6786
404.....	7182	38 CFR		PROPOSED RULES:	
21 CFR		8.....	6985	2.....	6884
8.....	7183	41 CFR		3.....	6790, 6884, 6885
9.....	7183	1-1.....	6784	7.....	6884
25.....	6971	1-2.....	7033	8.....	6884
29.....	6914	5-53.....	7184	14.....	6884
36.....	6915	5A-1.....	6986	31.....	6885
121.....	6783, 6915, 6916, 6971, 7032, 7033	5B-1.....	7095	35.....	6885
146.....	6915	PROPOSED RULES:		49 CFR	
146a.....	6971	50-202.....	6989	1.....	7095
22 CFR		50 CFR		50 CFR	
202.....	6874	32.....	6834, 6879		





