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HIGHLIGHTS OF THIS ISSUE

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

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Title 4—ACCOUNTS

Chapter I—General Accounting Office

SUBCHAPTER A—GENERAL PROCEDURES

PART 20—INTERIM BID PROTEST PROCEDURES AND STANDARDS

Definitions and Effective Date

Some confusion has arisen as to the effective date of these interim bid protest procedures and standards as prescribed by § 20.12(b). Therefore, § 20.12(b) is revised to read as follows:

§ 20.12 Definitions and effective date.

* * * * *

(b) These interim bid protest procedures and standards will be applied to bid protests received by the General Accounting Office on or after February 7, 1972.

(Sec. 311, 42 Stat. 25, as amended, 31 U.S.C. 52. Interpret or apply sec. 305, 42 Stat. 24, 31 U.S.C. 71; sec. 204, 42 Stat. 24, as amended 31 U.S.C. 74)

[SEAL] ELMER B. STAATS,
Comptroller General of the United States.

[FR Doc.72-1060 Filed 1-24-72;8:48 am]

Title 7—AGRICULTURE

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

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 1]

PART 760—INDEMNITY PAYMENT PROGRAMS

Subpart—Beekeeper Indemnity Payment Program

PROVING LOSS OF BEES

The regulations governing the Beekeeper Indemnity Payment Program, 7 CFR Part 760, are amended to provide for the making of indemnity payments, at the lowest rate of payment under the program, to beekeepers who have lost bees prior to June 11, 1971, as a result of application of pesticides but who are unable to establish the extent of such loss.

This amendment reduces the requirements upon applicants for payments. Further, the final date for filing applications for indemnity payments for losses covered by this amendment is February 29, 1972. It is, therefore, determined to be unnecessary and impracticable to give notice of proposed rule making with respect to this amendment.

Section 760.105(a) is amended by adding at the end thereof the following sentence:

§ 760.105 Proving loss of bees.

(a) * * * If the beekeeper is unable to establish the extent of his loss (that is, whether his loss of bees resulted in his colonies being destroyed, severely damaged, or moderately damaged), the extent of his loss will, for the purposes of this subpart, be deemed to be moderate damage: *Provided,* That the beekeeper submits to the County Committee, together with whatever other documents are required by this subpart, a written statement signed by a disinterested person that he witnessed the beekeeper's loss of bees but could not assess the extent of such loss.

* * * * *

(Sec. 804, 84 Stat. 1382; 7 U.S.C. 135b note)

Effective date: Date of publication in the FEDERAL REGISTER (1-25-72).

Signed at Washington, D.C. on January 19, 1972.

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

[FR Doc.72-1055 Filed 1-24-72;8:48 am]

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

PART 900—GENERAL REGULATIONS

Conduct of Hearing

By virtue of the authority vested in the Secretary of Agriculture by Public Act No. 10, 73d Congress, as amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and by Executive Order No. 10199, December 22, 1950 (15 F.R. 9217), the General Regulations issued thereunder, are hereby further amended as follows:

1. Delete § 900.8(c)(1) and insert in lieu thereof the following:

§ 900.8 Conduct of the hearing.

* * * * *

(c) *Order of procedure.* (1) The presiding officer shall, at the opening of the hearing prior to the taking of testimony, have noted as part of the record the notice of hearing as filed with the Office of the Federal Register and the affidavit or certificate of the giving of notice or the determination provided for in § 900.4(c).

* * * * *

Done at Washington, D.C., this 20th day of January 1972. To be effective upon publication in the FEDERAL REGISTER (1-25-72).

EARL L. BUTZ,
Secretary.

[FR Doc.72-1076 Filed 1-24-72;8:49 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[1971 Crop Tung Oil Warehouse-Stored Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

1971 Crop Tung Oil Warehouse-Stored Loan Program

On page 19170 of the FEDERAL REGISTER of September 30, 1971, there was published a notice of proposed rule making relating to the support program for the 1971 crop of tung nuts. Interested persons were given 30 days in which to submit written data, views, and recommendations pertaining to the level of support, the method of support, conditions of eligibility, area and period of the program, and other program provisions. No comments have been received.

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) and any amendments thereto and the 1970 and Subsequent Crop Tung Oil Warehouse-Stored Loan Program Regulations (35 F.R. 19499) and any amendments to such regulations are supplemented by revising §§ 1421.450–1421.453, effective as to the 1971 crop of tung oil. The material previously appearing in these sections remains in full force and effect as to the crop to which it was applicable. The revised sections read as follows:

§ 1421.450 Availability.

(a) *Area.* The program will be available in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas.

(b) *Period.* Loans will be available from November 1, 1971, through September 30, 1972.

§ 1421.451 Service fees and delivery charges.

Producers shall pay a loan service fee as provided in § 1421.11(a) of the general regulations, and instead of the delivery charge specified in § 1421.11(b) of the general regulations, a delivery charge of 6 cents per hundredweight for the quantity of tung oil tendered to CCC for loan which is not redeemed by October 31, 1972. Such fee and charge will be deducted from loan proceeds, but the charge applicable to the quantity of oil redeemed will be credited to the producer's account.

§ 1421.452 Support rate.

Loans on eligible tung oil produced from 1971-crop tung nuts shall be made at the rate of 27.2 cents per pound.

§ 1421.453 Maturity of loans.

Loans will mature on demand but not later than October 31, 1972.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714(b). Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, as amended, 1054; 15 U.S.C. 714(c); 7 U.S.C. 1446, 1421)

Effective date: Upon publication in the FEDERAL REGISTER (1–25–72).

Signed at Washington, D.C., on January 18, 1972.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.72–1056 Filed 1–24–72;8:48 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. K]

PART 211—CORPORATIONS ENGAGED IN FOREIGN BANKING AND FINANCING UNDER THE FEDERAL RESERVE ACT

Acceptances

Correction

In F.R. Doc. 72–726 appearing at page 776 of the issue for Wednesday, January 19, 1972, the following phrase should be inserted after the words "extend to" in the 12th line of § 211.107(b): "any purchaser of exports or imports unsecured acceptance credits in".

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 72–78]

PART 545—OPERATIONS

Real Estate Loans

JANUARY 18, 1972.

Resolved that, notice and public procedure having been duly afforded (36 F.R. 20311) and all revelant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration, determines to amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) for the purpose of increasing the maximum loan-to-value ratio from 75 to 80 percent and the maximum loan term from 25 to 30 years for loans by Federal savings and loan associations which are secured by "other dwelling units." Accordingly, the Federal Home Loan Bank Board hereby amends said Part 545 by revising subparagraph (1) of § 545.6–1(b) to read as follows, effective January 25, 1972:

§ 545.6–1 Lending powers under sections 13 and 14 of Charter K.

* * * * *

(b) *Other dwelling units; combination of dwelling units, including homes, and business property involving only minor or incidental business use*—(1) *Monthly installment loans.* Subject to the limitations of § 545.6–7, installment loans may be made on other dwelling units or combinations of dwelling units, including homes, and business property involving only minor or incidental business use for an amount not in excess of 50 percent (or if authorized by the members of such an association, not in excess of 80 percent) of the value thereof, repayable monthly within 30 years, or, if an insured or guaranteed loan, not in excess of the maximum percentage of value acceptable to the insuring or guaranteeing agency and repayable within the period acceptable to such agency. Such installment loan may be combined into a single loan with a loan for the purpose of construction which meets the requirements of subparagraph (3) (ii) of this paragraph, and the term of the monthly installment loan shall be considered to begin at the end of the term allowed for construction.

* * * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–48 Comp., p. 1071)

Resolved further that, since the above amendment relieves restriction, publication of the amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of the amendment is unnecessary; and the Board hereby provides that the amendment shall become effective as hereinbefore set forth.

Resolved further that the Board, in adopting the above amendment which was only a part of the published regulatory proposal (36 F.R. 20311), determined to defer final consideration of other parts of said published proposal pending further staff report on comments received.

By the Federal Home Loan Bank Board.

[SEAL] EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc.72–1071 Filed 1–24–72;8:49 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72–30]

PART 6—AIR COMMERCE REGULATIONS

Put-in-Bay Airport, Ohio; Revocation of International Airport Status

Notice of the proposed revocation of Put-in-Bay Airport at Put-in-Bay, Ohio, as an international airport was published in the FEDERAL REGISTER on October 8, 1971 (36 F.R. 19598), and the submission of written data, views and comments was invited. No objections to the proposal were received.

Therefore, under the authority of section 1109(b) of the Federal Aviation Act of 1958 as amended (49 U.S.C. 1509(b)), the designation of Put-in-Bay Airport as an international airport (airport of entry) for civil aircraft and for merchandise carried thereon arriving from places outside the United States is hereby revoked effective 30 days after publication of this decision in the FEDERAL REGISTER.

The list of international airports in § 6.13 of the Customs Regulations is amended by deleting from the columns headed "Location" and "Name" Put-in-Bay, Ohio, and Put-in-Bay Airport respectively.

(80 Stat. 379, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 1624)

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: January 4, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary
of the Treasury.

[FR Doc.72–1072 Filed 1–24–72;8:49 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

Penicillin and Cephalosporin Preparations: Sterility Testing

No adverse comments were received in response to the notice published in the FEDERAL REGISTER of August 20, 1971 (36 F.R. 16195), proposing that § 141.2 be revised to make the membrane filtration sterility test more sensitive for penicillin and cephalosporin preparations by the addition of concentrated penicillinase to the diluting fluid used to wash the membrane. Accordingly, the Commissioner of Food and Drugs concludes that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), § 141.2(e)(1)(ii) is revised to read as follows:

§ 141.2 Sterility test methods and procedures.

* * * * *

(e) * * *

(1) * * *

(ii) *Test procedure.* Aseptically filter the sollution through a bacteriological membrane filter. All air entering the

filtering system is filtered through air filters capable of removing microorganisms. Filter three 100-milliliter quantities of diluting fluid A through the membrane. For the penicillin and cephalosporin classes of antibiotics, add sufficient penicillinase to diluting fluid A to inactivate the residual antibiotic activity on the membrane after filtration. By means of a sterile circular blade, paper punch, or any other suitable sterile device, cut a circular portion (approximately 17.5 millimeters in diameter) from the center of the filtering area. Transfer the cut center area to a sterile 38 by 200 millimeter (outside dimensions) test tube containing 90±10 milliliters of sterile medium A. Incubate the tube for 7 days at 30°–32° C. Using sterile forceps, transfer the remaining outer portion of the membrane into a second similar tube containing 90±10 milliliters of medium E. Incubate the second tube for 7 days at 22°–25° C.

* * * * *

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

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: January 17, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-1034 Filed 1-24-72;8:46 am]

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 149a—DICLOXACILLIN

Recodification

Effective 30 days after publication in the FEDERAL REGISTER, Part 141 is editorially amended as it applies to sodium dicloxacillin and Part 149a is republished as follows to incorporate editorial and nonrestrictive technical changes. This order revokes all prior publications of Part 149a.

1. In Part 141, § 141.5(b) is amended in the "antibiotic drug" column by revising the item "Sodium dicloxacillin" to read "Sodium dicloxacillin monohydrate."

2. Part 149a is republished as follows:

Sec.
149a.1 Nonsterile sodium dicloxacillin monohydrate.
149a.2–149a.10 [Reserved]
149a.11 Sodium dicloxacillin monohydrate capsules.
149a.12 Sodium dicloxacillin monohydrate for oral suspension.

AUTHORITY: The provisions of this Part 149a issued under sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.

§ 149a.1 Nonsterile sodium dicloxacillin monohydrate.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Nonsterile sodium dicloxacillin monohydrate is the monohydrated sodium salt of 5-methyl-3-(2, 6-dichlorophenyl)-4-isoxazolyl penicillin. It is so purified and dried that:

(i) Its potency is not less than 850 micrograms of dicloxacillin per milligram.

(ii) It passes the safety test.

(iii) Its moisture content is not less than 3 percent nor more than 5 percent.

(iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 4.5 nor more than 7.5.

(v) Its organic chlorine content is not less than 13.0 percent nor more than 14.2 percent.

(vi) Its free chloride content is not more than 0.5 percent.

(vii) It is crystalline.

(viii) It gives a positive identity test for sodium dicloxacillin monohydrate.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, organic chlorine content, free chloride content, crystallinity, and identity.

(ii) Samples required: 10 containers, each containing not less than 500 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Use any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay, as follows: Dissolve an accurately weighed portion of the sample in sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with solution 1 to the reference concentration of 5 micrograms of dicloxacillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Moisture content.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Organic chlorine content—*(i) *Reagents.* (*a*) *o*-chlorobenzoic acid of known purity.

(*b*) 0.01*N* Silver nitrate solution. Store in brown glass reagent bottle. Standardize against an accurately weighed sample of 20 to 25 milligrams of *o*-chlorobenzoic acid using the procedure described in subdivision (ii) of this subparagraph.

$$\text{Normality } (N) = \frac{\text{Percent purity of the } o\text{-chlorobenzoic acid} \times \text{milligrams of } o\text{-chlorobenzoic acid}}{15{,}657 \times \text{milliliters of silver nitrate consumed}}$$

(*c*) 0.1*N* Sodium hydroxide solution.

(*d*) 1:1 Nitric acid solution: Mix 1 volume of concentrated nitric acid with 1 volume of distilled water.

(ii) *Total chlorine.* (Caution—The analyst should wear safety glasses and use a suitable shield between himself and the apparatus. The glassware must be scrupulously clean.) Accurately weigh 20 to 25 milligrams of the sample and place it on the center of a piece of halide-free filter paper measuring about 4 centimeters square (this is specially cut paper with a fuse strip attached to the area that holds the sample), and fold the paper to enclose it. Place 10 milliliters of 0.1*N* sodium hydroxide into an oxygen combustion flask (Schoniger flask), and flush the air from the flask with a stream of rapidly flowing oxygen. Place the sample into the platinum sample holder and ignite the fuse strip by suitable means. If the strip is ignited outside the flask, immediately plunge the stopper into the flask, invert so that the sodium hydroxide solution makes a seal around the stopper, and hold the stopper firmly in place. If the ignition is carried out in a closed system, the inversion of the flask may be omitted. After combustion is completed, shake the flask vigorously, add a small amount of distilled water to the collar to insure an air tight seal, and allow to stand for not less than 10 minutes with intermittent shaking. Transfer to a suitable titration vessel, heat on a steam bath for 20 to 30 minutes, cool to room temperature, add 5 milliliters of nitric acid solution, and titrate potentiometrically with 0.01*N* silver nitrate, using one silver electrode and one silver/silver chloride electrode.

$$\text{Percent total chlorine} = \frac{N \times \text{milliliters of silver nitrate} \times 3545.7}{\text{Milligrams of sample}}$$

(iii) *Free chloride.* Accurately weigh 100 to 150 milligrams of sample directly into a titration flask, dissolve in 10 milliliters of 0.1*N* sodium hydroxide, and add about 20 milliliters of distilled water, Heat this solution on the steam bath 20 to 30 minutes. Cool to room temperature, add 5 milliliters of 1:1 nitric acid solution and titrate potentiometrically with 0.01*N* silver nitrate using one silver electrode and one silver/silver chloride electrode.

$$\text{Percent free chloride} = \frac{N \times \text{milliliters of silver nitrate} \times 3545.7}{\text{Milligrams of sample}}$$

(iv) *Organic chlorine.* Percent organic chlorine=Percent total chlorine—percent free chloride.

(6) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(7) *Identity.* Proceed as directed in § 141.521 of this chapter, using the 1 percent potassium bromide disc described in paragraph (b)(1) of that section.

§ 149a.11 Sodium dicloxacillin monohydrate capsules.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Sodium dicloxacillin monohydrate capsules are composed of sodium dicloxacillin monohydrate and one or more suitable diluents and lubricants. Each capsule contains sodium dicloxacillin monohydrate equivalent to 62.5, 125, 250, or 500 milligrams of dicloxacillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of dicloxacillin that it is represented to contain. The moisture content is not more than 5 percent. The sodium dicloxacillin monohydrate conforms to the requirements of § 149a.1(a)(1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The sodium dicloxacillin monohydrate used in making the batch for potency, safety, moisture, pH, organic chlorine content, free chloride content, crystallinity, and identity.

(*b*) The batch for potency and moisture.

(ii) Samples required:

(*a*) The sodium dicloxacillin monohydrate used in making the batch: 10 containers, each containing not less than 500 milligrams.

(*b*) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay—(1) Potency—(i) Sample preparation.* Place a representative number of capsules into a high-speed glass blender jar containing sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 1 to the reference concentration of 5.0 micrograms of dicloxacillin per milliliter (estimated) for the microbiological agar diffusion assay and to the prescribed concentration for the iodometric assay.

(ii) *Assay procedure.* Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(*a*) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter.

(*b*) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

§ 149a.12 Sodium dicloxacillin monohydrate for oral suspension.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Sodium dicloxacillin monohydrate for oral suspension is a mixture of sodium dicloxacillin monohydrate with one or more suitable colorings, flavorings, buffer substances, and preservatives. When reconstituted as directed in the labeling, it contains the equivalent of 12.5 or 25 milligrams of dicloxacillin per milliliter. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of dicloxacillin that it is represented to contain. Its moisture content is not more than 2 percent. The pH of the suspension, when reconstituted as directed in the labeling, is not less than 4.5 nor more than 7.5. The sodium dicloxacillin monohydrate used conforms to the requirements of § 149a.1(a)(1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assay on:

(*a*) The sodium dicloxacillin monohydrate used in making the batch for potency, safety, moisture, pH, organic chlorine content, free chloride content, crystallinity, and identity.

(*b*) The batch for potency, moisture, and pH.

(ii) Samples required:

(*a*) The sodium dicloxacillin monohydrate used in making the batch: 10 containers, each containing not less than 500 milligrams.

(*b*) The batch: A minimum of 6 immediate containers.

(b) *Tests and methods of assay—(1) Potency—(i) Sample preparation.* Reconstitute the sample as directed in the labeling. Place an accurately measured aliquot of the sample containing an estimated 125 milligrams of dicloxacillin into a 100-milliliter volumetric flask. Add 20 milliliters of dimethylformamide and shake mechanically for 30 minutes. Dilute to volume with 1 percent potassium phosphate buffer, pH 6.0 (solution 1). The addition of dimethylformamide may be omitted if complete solution can be obtained with solution 1. Further dilute an aliquot with sufficient solution 1 to the reference concentration of 5.0 micrograms of dicloxacillin per milliliter (estimated) for the microbiological agar diffusion assay and to the prescribed concentration for the iodometric assay.

(ii) *Assay procedure.* Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(*a*) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter.

(*b*) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: January 17, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-1033 Filed 1-24-72;8:46 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

Glen Elder Dam and Waconda Lake, Solomon River, Mitchell County, Kans.

Pursuant to the provisions of sections 7 and 9 of the act of Congress approved December 22, 1944 (58 Stat. 890, 891; 33 U.S.C. 709) the following regulations are hereby prescribed to govern the use of storage capacity allocated for flood-control purposes in Waconda Lake by the operation of Glen Elder Dam on the Solomon River, in Mitchell County, Kans.

§ 208.51 Glen Elder Dam and Waconda Lake, Solomon River, Mitchell County, Kans.

The Bureau of Reclamation, Department of the Interior, represented by the Project Manager in charge of the locality, hereinafter referred to as the Project Manager, shall regulate Glen Elder Dam and Waconda Lake in the interest of flood control in accordance with instructions furnished by the Department of the Army, represented by the District Engineer in charge of the locality, hereinafter referred to as the District Engineer, as follows:

(a) The exclusive flood-control storage space between elevations 1455.6 and 1488.3 shall be regulated for flood control on the Solomon and Smoky Hill Rivers. Any water temporarily stored in this space shall be released as rapidly as practicable. The objectives of the flood-control operation are to limit, insofar as practicable, the flow in the Solomon River to 7,500 cubic feet per second and/or a stage of 25 feet at Beloit, Kans., and the flow in the Smoky Hill River to 25,000 cubic feet per second and/or a stage of 25.5 feet at Junction City, Kans. The exclusive flood-control storage space in Waconda Lake includes exchange capacity which allows reallocation of flood-control storage from Kirwin and Webster Reservoirs to provide space for sediment accumulation in those reservoirs.

(b) The flood-control operation will be coordinated with other projects in the Solomon and Smoky Hill River basins and releases will be modified as necessary to satisfy the above stated conditions for flood control.

(c) The discharge characteristics of the outlet works and the gated spillway (combined capacity of 210,170 cubic feet per second with reservoir level at elevation 1488.3) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. DC–6147), as modified by the "as-built" drawings.

(d) Proposed schedules of conservation releases and storage changes, if available, and current operating data shall be provided to the District Engineer by the Project Manager. Operating data shall be tabulated daily and furnished periodically as required and shall include such items as: Reservoir elevation, reservoir storage, inflow, discharge, and other pertinent available hydrologic data.

(e) Oral instructions issued by the District Engineer to the Project Engineer and the Maintenance Superintendent for flood-control regulation shall be confirmed in writing under date of the day issued.

(f) Flood-control operations shall not restrict release necessary for conservation purposes.

(g) Nothing in the regulations of this section shall be construed to require that releases shall be made at rates or in a manner inconsistent with requirements protecting the dam and reservoir from major damage.

(h) All elevations stated in this section are at the Glen Elder Dam and are referred to the datum in use at that location.

[Regs., Dec. 22, 1971, DAEN–CWE–Y] (sections 7 and 9, 58 Stat. 890, 891; 33 U.S.C. 709)

For the Adjutant General.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.72–1026 Filed 1–24–72;8:45 am]

Title 49—TRANSPORTATION

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket No. 69–18; Notice 8]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Lamps, Reflective Devices, and Associated Equipment

This notice amends 49 CFR 571.108 and 571.108a, Motor Vehicle Safety Standard No. 108 and No. 108a, *Lamps, Reflective Devices, and Associated Equipment*, to permit off-center spacing of identification lamps on vehicles 80 inches or more in overall width.

Utility Trailer Manufacturing Co., has petitioned for the reinstatement of former requirements for the location of identification lamps. Before January 1, 1972, the three-lamp cluster was required to be mounted "as close as practicable to the vertical centerline." On vehicles manufactured on or after that date, the three identification lamps must be mounted "one on the vertical centerline, and one on each side of the vertical centerline." A type of trailer manufactured by Utility mounts a lock on the centerline of the trailer with the lock socket at the rear header. Typically the header is shallow and does not allow room to mount the gasket seal, the center lock socket, and an identification lamp all "on the vertical centerline." Extensive retooling is necessary for compliance, and apparently would cause hardship to Utility and other manufacturers of this type of trailer. The Administration believes that permitting the lamp cluster to be mounted slightly off center would not compromise motor vehicle safety, and accordingly is returning to the original mounting requirement for all vehicles required to have identification lamps.

In consideration of the foregoing, the specifications for "Identification Lamps" in Table II, Location of Required Equipment, 49 CFR 571.108, and 571.108a, are revised to read as follows:

TABLE II—LOCATION OF REQUIRED EQUIPMENT

MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, TRAILERS, AND BUSES, OF 80 OR MORE INCHES OVERALL WIDTH

Item	Multipurpose passenger vehicles, trucks, and buses	Trailers	* * *
Column 1	Column 2	Column 3	* * *
* * *	* * *	* * *	* * *
Identification lamps.	On the front and rear—3 lamps, amber in front, red in rear, as close as practicable to the top of the vehicle, at the same height, as close as practicable to the vertical centerline, with lamp centers spaced not less than 6 inches or more than 12 inches apart.	On the rear—3 lamps as close as practicable to the top of the vehicle at the same height, as close as practicable to the vertical centerline, with lamp centers spaced not less than 6 inches or more than 12 inches apart.	* * *
* * *	* * *	* * *	* * *

Effective date: January 25, 1972. Because the amendments create no additional burden or obligation, the Administrator finds for good cause shown that an immediate effective date is in the public interest.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1407; delegation of authority from the Secretary of Transportation to the National Highway Traffic Safety Administrator, 49 CFR 1.51)

Issued on January 19, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72–1064 Filed 1–24–72;8:48 am]

[Docket No. 69–18; Notice 6]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Lamps, Reflective Devices, and Associated Equipment; Correction

In F.R. Doc. 71–18901 appearing at pages 25013–14 in the issue of Tuesday, December 28, 1971, the references to "S4.3.8" and "S4.3.7" in the amendments to paragraph S4.3.1 of Standard No. 108 (§ 571.108) and Standard No. 108a (§ 571.108a) are changed to read "S4.3.1.8" and "S4.3.1.7."

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1407; delegation of authority from the Secretary of Transportation to the National Highway Traffic Safety Administrator, 49 CFR 1.51)

Issued on January 19, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72–1063 Filed 1–24–72;8:48 am]

Chapter X—Interstate Commerce Commission

SUBCHAPTER D—TARIFFS AND SCHEDULES

[Ex Parte No. 280]

PART 1311—SPECIAL PROCEDURES FOR TARIFF FILINGS UNDER THE WAGE AND PRICE STABILIZATION PROGRAM

At a general session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 19th day of January 1972.

The Interstate Commerce Commission, by order approved November 19, 1971, having adopted rules and regulations prescribing special procedures for tariff filings under the wage and price stabilization program, which rules and regulations require revision to conform to, and to implement, § 300.16 of the regulations of the Price Commission, as revised January 12, 1972, 37 F.R. 652, January 14, 1972, and good cause appearing therefor:

It is ordered, That Part 1311 is revised to read as follows:

Sec.
1311.0 General provisions; applicability; definitions.
1311.1 Procedures governing the filing of schedules by or on behalf of a reporting carrier.
1311.2 Procedures governing the filing of schedules by or on behalf of all other carriers.
1311.3 Certification by the Interstate Commerce Commission.

AUTHORITY: The provisions of this Part 1311 issued under secs. 6(6), 217(a), 218(a), 306(b), 306(c), and 405(b) of the Interstate Commerce Act, 49 U.S.C. 6(6), 317(a), 318(a), 906(b), 906(c), and 1005(b), and the Economic Stabilization Act of 1970, as amended, Public Law 91–379, 84 Stat. 799; Public Law 91–558, 84 Stat. 1468; Public Law 92–8, 85 Stat. 13; Public Law 92–15, 85 Stat. 38; Public

Law 92-210, 85 Stat. 743; Executive Order No. 11627, 36 F.R. 20139, Oct. 16, 1971; and § 300.16 of the regulations of the Price Commission, 37 F.R. 652, Jan. 14, 1972.

§ 1311.0 General provisions; applicability; definitions.

(a) These rules and regulations are promulgated in furtherance of the wage and price stabilization program, as announced by Executive Order No. 11627, and in implementation of § 300.16 of the regulations of the Price Commission, as revised.

(b) These rules and regulations shall be binding upon all carriers subject to Parts I, II, III, or IV of the Interstate Commerce Act, shall be effective at 12:01 a.m. on the day following their publication in the FEDERAL REGISTER, and shall remain in effect until further order of the Commission.

(c) For purposes of this part a "reporting carrier" shall be any carrier subject to Parts I, II, III, or IV of the Interstate Commerce Act which alone or together with any person controlling, controlled by or under common control with such carrier, has annual revenues of $100 million or more; and a "rate increase" shall include any increase in the rates, fares or charges of a carrier subject to Parts I, II, III, or IV of the Interstate Commerce Act including any increase for transportation or other services not subject to the jurisdiction of the Interstate Commerce Commission.

§ 1311.1 Procedures governing the filing of schedules by or on behalf of a reporting carrier.

(a) A reporting carrier proposing a rate increase before April 18, 1972, which would increase its aggregate annual revenues by more than one percent, or any rate increase thereafter, shall publish such increase to become effective on no less than 30 days' notice.

(b) A reporting carrier proposing such a rate increase at the time of its filing with the Interstate Commerce Commission, shall submit sufficient evidence under certification by its chief executive officer which will enable the Commission to determine:

(1) The former or existing rate, the new or proposed rate and the percentage increase;

(2) The dollar amount of increased revenue which the increase is expected to provide;

(3) The amount by which the increase will increase the carrier's profits as a percentage of its total revenue;

(4) The amount by which the increase will increase the carrier's overall rate of return on capital;

(5) That the increase, in whole or in part, is cost-based and does not reflect future inflationary expectations;

(6) That the increase, in whole or in part, is the minimum required to assure continued, adequate and safe service or to provide for necessary expansion to meet future requirements; and

(7) That the increase, in whole or in part, will achieve the minimum rate of return or profit margin needed to attract capital at reasonable costs and not impair the credit of the carrier.

(c) A reporting carrier, to the extent authorized by law, may participate with other carriers parties to a rate bureau, conference or similar organization to propose a rate increase, in which event the rate bureau, conference or similar organization may submit the evidence required by the preceding subsection based upon cost or other data compiled on the basis of membership or industry averages.

§ 1311.2 Procedures governing the filing of schedules by or on behalf of all other carriers.

All other carriers proposing a rate increase shall file their tariffs or schedules as otherwise provided in this subchapter.

§ 1311.3 Certification by the Interstate Commerce Commission.

(a) Anytime after a rate increase is proposed by a reporting carrier or by a rate bureau, conference or similar organization but before the rate increase is published to become effective, by operation of law or subject to an accounting and refunding order, the Commission, upon written request, shall furnish a certification that the rate increase does or does not meet the criteria of § 1311.1 (b) or meets them only to a particular extent, with the reasons therefor, or shall inform the Price Commission that the furnishing of such a certification is not feasible for want of sufficient information or otherwise.

(b) The Commission shall provide a certification for any rate increase approved by it that the rate increase, to the extent approved by the Commission, meets the criteria of § 1311.1(b).

(c) Said certifications shall be by the Director of the Bureau of Traffic, Board of Suspension, Review Boards, Division 2 or the Commission, as may be appropriate.

(d) The Commission will not advance the effective date of any rate increase proposed by or on behalf of a reporting carrier except with the approval of the Price Commission.

(e) Notwithstanding any actions of the Commission or the provisions of the Interstate Commerce Act or of the rules or regulations thereunder, the Price Commission may postpone the effective date of any rate increase by or on behalf of any carrier, suspend all or part of the increase or limit, refuse, rescind, reduce, or modify such increase, all as provided by § 300.16 of the regulations of the Price Commission (6 CFR 300.16).

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1083 Filed 1-24-72;8:50 am]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 530—RHODESIAN SANCTIONS REGULATIONS

Removal of Controls on Importation of Rhodesian Strategic and Critical Materials

A general license is being issued under the Rhodesian Sanctions Regulations authorizing imports of strategic and critical materials of Southern Rhodesian origin, and of ferrochrome produced from Rhodesian chromite. This license is issued in connection with the enactment of Title V, section 503, Public Law 92-156, 85 Stat. 427 (November 17, 1971). The license also authorizes transfers in payment for commodities the importation of which is licensed by the section, to the extent that such transfers do not exceed the amounts customarily paid on the world market for comparable commodities.

Part 530 is amended by adding a new section, reading as follows:

§ 530.518 Certain materials listed under Strategic and Critical Materials Stockpiling Act.

(a) Except as provided in paragraph (b) of this section, all transactions incidental to the importation into the United States of the following commodities are hereby authorized:

(1) Chromium: Ore and concentrates thereof of Southern Rhodesian origin—Schedule 6, Part 1, Item 601.15, Tariff Schedules of the United States (TSUS).

(2) Ferrochrome produced in any country from chromium ore or concentrates of Southern Rhodesian origin.

(3) Any other material of Southern Rhodesian origin determined to be strategic and critical pursuant to the provisions of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596; 50 U.S.C. 98-98h), so long as the importation of such material from any country or area listed in general headnote 3(e) of the Tariff Schedules of the United States (19 U.S.C. 1202(3)(e)) is not prohibited by any provision of law.

(b) This section does not authorize payment of the purchase price for a commodity imported under this section if such price exceeds the price per pound customarily paid at the time of purchase on the world market for that commodity in arms-length dealings between other buyers and sellers.

(c) (1) District Directors of Customs shall not accept or allow any entry with respect to merchandise imported under this section unless it is accompanied by a report containing the following information:

(i) Name and address of importer on record

(ii) Name and address of buyer
(iii) Name of commodity
(iv) Quantity entered (in pounds)
(v) Name and address of shipper
(vi) Name and address of seller
(vii) Port of exportation
(viii) Price per pound f.o.b. port of exportation
(ix) Details of payment (letter of credit, bank transfer, etc., including names of banks and identifying numbers for payment instruments).

(2) The district director shall promptly forward this report to the Office of Foreign Assets Control, Treasury Department, Washington, D.C. 20220. The district director shall also satisfy himself that the importer or his agent has mailed a duplicate copy of this report directly to the Office of Foreign Assets Control.

(3) In cases where more than one entry is made with respect to the same lot of merchandise (e.g., warehouse entry; in-transit entry; consumption entry) only one such report is required to be filed with respect to that lot.

[SEAL] STANLEY L. SOMMERFIELD,
Acting Director,
Office of Foreign Assets Control.

[FR Doc.72-1199 Filed 1-24-72;10:47 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 52]

CANNED BLENDED GRAPEFRUIT JUICE AND ORANGE JUICE

Proposed Revision of Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering revising the U.S. Standards for Grades of Canned Blended Grapefruit Juice and Orange Juice (7 CFR 52.1281–52.1293). These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624) which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use by producers, buyers, and consumers. Official grading services are also provided under this Act upon request and upon payment of a fee to cover the cost of such services.

All persons who desire to submit written views, data, or arguments for consideration in connection with the proposed revision should file the same in duplicate, not later than April 1, 1972 with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27 (b)).

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

Statement of consideration leading to the proposed revision of the standards. The principal reason for the proposed action is to revise the product description of the standards to reflect current manufacturing practice, and to permit appropriate future innovations within the scope of the grade standards. The product description in the current issue of the U.S. standards is no longer completely accurate because of changing marketing and manufacturing procedures.

The purpose of the product description section of each U.S. grade standard for fruit and vegetable products is for information only—to identify the product covered by the quality requirements of the particular U.S. standard. The section does not establish "identity" for purposes of labeling, composition, or manufacturing procedures since identity standards for processed fruits and vegetables are not within the purview of the U.S. Department of Agriculture.

Currently there are no Federal "standards of identity" for Canned Blended Grapefruit Juice and Orange Juice, or for grapefruit juice, a principal ingredient of this product. Therefore, for purposes of defining the scope of the USDA standards, the proposed revised "product description" includes only the most identifying characteristics of the product, and recognizes that the soluble solids, insoluble solids, Brix-acid ratios, and flavor may be adjusted by suitable manufacturing procedures. Such adjusting procedures at present include blending, concentrating, or adding of suitable grapefruit or orange juice concentrates, reconstituting such concentrates, removing or adding citrus oils or essences, sweetening with any nutritive sweetner, and any other similar appropriate procedure not in violation of the provisions of the Federal Food, Drug, and Cosmetic Act. The "product description" for Canned Grapefruit Juice and Orange Juice, as proposed, is similar to the product description in the U.S. Standards for Grades of Grapefruit Juice which became effective on December 7, 1968.

Other changes in the standards are proposed for improved presentation, in accord with established Department policy, or to prevent possible misinterpretation. Among these changes are:

1. The word "blended" would be removed from the title since it serves no useful purpose and could possibly be misinterpreted. The title would read "U.S. Standards for Grades of Canned Grapefruit Juice and Orange Juice".

2. U.S. Grade C would be redesignated as U.S. Grade B and the point spread in each grade would be 10 points instead of 15 points; and the points allowed for each scoring factor would be adjusted accordingly.

3. The limits for recoverable oil would be moved from consideration under the factor of "defects", to the factor of "flavor".

4. Styles have been redesignated to eliminate Roman numerals.

5. Under the factor of "color", recognition is given to the use of the juice from either white fleshed or red or deep pink fleshed grapefruit.

6. A minimum of 25 percent, by weight, of fruit solids is specified for the minor juice ingredient, either orange or grapefruit.

The proposed revision is as follows:

Subpart—U.S. Standards for Grades of Canned Grapefruit Juice and Orange Juice

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.
52.1281 Product description.
52.1282 Styles.
52.1283 Grades.

FILL OF CONTAINER

52.1284 Recommended fill of container.

FACTORS OF QUALITY

Sec.
52.1285 Ascertaining the grade.
52.1286 Ascertaining the rating for the factors which are scored.
52.1287 Color.
52.1288 Defects.
52.1289 Flavor.

EXPLANATIONS AND METHODS OF ANALYSIS

52.1290 Definitions of terms and methods of analysis.

LOT COMPLIANCE

52.1291 Ascertaining the grade of a lot.

SCORE SHEET

52.1292 Score sheet.

AUTHORITY: The provisions of this subpart issued under sec. 205, 60 Stat. 1090; 7 U.S.C. 1624.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.1281 Product description.

(a) Canned grapefruit juice and orange juice is prepared from a combination of unfermented juices obtained from mature fresh grapefruit (Citrus paradisi) and mature sweet oranges (Citrus sinensis). The juice of oranges from the mandarin group (Citrus reticulata), however, may be added in such quantities that not more than 10 percent, by volume, of the orange juice ingredient consists of juice from Citrus reticulata. The minor juice ingredient (either orange or grapefruit) shall provide not less than 25 percent, by weight, of the total soluble fruit solids present in the finished product.

(b) The fruit is prepared and the juice extracted and processed in a manner to assure a clean and wholesome product. Soluble solids, insoluble solids, Brix-acid ratios, and flavor may be adjusted by suitable manufacturing procedures. The product is sufficiently processed by heat to assure its preservation in hermetically sealed containers.

§ 52.1282 Styles.

(a) Unsweetened.
(b) Sweetened.

§ 52.1283 Grades.

(a) "U.S. Grade A" (or U.S. Fancy) is the quality of canned grapefruit juice and orange juice that:
(1) Shows no coagulation;
(2) Has a very good color;
(3) Is practically free from defects;
(4) Has a very good flavor; and
(5) Scores not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or U.S. Choice) is the quality of canned grapefruit juice and orange juice that:
(1) May show only a slight coagulation;
(2) Has a good color;
(3) Is fairly free from defects;

(4) Has a good flavor; and

(5) Scores not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned grapefuit juice and orange juice that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52.1284 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that the container be as full of grapefruit juice and orange juice as practicable.

FACTORS OF QUALITY

§ 52.1285 Ascertaining the grade.

(a) *General.* Consideration is given to the degree of coagulation, the ratings for the factors which are scored, and the limiting rules which may apply.

(b) *Factors which are scored.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
Color	20
Defects	40
Flavor	40
Total score	100

§ 52.1286 Ascertaining the rating for the factors which are scored.

The essential variations, within each factor which is scored, are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.1287 Color.

(a) *(A) classification.* Canned grapefruit juice and orange juice that has a very good color may be given a score of 18 to 20 points. "Very good color" means that the juice mixture has a yellow-orange color that is bright and typical of the freshly extracted juice of oranges and either white fleshed grapefruit or of red or deep pink fleshed grapefruit, and is free from browning due to scorching, oxidation, caramelization, or other causes.

(b) *(B) classification.* If the canned grapefruit juice and orange juice has a good color, a score of 16 or 17 points may be given. Canned juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (limiting rule). "Good color" means that the juice has a fairly typical color that may range from light yellow to light amber, may be dull or show evidence of slight browning, but is not off color.

(c) *(SStd) classification.* Canned grapefruit juice and orange juice that for any reason fails to meet the requirements of U.S. Grade B may be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (limiting rule).

§ 52.1288 Defects.

(a) *General.* The factor of defects concerns the degree of freedom from small seeds and seed portions; from discolored specks, harmless extraneous material, and other similar defects; from juice sacs and particles of membrane, core, and peel in excess of that normally present in citrus juices; and from free and suspended pulp.

(b) *(A) classification.* (1) Canned grapefruit juice and orange juice that is practically free from defects may be assigned a score of 36 to 40 points.

(2) "Practically free from defects" means that the juice may not contain more than 12 percent free and suspended pulp as determined by the method outlined in this subpart, and that any other defects present may no more than slightly detract from the apperance or drinking quality of the juice.

(c) *(B) classification.* (1) If the canned grapefruit juice and orange juice is reasonably free from defects, a score of 32 to 35 points may be given. Such product may not be graded above U.S. Grade B regardless of the total score for the product (limiting rule).

(2) "Reasonably free from defects" means that the juice may not contain more than 18 percent free and suspended pulp as determined by the method outlined in this subpart, and that any other defects present may not seriously detract from the appearance or drinking quality of the juice.

(d) *(SStd) classification.* Canned grapefruit juice and orange juice that fails to meet the U.S. Grade B classification for defects may be assigned a score of 0 to 31 points and shall not be graded above Substandard regardless of the total score for the product (limiting rule).

§ 52.1289 Flavor.

(a) *(A) classification.* Canned grapefruit juice and orange juice that has a very good flavor may be given a score of 36 to 40 points. "Very good flavor" means a fine, distinct canned grapefruit juice and orange juice flavor which is free from off flavors of any kind and meets the following requirements for the respective style:

(1) Unsweetened:

	Minimum	Maximum
Brix (degrees)	10.0°	
Acid (per 100 grams)	0.75 gm	1.60 gms.
Brix-acid ratio:		
If Brix is less than 11.5°	9.5:1	18:1.
If Brix is 11.5° or more	8.5:1	18:1.
Recoverable oil percent by volume.		0.035.

(2) Sweetened:

	Minimum	Maximum
Brix (degrees)	11.5°	
Acid (per 100 grams)	0.75 gm	1.60 gms.
Brix-acid ratio:		
If Brix is less than 15°	10.5:1	18:1.
If Brix is 15° or more		18:1.
Recoverable oil percent by volume.		0.035.

(b) *(B) classification.* If the canned grapefruit juice and orange juice has a good flavor, a score of 32 to 35 points may be given. Canned juice that falls into this classification shall not be graded above U.S. Grade B regardless of the total score for the product (limiting rule). "Good flavor" means a good, normal canned grapefruit juice and orange juice flavor which is free from off flavors of any kind and meets the following requirements for the respective style:

(1) Unsweetened:

	Minimum	Maximum
Brix (degrees)	9.5°	
Acid (per 100 grams)	0.60 gm	1.70 gms.
Brix-acid ratio	8:1	
Recoverable oil percent by volume.		0.055.

(2) Sweetened:

	Minimum	Maximum
Brix (degrees)	11.5°	
Acid (per 100 grams)	0.60 gm	1.70 gms.
Brix-acid ratio:		
If Brix is less than 15°	10.5:1	
If Brix is 15° or more	No minimum	
Recoverable oil percent by volume.		0.055.

(c) *(SStd) classification.* Canned grapefruit and orange juice that fails to meet the requirements of the U.S. Grade B classification, or is off-flavor for any reason, may be given a score of 0 to 31 points and shall not be graded above Substandard, regardless of the total score for the product (limiting rule).

EXPLANATIONS AND METHODS OF ANALYSIS

§ 52.1290 Definitions of terms and methods of analysis.

(a) *Brix.* "Brix" means the degrees Brix of the juice when tested with a Brix hydrometer calibrated at 20° C. (68° F.) and to which any applicable temperature correction has been made. The degrees Brix may be determined by any other method which gives equivalent results.

(b) *Acid.* "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 grams of juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) *Brix-acid ratio.* "Brix-acid ratio" means the ratio between the Brix and the acid as defined in this section.

(d) *Recoverable oil.* "Recoverable oil" means the percent of oil by volume, determined by the Bromate titration method as described in the current issue

of the Official Methods of Analysis of the Association of Analytical Chemists.[1]

(e) *Free and suspended pulp.* "Free and suspended pulp" means the percentage of pulp determined by the following method: Graduated centrifuge tubes with a capacity of 50 ml. are filled with juice and placed in a suitable centrifuge. The speed is adjusted, according to diameter, as indicated in Table No. I, and the juice is centrifuged for exactly 10 minutes. As used in this paragraph, "diameter" means the overall distance between the bottoms of opposing centrifuge tubes in operating position. After centrifuging, the milliliter reading at the top of the layer of pulp in the tube is multiplied by 2 to give the percentage of pulp.

TABLE NO. I

Diameter (inches):	*Approximate revolutions per minute*
10	1,609
10½	1,570
11	1,534
11½	1,500
12	1,468
12½	1,438
13	1,410
13½	1,384
14	1,359
14½	1,336
15	1,313
15½	1,292
16	1,271
16½	1,252
17	1,234
17½	1,216
18	1,199
18½	1,182
19	1,167
19½	1,152
20	1,137

LOT COMPLIANCE

§ 52.1291 Ascertaining the grade of a lot.

The grade of a lot of canned grapefruit juice and orange juice covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 through 52.87).

SCORE SHEET

§ 52.1292 Score sheet.

Size and kind of container		
Container mark or Identification	Cans	
	Cases	
Label (including ingredient statement, if any)		
Liquid measure (fluid ounces)		
Vacuum (inches)		
Style		
Brix (degrees)		
Acid (grams/100 gms: calculated as anhydrous citric acid)		
Brix-acid ratio (:1)		
Pulp (free and suspended) (%)		
Recoverable oil (% by Volume)		
Degree of coagulation (None), (Slight), or (Serious)		

Scoring factors		Score points	
Color	20	(A)	18-20
		(B)[1]	16-17
		(SStd)[1]	0-15
Defects	40	(A)	36-40
		(B)[1]	32-35
		(SStd)[1]	0-31
Flavor	40	(A)	36-40
		(B)[1]	32-35
		(SStd)[1]	0-31
Total score	100		
Grade			

[1] Indicates limiting rule.

Dated: January 18, 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc.72-957 Filed 1-24-72;8:45 am]

[7 CFR Parts 1001, 1002]

[Docket Nos. AO-14-A51, AO-71-A64]

MILK IN BOSTON REGIONAL AND NEW YORK-NEW JERSEY MARKETING AREAS

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreements and to Orders

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Boston Regional and New York-New Jersey marketing areas.

Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the 7th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The above notice of filing of the decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at New York, N.Y., on January 6, 1972, pursuant to notice thereof which was issued December 17, 1971 (36 F.R. 24820).

The material issues on the record of the hearing relate to:

1. Increased takeouts under the seasonal incentive plan.

2. Emergency action.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Increased takeouts under the seasonal incentive plan.* The Boston Regional and New York-New Jersey milk orders should be amended to provide an additional 10 cents per hundredweight takeout under the seasonal incentive pricing plans during the months of March through June. The resulting amount taken out for each month under these orders thus would be: March, 20 cents; April, 30 cents; and May and June, 40 cents.

Under the terms of the current orders the Class I price is based on and moved by the average price per hundredweight for manufacturing grade milk f.o.b. plants in Minnesota and Wisconsin, as reported by the U.S. Department of Agriculture for the preceding month on a 3.5 percent butterfat basis. The class II price is the lesser of such Minnesota and Wisconsin pay price or a butter powder formula price and is adjusted monthly in varied amounts ranging from a subtraction of a maximum of 12 cents to an addition of a maximum of 10 cents.

Before computing the uniform price payable to producers for each of the months of March through June, an amount determined by multiplying the volume of pooled milk by the specified takeout rate under the seasonal incentive pricing plan is subtracted from the pool funds. These amounts are held by the market administrator and added to the pool funds distributed during the months of August through November. The amount of the payback during the month of August is 25 percent of the total amount withheld in the 4 spring months, in September 30 percent, in October 30 percent, and in November the remainder plus interest earned on the aggregate fund withheld in the March through June period.

The New York-New England Cooperative Coordinating Committee, representing 16 cooperative producer associations with extensive producer membership under the northeastern orders, proposed that the specified amounts of takeout under the Boston Regional and New York-New Jersey milk orders be increased by 10 cents per hundredweight during the months of March through June, in the identical manner here adopted.

Another substantial cooperative association also proposed that the Boston Regional order takeout be increased by 10 cents per hundredweight during these months but held that no change should be made in the New York-New Jersey order at this time.

[1] Copies may be obtained from this Association at Box 540, Benjamin Franklin Station, Washington, DC 20044.

Proponents' justification for amending the orders emanates from the fact that:

1. The blend prices payable to producers under the two orders have substantially increased since the seasonal incentive plan was adopted. Because the takeout amounts are fixed under the terms of the orders and have remained unchanged, their effect as a tool for promoting more uniform production has decreased.

2. The seasonality in the Class II prices is less than when the seasonal incentive plan was adopted, and this has reduced the seasonality in the blend prices under the orders.

Milk production in these markets normally peaks during spring months and reaches its lowest level during the fall months, usually in November. Market needs for milk for fluid use tend to be greatest during the period when supply is shortest. To encourage more even production, the orders historically employed seasonally varied Class I prices. Prices were lowest in the flush production months and highest in the months of shortest production. The seasonally varied prices, which handlers were required to pay, generally resulted in seasonally varied resale prices. The resulting variations in resale prices were not well received by consumers and were believed to have an adverse effect on overall consumption.

In April 1967 these orders were amended to provide the present seasonal incentive plan generally referred to as the Louisville plan. Under this plan, a specified amount per hundredweight is deducted during the spring months of greatest production. These monies are added back, plus interest earned, during the fall months when production is lowest. The plan results in seasonally varied producer prices and thus functions to promote uniform production in essentially the same manner as the pricing plan employed previously under the orders by financially rewarding those dairymen who adjust their production to peak during the fall months when prices for milk are highest.

Proponents indicated that uniform production contributes to marketing efficiency which results in lower hauling and storage costs, reduced overall operating costs, and increased returns on surplus utilization. They pointed out that because take-out amounts are fixed amounts under terms of the order, the effectiveness of such deductions decreases as milk prices increase.

Since adoption of the plan in 1967, the Minnesota-Wisconsin price for milk of 3.5 percent butterfat content has increased 82 cents, or 21 percent. In addition, the seasonal spread in the Class II price, which averaged 40 cents in the 1964–68 period, decreased to an average of only 26 cents in the 1968–71 period.

The upward spiral of the Minnesota and Wisconsin manufacturing milk price, on which both Class I and Class II prices are based, has resulted in a very substantial increase in class prices under the orders. The fixed spring take-outs under the seasonal incentive pricing plan throughout this period of rapidly increasing prices in conjunction with a decline in the seasonality in Class II prices has resulted in a decline in the seasonality of prices payable to producers.

Under usual circumstances it would be expected that insufficient seasonal swing in producers' pay price would result in deterioration of the seasonal production pattern. There is little indication that the production pattern in these markets has been significantly altered by the change in seasonality of pricing which has thus far occurred. However, proponents' concern that the present seasonal production pattern may not continue in the face of the declining price incentive for fall production is valid. It is concluded, therefore, that proponents' request for a 10-cent hundredweight increase in the take-out amounts during the spring months should be and is hereby adopted.

The spokesman for the cooperative which proposed amendment of the Boston Regional order but opposed amendment of the New York-New Jersey order held that an increased take-out rate under order 1 would facilitate an improved pattern of production under that order. He indicated, however, that the change would result in an identical seasonal pricing plan under the Boston Regional and Connecticut orders (the Connecticut take-out is currently 10 cents higher than Boston Regional and New York-New Jersey) and this would tend to implement consolidation of those orders. This, he stated, was the primary reason for the cooperative's proposal to amend the Boston Regional order.

The cooperative's spokesman held that there was no indication that the reduced seasonality of pricing has had an adverse effect on the production pattern under Order 2. He also suggested that there could be producer opposition to the change in Order 2 and, therefore, held that the order should not be amended at this time.

Price alignment between the several northeastern markets has long been a matter of great concern both to producers and handlers. Numerous hearings have been held in the past to correct interorder price alignment to insure continuing orderly marketing which was threatened by shifts of producers between markets in response to price differences. As brought out in the cross-examination of the cooperative's spokesman, institutional factors in the Connecticut market tend to override price differences for producers seeking a market in Connecticut. This is not the case, however, between Orders 1 and 2. In large measure, producers can and do shift in substantial numbers whenever unusual price differences arise. It would be impractical to change the existing interorder price relationship between these two markets by modifying the take-out rate under the seasonal incentive pricing plan under the Boston Regional order only.

The proponent cooperatives for amendment of the two orders represent a very substantial segment of the producers in both markets. For the reasons previously stated, it is concluded that the proposal to amend both the Boston Regional and New York-New Jersey orders to increase the take-out rates under the seasonal incentive pricing plan should be adopted.

2. *Emergency action.* The notice of hearing stated that emergency action was requested with respect to these amendments. This would mean omission of a recommended decision. At the hearing, producer representatives favored issuance of a recommended decision. They indicated that emergency action should be taken only if the orders could not be amended by March, the first month of the take-out period under each order.

The cooperative favoring amendment of only the Boston Regional order further requested that a recommended decision be issued if the seasonal incentive plans under both orders are recommended for amendment. This would afford interested parties opportunity to file exceptions to the decision.

It is concluded that a recommended decision should be issued. It appears that sufficient time exists to amend the orders by March 1, the first month of the take-out period. Moreover, because there is some indication of possible disagreement among producer groups, it is desirable that opportunity be afforded for the filing of exceptions. Accordingly, the request for emergency action through omission of the recommended decision is denied.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

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

The following findings are hereby made with respect to each of the aforesaid tentative marketing agreements and orders:

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the

Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held;

RECOMMENDED MARKETING AGREEMENT AND ORDER AMENDING THE ORDER

The recommended marketing agreements are not included in this decision because the regulatory provisions thereof would be the same as those contained in the orders, as hereby proposed to be amended. The following order amending the orders, as amended, regulating the handling of milk in the Boston Regional and New York-New Jersey marketing areas is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

PART 1001—MILK IN BOSTON REGIONAL MARKETING AREA

1. In § 1001.65, paragraph (c) is revised as follows:

§ 1001.65 Basic blended price.

* * * * *

(c) Subtract for each of the months of March, April, May, and June an amount computed by multiplying the total hundredweight of pool milk included in these computations by 20 cents in March, 30 cents in April, and 40 cents in May and June.

* * * * *

PART 1002—MILK IN NEW YORK-NEW JERSEY MARKETING AREA

1. In § 1002.71, paragraph (c) is revised as follows:

§ 1002.71 Computation of the uniform price.

* * * * *

(c) Subtract for each of the months of March, April, May, and June an amount computed by multiplying the total hundredweight of pool milk for the month by 20 cents in March, 30 cents in April, and 40 cents in May and June;

* * * * *

Signed at Washington, D.C., on January 20, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-1074 Filed 1-24-72;8:49 am]

[9 CFR Part 327]

IMPORTATION OF MEAT AND MEAT PRODUCTS

Notice of Proposed Rule Making

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that, pursuant to the authority contained in the Federal Meat Inspection Act (34 Stat. 2160, as amended, 21 U.S.C. 601 et seq.), the Consumer and Marketing Service is considering amending § 327.2(b) of the Federal meat inspection regulations (9 CFR 327.2(b)) by adding the Trust Territory of the Pacific Islands to the list of countries specified therein.

Statement of considerations. The Federal Meat Inspection Act prohibits the importation into the United States of carcasses, parts thereof, meat and meat food products of cattle, sheep, swine, goats, or equines, capable of use as human food, unless they comply with all the provisions of the act and regulations issued thereunder applicable to such articles in commerce within the United States. Such articles from approved plants in the countries listed in § 327.2 (b) are eligible for importation into the United States as provided in the regulations. The laws and regulations of the Trust Territory of the Pacific Islands concerning these matters have been reviewed and appear to be acceptable. Further, onsite reviews of the export meat inspection program of the Trust Territory of the Pacific Islands indicate that it is equal to our program in the United States. Certificates issued by the Trust Territory of the Pacific Islands officials for export of carcasses, parts thereof, meat and meat food products to the United States are reliable.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Persons desiring opportunity for oral presentation of views should address such requests to the Director, Field Operations Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for presentation of such views within the 30-day period. A transcript will be made of all views orally presented.

All written submissions and transcripts of oral views made pursuant to this notice will be made available for public inspection unless the person making the submission requests that it be held confidential and a determination is made that a proper showing in support of the request has been made on the grounds that its disclosure could adversely affect such person by disclosing information in the nature of trade secrets or commercial or financial information obtained from any person and privileged or confidential. If it is determined that a proper showing has been made in support of the request, the material will be held confidential; otherwise, notice will be given of denial of such a request and an opportunity afforded for withdrawal of the submission. Requests for confidential treatment will be held confidential (7 CFR 1.27(c)).

Comments on the proposal should bear a reference to the date and page number of this issue of the FEDERAL REGISTER.

Done at Washington, D.C., on January 19, 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc.72-1075 Filed 1-24-72;8:49 am]

Rural Electrification Administration

[7 CFR Part 1701]

FINANCIAL SECURITY OF REA ELECTRIC DISTRIBUTION BORROWERS

Revision of REA Policy and Procedure

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue a revision of REA Bulletin 100–4, Financial Security of REA Distribution Borrowers. This REA Bulletin provides REA policy and procedure for identifying and assisting electric distribution borrowers having conditions that may endanger the sound financial operations of the system. On final issuance of this revised REA Bulletin, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the provisions of revised REA Bulletin 100–4 may submit written data, views, or comments to the Director, Power Supply, Management and Engineering Standards Division, Room 3313, South Building, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days from the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Power Supply, Management and Engineering Standards Division, during regular business hours.

The text of the proposed revision of REA Bulletin 100–4 is as follows:

REA BULLETIN 100–4

SUBJECT: Financial Security of REA Distribution Borrowers:

I. *Purpose.* To set forth Rural Electrification Administration policy and procedures for identifying and assisting distribution borrowers having conditions that may endanger the sound financial operation of the system.

II. *Policy.* As a minimal financial standard, borrowers are expected to earn a Times Interest Earned Ratio (TIER) of at least 1.5 and a Debt Service Coverage (DSC) of at least 1.25 each calendar year. Accordingly, each borrower is expected to identify actual and potential financial conditions where

these minimal standards of TIER and DSC are not met or where special circumstances exist, and take prompt steps to correct the conditions. To the extent possible, REA will give assistance to borrowers in preparing and implementing corrective plans.

III. *Identification of Borrower Problems.* The following are indicators of needed improvement in a borrower's operation:

A. *Default in Loan Payments.* Payment of principal and/or interest is overdue 30 days or more.

B. *Inadequate TIER or DSC.* A TIER of less than 1.5 or a DSC of less than 1.25 for the last calendar year determined in accordance with the formula attached as Exhibit A.

C. *Special Circumstances.* The board of directors or the area director may identify special circumstances which may endanger sound financial operation such as: Unsatisfactory condition of utility plant; unfavorable wholesale power supply and delivery conditions; unsatisfactory condition of records; unsatisfactory quality of service; loss of consumers due to territorial conflict; a poor safety record; labor or regulatory problems; unsatisfactory board-manager, manager-member or public relationships; violation of mortgage convenants; unreasonably high operating expenses; or other circumstances.

IV. *Corrective Action Program.* A. Each borrower having any of the conditions described in this bulletin or any other condition which adversely affects the system's operation should make a thorough analysis of its situation. A written formal program should be prepared by the borrower's staff with help from REA as necessary. The program should:

1. Define the problem or problems.
2. State the steps required for the elimination of problems.
3. Establish dates for the completion of the necessary steps indicated above.
4. Be approved by the board of directors.

B. A board-approved copy of the plan should be submitted to the area office through the operations field representative. The area director will evaluate the program to determine if it provides for the necessary improvement. The board of directors should review, at least once every three months, the progress achieved in following its plan to determine:

1. Whether the various steps are being carried out on schedule and are achieving the recommended objectives, or
2. Whether the plan needs revision or modification to place system operations on a sound basis.

C. When REA assistance is needed, the area director will coordinate the development of a corrective action program in cooperation with the borrower. Early identification of the need for such assistance and prompt referral of the request to REA representatives will facilitate REA's giving proper priority to assist in meeting the system's needs.

Dated: January 19, 1972.

DAVID A. HAMIL,
Administrator.

[FR Doc.72-1077 Filed 1-24-72;8:49 am]

SELECTIVE SERVICE SYSTEM

[32 CFR Parts 1624, 1626]

SELECTIVE SERVICE REGULATIONS

Procedure When Registrant Fails to Appear; Correction

In F.R. Doc. 72-456 appearing at pages 479-484 in the issue of Wednesday, January 12, 1972, the following corrections are made:

(a) The first sentence of paragraph (a) of §1624.5 that appears on page 481 should read as follows: "Whenever the registrant for whom a personal appearance has been scheduled fails to appear in accord with such schedule, the local board shall consider any explanation of such failure that has been filed within 5 days (or extension thereof granted by the local board) after such failure in accordance with § 1624.3."

(b) "Section 1626.24 *Review by appeal board*" that appears on page 482 should read "§ 1626.4 *Review by appeal board*" and in the first sentence of paragraph (c) of such section the word "local" should read "appeal."

CURTIS W. TARR,
Director.

JANUARY 19, 1972.

[FR Doc.72-1057 Filed 1-24-72;8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

NONSTERILE DEVICES SHIPPED IN INTERSTATE COMMERCE FOR STERILIZATION

Proposal Regarding Label Statements

In the past 10 years there has been an ever increasing use of presterilized devices at hospitals, clinics, doctors' offices, nursing homes, and elsewhere. The Food and Drug Administration is aware that in producing these devices it is a common practice among the members of the industry to manufacture and/or assemble, package, and fully label sterile devices at one establishment and to ship them in interstate commerce to be sterilized. The shipment in interstate commerce of a nonsterile device labeled as sterile is a violation of the Federal Food, Drug, and Cosmetic Act. Such a product is adulterated and misbranded under sections 501 (c) and 502(a) of the act.

The Food and Drug Administration recognizes that, while there has been little or no known abuse of this practice, it is a violation of the law and that the possibility of a nonsterile device's being diverted to the market without being sterilized represents a hazard to the consumer. FDA also recognizes that such shipments are essentially an extension of the processing of such devices and are economically necessary for some firms.

The Commissioner of Food and Drugs has concluded that it is in the interest of the consumer and the regulated industries to sanction the practice by which a device that is manufactured and/or assembled, packed, and labeled as sterile in one establishment is shipped or otherwise delivered to another establishment for sterilization. Accordingly, he proposes, insofar as sterility of the product is concerned, to exempt devices which meet certain conditions from compliance with sections 501(c) and 502(a) of the Federal Food, Drug, and Cosmetic Act during the time in which they are subject to interstate commerce and while they are being held for sterilization.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501(c), 502(a), 701(a), 52 Stat. 1050, 1055; 21 U.S.C. 351(c), 352(a), 371(a)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 1 be amended by adding a new paragraph (i) to § 1.107, as follows:

§ 1.107 **Drugs and devices; exemptions.**

* * * * *

(i) In view of the fact that it is a common industry practice to manufacture and/or assemble, package, and fully label a device as sterile at one establishment and then ship such device in interstate commerce to a contract sterilizer for sterilization, the Food and Drug Administration will initiate no regulatory action against the device as misbranded or adulterated when the device is labeled sterile, provided all the following conditions are met:

(1) There is in effect a written agreement which:

(i) Contains the names and post office addresses of the firms involved and is signed by the person authorizing such shipment and the operator or person in charge of the establishment receiving the devices for sterilization,

(ii) Provides instructions for maintaining proper records or otherwise accounting for the number of units in each shipment to insure that the number of units shipped is the same as the number received and sterilized,

(iii) Acknowledges that the device is nonsterile and is being shipped for further processing, and

(iv) States in detail the sterilization process, the gaseous mixture or other media, the equipment, and the testing method or quality controls to be used by the contract sterilizer to assure that the device will be brought into full compliance with the Federal Food, Drug, and Cosmetic Act.

(2) Each pallet, carton, or other designated unit is conspicuously marked to show its nonsterile nature when it is introduced into and is moving in interstate commerce, while it is being held prior to sterilization, and until such time as it is established that the device is sterile and can be released from quarantine.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1035 Filed 1-24-72;8:46 am]

[21 CFR Part 3]

ANTIBACTERIAL INGREDIENTS IN DRUG AND COSMETIC PRODUCTS FOR REPEATED DAILY HUMAN USE

Proposed Statement of Policy; Correction

In F.R. Doc. 72–209 appearing at page 219 in the January 7, 1972, issue of the FEDERAL REGISTER, the paragraph immediately following paragraph (d) of the proposed statement of policy is corrected by designating it as paragraph (e) and changing it to read as follows:

§ 3.___ Antibacterial ingredients in drug and cosmetic products for repeated daily human use.

* * * * *

(e) To the extent that they are inconsistent with this statement of policy, the following prior notices are hereby superseded:

DESI No. 4749 (34 F.R. 15389, October 2, 1969), "Certain OTC Drugs for Topical Use;" DESI No. 2855 (35 F.R. 12423, August 4, 1970), "Certain Mouthwash and Gargle Preparations;" DESI No. 8940 (36 F.R. 14510, August 6, 1971), "Topical Cream Containing Pyrilamine Maleate, Benzocaine, Hexachlorophene, and Cetrimonium Bromide;" DESI No. 6615 (36 F.R. 18022, September 8, 1971), "Deodorant/Antiperspirant;" and DESI No. 6270 (36 F.R. 23330, December 8, 1971), "Certain Preparations Containing Hexachlorophene."

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72–1036 Filed 1–24–72;8:46 am]

[21 CFR Part 141]

TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

Proposal Regarding Alternative Assay Methods, Including Automated Procedures

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that Part 141 be revised to provide for the use of suitable alternative assay methods, including automated procedures, employing the same basic microbiology or chemistry as the official methods described in the certification monographs and providing results of equivalent accuracy.

It is proposed that Part 141 be amended:

1. By establishing a new Subpart A consisting at this time of existing § 141.1 and a new § 141.1a as follows:

Subpart A—Definitions and Interpretations Applicable to Part 141

Sec.
141.1 Sterility tests.
141.1a Alternative assay methods.

2. By revising § 141.1 in the heading and in the paragraph headings of paragraphs (a), (b), (c), and (d) to read as follows:

§ 141.1 Sterility tests.

(a) *"Filling operation" and "sample" defined.* * * *

(b) *Packaging requirements for samples.* * * *

(c) *Diluents packaged in combination with sterile antibiotic drugs.* * * *

(d) *Droppers packaged in combination with sterile antibiotc drugs.* * * *

3. By adding a new section as follows:

§ 141.1a Alternative assay methods.

Alternative assay methods (including automated procedures) employing the same basic chemistry or microbiology as the official methods described in this part and in the individual monographs of this chapter may be used, provided the results obtained are of equivalent accuracy. However, only the results obtained from the official methods designated in the individual monographs are conclusive.

4. By redesignating existing Subpart A as Subpart B, consisting of § 141.2 et seq., by changing the heading to read as follows: "Subpart B—Biological Test Methods."

5. By redesignating Subpart B as Subpart C, consisting of § 141.101 et seq., by changing the heading to read as follows: "Subpart C—Microbiological Assay Methods."

6. By redesignating Subpart C as Subpart D, consisting of § 141.501 et seq., by changing the heading to read as follows: "Subpart D—Chemical Tests for Antibiotics."

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: January 17, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc. 72–1037 Filed 1–24–72;8:46 am]

Public Health Service

[42 CFR Part 91]

GRANTS FOR PREVENTION OF LEAD-BASED PAINT POISONING

Notice of Proposed Rule Making

Notice is hereby given that the Administrator, Health Services and Mental Health Administration, with the approval of the Secretary of Health, Education, and Welfare, proposes to issue a new Part 91 of Title 42, CFR, to govern grants for the prevention of lead-based paint poisoning under titles I and II of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 and 4811), as set out below.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed 42 CFR Part 91 to the Bureau of Community Environmental Management, Room 15–87, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20852, within 30 days after the publication of this notice in the FEDERAL REGISTER. Comments received will be available for public inspection at the foregoing address during regular business hours.

It is therefore proposed to amend Chapter I of Title 42 in the manner set forth below.

Dated: December 15, 1971.

VERNON E. WILSON,
Administrator, Health Services and Mental Health Administration.

Approved: January 17, 1972.

ELLIOT L. RICHARDSON,
Secretary.

Chapter I of Title 42 is amended by adding a new Part 91, to read as follows:

PART 91—GRANTS FOR PREVENTION OF LEAD-BASED PAINT POISONING

Sec.
91.1 Applicability.
91.2 Definitions.
91.3 Eligible applicants.
91.4 Form and manner of application.
91.5 Description of program.
91.6 Evaluation and grant award.
91.7 Grant payments.
91.8 Use of grant funds.
91.9 Nondiscrimination.
91.10 Confidentiality.
91.11 Inventions and discoveries.
91.12 Publication and copyright.
91.13 Expenditures by grantee.
91.14 Grantee accountability.
91.15 Records, reports, inspection, and audit.
91.16 Additional conditions.
91.17 Early termination and withholding of payments.

AUTHORITY: The provisions of this Part 91 issued under secs. 101 and 201, 42 U.S.C. 4801 and 4811; 84 Stat. 2078.

§ 91.1 Applicability.

The regulations in this part are applicable to the award of grants under titles I and II of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 and 4811; 84 Stat. 2078) to assist units of general local government in any State in developing and carrying out local programs for the detection and treatment of incidents of lead-based paint poisoning and for the identification and elimination of the hazards of lead-based paint poisoning.

§ 91.2 Definitions.

As used in this part:

(a) "Act" means the Lead-Based Paint Poisoning Prevention Act, Public Law 91–695 (42 U.S.C. 4801 et seq.; 84 Stat. 2078).

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and

Welfare to whom the authority involved has been delegated.

(c) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(d) "Unit of general local government" means (1) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State; (2) any combination of units of general local government in one or more States; (3) an Indian tribe; or (4) with respect to lead-based poisoning elimination activities in their urban areas, the territories and possessions of the United States.

(e) "Lead-based paint" means any paint containing more than 1 per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint already applied.

§ 91.3 Eligible applicants.

Any unit of general local government is eligible to apply for a grant under this part.

§ 91.4 Form and manner of application.

(a) An application for a grant under this part shall be submitted to the Secretary in such form and manner and at such time as the Secretary may prescribe.[1]

(b) The application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this part.

(c) The application shall contain a budget and narrative plan of the manner in which the applicant intends to conduct the project and carry out the requirements of this part, and shall clearly identify the respective amounts of grant funds to be utilized under title I and title II of the act.

(d) Prior to submission of the application to the Secretary, reasonable opportunity for review and comment with respect to the application shall be afforded to the appropriate State comprehensive health planning agency designated pursuant to section 314(a) of the Public Health Service Act (42 U.S.C. 246(a)) and to the appropriate areawide health planning agency, if any established pursuant to section 314(b) of the Public Health Service Act (42 U.S.C. 246(d)).

§ 91.5 Description of program.

An application for a grant under this part shall set forth a description of the proposed lead-based poisoning prevention program, which shall include:

(a) A description of the applicant's legal authority and responsibility for the administration of such program, together with a description of the steps which the applicant proposes to take in order to obtain any legal authority which is necessary for the administration of such program but which is not currently available to the applicant.

(b) A description of the applicant's administrative organization, procedures, facilities, financial, and other resources, and staff, together with plans for changes or development, including additional staffing, necessary to carry out the programs efficiently and effectively.

(c) A description of the nature, effects and extent of the actual and potential local lead-based paint poisoning problems, including an identification of the major areas and population affected by lead-based paint poisoning, and the methods used in determining the nature, effect and extent of the lead-based paint poisoning problem.

(d) The overall objectives of the program (including immediate and long-range objectives) which must be appropriate to the solution of the lead-based paint poisoning problems identified in paragraph (c) of this section.

(e) A description of the manner in which the proposed program will be integrated with existing comprehensive health service and housing programs.

(f) A description of a comprehensive program for the detection and treatment of incidents of lead-based paint poisoning and for the identification and elimination of the hazards of lead-based paint poisoning, which program must include specific measures taken or to be taken to accomplish the objectives identified pursuant to paragraph (d) of this section, and a schedule for their accomplishment. The program shall emphasize screening and detection activities, and shall include:

(1) The development of effective informational programs designed to develop awareness of the problem among the population of the communities affected;

(2) Community self-help programs to enable residents to remove lead-based paint poisoning hazards from the residential community;

(3) To the maximum extent feasible, opportunities for training, education, and employment of the residents of communities affected by lead-based paint poisoning, and shall include a program for providing information which may be necessary to inform such residents of opportunities for employment in the lead-based paint elimination program;

(4) Establishment of lead-based paint poisoning screening services at such locations and at such times as to be easily accessible to the residents of the communities identified as needing such services;

(5) An intensified community follow-up program to insure that children with elevated blood lead levels (over 40 micrograms per 100 milliliters of blood) are given prompt medical treatment;

(6) A comprehensive program of testing to detect the presence of lead-based paints in residential housing; and

(7) A comprehensive program requiring owners or landlords of housing units found to have unacceptable levels of lead-based paint, on interior surfaces or exterior surfaces accessible to children, to eliminate the paint from such surfaces or otherwise control the hazard; and, requiring other actions to eliminate or reduce lead-based paint poisoning.

(g) A description of the ongoing evaluation and planning by which the applicant will measure and further its progress in attaining the program objectives.

(h) An assurance that, in the operation of the program, no charge will be made for screening and detection tests.

§ 91.6 Evaluation and grant award.

(a) Within the limits of funds available for such purposes, the Secretary may award grants with respect to those projects which will in his judgment best promote the purposes of the act, taking into account:

(1) The significance of each project in terms of the extent of and need for the services to be provided;

(2) The general quality and effectiveness of the lead-based paint poisoning prevention program in relation to the requirements of § 91.5;

(3) The extent to which representatives of the communities to be served have been involved in the development of the project;

(4) The extent to which, in the judgment of the Secretary, a grant under this part will assist in the establishment of a continuing lead-based paint poisoning prevention program which will be conducted by the applicant beyond the termination of Federal financial support; and

(5) The extent to which the Federal and local programs are coordinated and utilized to impact on the lead-based paint poisoning problem.

(b) The amount of any award shall be determined by the Secretary on the basis of his estimate of the sum necessary for all or a designated portion of direct project costs plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either (1) on the basis of his estimate of the actual indirect costs reasonably related to the project, or (2) on the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary. *Provided*, however, that no grant under this part shall include an amount for carrying out the purposes of title I of the act

[1] Applicants and instructions may be obtained from the Regional Health Director of the Health Services and Mental Health Administration at the Regional Office of the Department of Health, Education, and Welfare for the region in which the project is to be conducted.

which exceeds 75 percent of the cost of carrying out such purposes, as described in the application and determined by the Secretary. In determining the grantee's share of project costs, costs for which Federal grants from other sources have been or may be claimed or received or costs used to match other Federal grants except as may be otherwise provided by law, or costs to be met from the Federal share of grant related income (except as may be permitted by chapter 1–420 of the Department of Health, Education, and Welfare Grants Administration Manual[1]) may not be included.

(c) Except as may otherwise be provided by the regulations of this part, the identification of direct and indirect costs will be consistent with the generally accepted and established accounting practices that the grantee applies to its own activities and in conformance with the applicable principles set forth in chapters 1–76, 2–65, 2–66, and 5–60 of the Department of Health, Education, and Welfare Grants Administration Manual.

(d) All grant awards shall be in writing, shall set forth the respective amounts of funds granted under title I and under title II of the act, and the period for which support is recommended.

(e) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate application annually at such times and in such form as the Secretary may direct.

§ 91.7 Grant payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses incurred or to be incurred in the performance of the project to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 91.8 Use of grant funds.

(a) Any funds granted pursuant to this part as well as other funds to be used in performance of the approved project shall be expended solely for carrying out the approved project in accordance with the statute, the regulations of this part, the terms and conditions of the award and cost principles set forth in the Department of Health, Education, and Welfare Grants Administration Manual. Such funds may be expended for medical care or treatment and the deleading of residential environments only under special circumstances as indicated in the following items:

(1) Providing medical care or treatment on only an emergency basis of victims of lead-based paint poisoning where the applicant finds, and demonstrates to the satisfaction of the Secretary, either before or after the provision of such care or treatment, that no other funds are reasonably available for such care and treatment; or

(2) Deleading of residential dwellings, only where the applicant finds that the presence of lead-based paint on interior surfaces of such a dwelling presents an imminent danger to the health and safety of one or more residents and where the applicant finds, and demonstrates to the satisfaction of the Secretary, either before or after such deleading, that no other funds are reasonably available for such deleading.

(b) Prior approval by the Secretary of revision of the budget and project plan is required whenever there is to be a significant change in the scope or nature of project activities.

§ 91.9 Nondiscrimination.

(a) Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d; 78 Stat. 252) which provides that no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which applies to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

(b) All services and employment opportunities provided with the aid of grants under this part shall, except where otherwise medically indicated, be made available without discrimination on the grounds of age, sex, creed, marital status, or duration of residence.

§ 91.10 Confidentiality.

Each grant award is subject to the condition that all information obtained by the personnel of the project from participants in the project related to their examination, care, and treatment, shall be held confidential, and shall not be divulged without the individual's consent except as may be required by law or as may be necessary to provide service to the individual. Information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 91.11 Inventions or discoveries.

Any grant award pursuant to this part is subject to the regulations of the Department of Health, Education, and Welfare as set forth in 45 CFR Parts 6 and 8, as amended. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Secretary to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligations. Laboratory notes, related technical data, and information pertaining to inventions and discoveries shall be maintained for such periods, and filed with or otherwise made available to the Secretary, or those he may designate at such times and in such manner, as he may determine necessary to carry out such Department regulations.

§ 91.12 Publications and copyright.

Except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from a project supported by a grant under this part, subject, however, to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose of such materials and to authorize others to do so.

§ 91.13 Expenditures by grantee.

The total cost of a project includes the identifiable direct costs and the associated indirect costs. Except as may otherwise be provided by or pursuant to the regulations of this part, the identification of direct and indirect costs will be consistent with the same policies and methods that the grantee applies to its own activities and in conformance with the applicable cost principles as set forth in the Department's Grants Administration Manual. Funds granted for the direct costs of approved projects may be expended by the grantee to the extent that such items are required to carry out the approved project. The amount of any award for the indirect costs of any project, subject to such maximum amounts or percentages as may be prescribed by law, shall be calculated in accordance with chapter 1–80 of the Department's Grants Administration Manual. The Secretary may issue rules, instructions, interpretations or limitations supplementing the regulations of this part and prescribing the extent to which particular types of expenditures may be charged as direct or indirect costs to the granted funds.

§ 91.14 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other funds, including funds derived from other grant awards and separate records shall be maintained for payment with respect to title I and title II of the act. With respect to each approved project, the grantee shall account for the sum total of all amounts paid out by presenting or otherwise making available evidence, satisfactory to the Secretary, of expenditures for direct and indirect costs meeting the requirements of this part: *Provided, however,* That when the amount awarded for indirect

[1] The Department Grants Administration Manual is available for inspection at the Public Information Office of the several department regional offices and available for purchase at the Government Printing Office, GPO document No. 894–523.

cost was based on a predetermined fixed-percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or a selected element thereof, of the reimbursable direct costs incurred.

(b) *Accounting for equipment.* As used in this section the term "equipment" means an article of property procured or fabricated which is complete in itself, is of a durable nature, and has an expected service life of more than 1 year. Equipment on hand on the date of termination for which accounting is required in accordance with the procedures set forth in chapter 1–410–50 of the Department of Health, Education, and Welfare Grants Administration Manual shall be identified and reported by the grantee in accordance with such procedures, and, accounted for by one or a combination of the following methods, as determined by the Secretary:

(1) *Retention of equipment for other lead-based paint poisoning prevention projects.* Equipment may be used without adjustment of accounts on other grant supported projects (whether or not federally supported) within the scope of the act, and no other accounting for such equipment shall be required: *Provided, however,* (i) That during such period of use no charge for depreciation, amortization, or for other use of the equipment shall be made against any existing or future Federal grant or contract, and (ii) if, within the period of its useful life, the equipment is transferred by sale or otherwise for use outside the scope of the act, the Federal portion of the fair market value at the time of transfer shall be refunded to the Federal Government.

(2) *Sale or other disposition of equipment, crediting of proceeds or value.* The equipment may be sold by the grantee and the net proceeds of the sale credited to the grant account for project use, or they may be used or disposed of in any manner by the grantee by crediting to the grant account the Federal share of the fair market value on the termination date. To the extent equipment purchased from grant funds is used for credit or trade-in on the purchase of new equipment, the accounting obligation shall apply to the same extent to such new equipment.

(3) *Return or transfer of equipment.* The equipment may be returned to the Federal Government by the grantee or, in accordance with the provisions of chapter 1–410–50B of the Department of Health, Education, and Welfare Grants Administration Manual, may be transferred to another grantee for the purpose of continuing the project for which the equipment was purchased.

(c) *Accounting for grant related income*—(1) *Interest.* Pursuant to section 203 of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4213), a State will not be held accountable for interest earned on grant funds, pending their disbursement for grant purposes. A State, as defined in section 102 of the Intergovernmental Cooperation Act, means any one of the several States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. All grantees other than a State, as defined in this subsection, must return all interest earned on grant funds to the Federal Government.

(2) *Royalties.* Royalties earned from publications or similar material produced from a grant must first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials. Royalties in excess of the costs of publishing or producing the materials shall be distributed as in subparagraph (3) of this paragraph.

(3) *Other income.* Other income earned by the granteee shall be disposed of in accordance with one of the alternatives specified in Chapter 1–420 of the Grants Administration Manual as determined by the Secretary in the grant award.

(d) *Grant closeout*—(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full accounting, as provided herein, as of date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final settlement with respect to each approved project the total sum of—

(i) Any amount not accounted for pursuant to paragraph (a) of this section;

(ii) Any credits for materials on hand as provided in paragraph (b) of this section;

(iii) Any credits for earned interest pursuant to subparagraph (c) (1) of this section; and

(iv) Any other settlements required by paragraph (c) (2) and (3) of this section.

Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assignees by set off or other action as provided by law.

§ 91.15 Records, reports, inspection, and audit.

(a) *Records and reports.* Each grant awarded pursuant to this part shall be subject to the condition that the grantee shall maintain such operational and accounting records, identifiable by grant number, and file with the Secretary such operational and fiscal reports relating to the use of grant funds, as the Secretary may find necessary to carry out the purpose of the Act and the regulations. All records shall be retained for 3 years after the close of the budget period. Such records may be destroyed at the end of such 3-year period if the applicant has been notified of the completion of the Federal audit by such time. If the applicant has not been so notified, such records shall be retained (1) for 5 years after the close of the budget period or (2) until the grantee is notified of the completion of the Federal audit, whichever comes first. In all cases where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of all such questions.

(b) *Inspection and audit.* Any application for a grant under this part shall constitute the consent of the applicant to inspections of the facilities, equipment and other resources of the applicant at reasonable times by persons designated by the Secretary and to interviews with principal staff members to the extent that such resources and personnel are, or will be, part of the project. In addition, the acceptance of any grant under this part shall constitute the consent of the grantee to inspections and fiscal audit by such persons of the supported activity and of records relating to the use of grant funds.

§ 91.16 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of public health, or the conservation of grant funds.

§ 91.17 Early termination and withholding of payments.

Whenever the Secretary finds that a grantee has failed in a material respect to comply with the Act, the regulations of this part, or the terms of the grant, he may on reasonable notice to the grantee, withhold further payments, and take such other action, including the termination of the grant, as he finds appropriate to carry out the purposes of the Act and regulations. Noncancellable obligations of the grantee properly incurred prior to the receipt of the notice of termination will be honored. The grantee shall be promptly notified of such termination in writing and given the reasons therefor.

[FR Doc.72–1039 Filed 1–24–72;8:46 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71–WA–26]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation regulations that would alter the Cordova, Alaska, control zone and transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air

Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK 95501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, DC 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recomended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The FAA proposes the following airspace action:

1. Revoke the Cordova, Alaska, control zone extension predicated on the Cordova RR southeast course.

2. Amend the Cordova, Alaska, transition area to read as follows:

That airspace extending from 700 feet above the surface within 6 miles northwest and 9.5 miles southeast of the 233° bearing from the Cordova (CDV) NDB extending from the intersection of the 233° bearing from the Cordova (CDV) NDB and the east course of the Hinchinbrook, Alaska, RR to 19 miles southwest; that airspace extending upward from 1,200 feet above the surface within 6 miles each side of the Cordova localizer east course extending from the localizer to 40 miles east; and within 5 miles each side of a line extending from the Johnstone Point, Alaska, VOR to the Cordova (CDV) NDB.

The control zone extension and the associated transition area predicated on the Cordova RR southeast course are no longer required since there is no associated instrument approach procedure.

The existing 700-foot transition area southwest of Egg Island Intersection requires alteration to provide controlled airspace, specified by existing criteria, for aircraft executing the Cordova NDB-A instrument approach procedure and aircraft holding at the Egg Island Intersection.

This amendment is proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 18, 1972.

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

[FR Doc.72-1019 Filed 1-24-72;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

PROPOSED MOTOR VEHICLE SAFETY REGULATIONS

Suspension of Rule Making

The purpose of this notice is to suspend rule making in the dockets listed below. After consideration of the available information, it has been determined that sufficient justification for regulations of the nature proposed has not been shown at this time. Accordingly, no regulation on any of these subjects will be issued without additional notice and opportunity for comment.

Rule Title	Docket No.	Latest action	Date of issuance	FEDERAL REGISTER reference
Trailer Hitches, Couplings & Safety Chains	1-20	NPRM	8- 6-70	35 F.R. 12847.
Theft Protection—Amendment to Standard No. 114	1-21	ANPRM	9-26-69	34 F.R. 15421.
Fuel System Integrity (Heavy Vehicles Only)	3-2	ANPRM	10-11-67	32 F.R. 14282.
Radiator Caps	4-1	ANPRM	10-11-67	32 F.R. 14282.
Odometers	4-4	ANPRM	10-11-67	32 F.R. 14282.
Motor Vehicles of 1,000 lbs. or Less Curb Weight	5-1	NPRM	2-16-70	35 F.R. 3297.
Illumination and Glare Produced by Headlamps (Consumer Information).	28-4	ANPRM	10- 3-68	33 F.R. 14971.
Field of View of the Driver (Consumer Information)	28-5	NPRM	5-27-70	35 F.R. 8067.
Overall Steering Ratio (Consumer Information)	28-7	NPRM	12- 6-68	33 F.R. 18382.
		NPRM [1]	12-30-68	34 F.R. 17.
Trailer Towing Performance (Consumer Information)	28-8	NPRM	8- 6-70	35 F.R. 12849.
Flammability of Materials in Vehicle Interiors (Consumer Information).	28-9	NPRM	12- 6-68	33 F.R. 18392.
Motor Vehicle Safety Standard No. 205 (Glazing Materials) Forward Facing Windows and Partitions and Edges (Amendment).	29	NPRM	9-13-68	33 F.R. 14173.
		NPRM [1]	10- 2-68	33 F.R. 15029.
Stability and Control of Coupled Vehicles	69-1	ANPRM	1-17-69	34 F.R. 1055.
Motor Vehicle Safety Standard No. 205; Glazing Materials (Amendment).	69-5	NPRM	2-27-69	34 F.R. 3699.
Power Operated Window Systems	69-11b	ANPRM	8-20-69	34 F.R. 13609.
Horns and Other Audible Warning Devices	69-14	ANPRM	9-10-69	34 F.R. 14438.
Seat Belt Assemblies (Amendment to Std. 209)	69-21	ANPRM	9-29-69	34 F.R. 15421.
Seat Belt Assemblies	69-22	ANPRM	12-17-69	34 F.R. 20211.
Tilt Cab Vehicle Latch Systems	69-27	ANPRM	10-11-69	34 F.R. 17115.
Effect of Vehicle Loading on Headlamp Aim (Consumer Information).	70-13	NPRM	6- 1-70	35 F.R. 8832.
		NPRM	8-18-70	35 F.R. 13527.
Airbrake Line Couplers	70-18	NPRM	8-18-70	35 F.R. 13465.
Acceleration & Passing Ability (Consumer Information)	70-19	NPRM	8-18-70	35 F.R. 13583.

[1] Extension of time for comments.

This notice is issued under the authority of sections 103, 112, and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1401, 1407) and the delegations of authority at 49 CFR 1.51 and 501.8.

Issued on January 18, 1972.

ROBERT L. CARTER,
Acting Associate Administrator, Motor Vehicle Programs.

[FR Doc.72-979 Filed 1-24-72;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Part 170]

FACILITIES AND MATERIALS LICENSES

Proposed Fee Schedules

The Atomic Energy Commission is proposing to amend its regulations in 10 CFR Part 170 to revise the fees for facilities and materials licenses to reflect increased licensing costs and to include health and safety compliance and inspection costs.

The Commission first adopted rules providing for regulatory license fees in 1968. This action was based on title V of the Independent Offices Appropriation Act of 1952 (65 Stat. 290; 31 U.S.C. 483a). The fees in Part 170 became effective on October 1, 1968. On February 5, 1971, the Commission amended Part 170 to permit recovery of the regulatory costs associated with the processing of facilities and materials licenses, except those costs for certain categories of licenses set forth in § 170.11 which are exempt from payment of fees. Costs related to health and safety compliance and inspections, rule making, development of standards, codes, criteria, safeguards activities, and administration of the State relations program were not included in the February 5, 1971, schedule.

The Commission in its review of the fee schedule in Part 170 has determined that the schedule should reflect increased licensing costs and should include costs related to health and safety compliance and inspection costs. Accordingly, a proposed revised fee schedule has been developed to cover these costs. In addition, further refinements have been made in the schedule to more accurately reflect the allocation of costs to specific types of licenses.

The fees set forth in the proposed revised schedules in §§ 170.21 and 170.31 are designed to recover the Commission's regulatory health and safety inspection and compliance costs in addition to its costs of licensing, except those costs for certain categories of licenses which are exempt from payment of fees.

Costs related to rule making, development of standards, codes, criteria, safeguards activities, and administration of the State relations program were not included in the schedule.

New fee categories would apply to licenses for (1) plutonium processing and fuel fabrication plants as defined in § 70.4(r) of 10 CFR Part 70, (2) possession and use of byproduct material in quantities of less than 10,000 curies in sealed sources for irradiation of materials, (3) use of byproduct material for research and development, (4) use of special nuclear material and byproduct material for well logging and well surveys, and (5) laundry facilities authorized to decontaminate clothing containing radioactive material.

The prescribed fees for certain materials licenses have been reduced.

Footnotes 3 and 4 in § 170.21, relating to fees for facilities licenses, would be modified to reflect the consideration of the costs of health and safety inspection and compliance activities with respect to such licenses.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 170 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, within 30 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified. Copies of comments may be examined in the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

1. Section 170.21 of 10 CFR Part 170 is revised to read as follows:

§ 170.21 Schedule of fees for production and utilization facilities.

Applicants for construction permits or operating licenses for production or utilization facilities and holders of construction permits or operating licenses for production or utilization facilities shall pay the fees set forth below: *Provided, however,* That annual fees shall not be paid by holders of licenses which authorize the possession but not operation of production or utilization facilities:

SCHEDULE OF FEES

Facility (thermal megawatt values refer to maximum capacity stated in the permit or license)[1]	Application fee for construction permit	Construction [3] permit fee	Operating [4] license fee	Annual fee after issuance of operating license
(1) Power reactor [5]	$70,000	$60,000+ $80/Mw(t)[2].	$125,000+ $95/Mw(t)[2].	$12/Mw(t)[2] ($12,000 minimum).
(2) Testing facility	3,900	$10,500	$15,200	$14,500.
(3) Research reactor	600	$2,300	$3,500	$3,500.
(4) Other production or utilization facility	60,000	$155,000	$145,000	$145,000.

[1] Amendments reducing capacity shall not entitle the applicant to a partial refund of any fee; applications for amendments increasing capacity to a higher fee category will not be accepted for filing unless accompanied by the prescribed fee less the amount already paid.

[2] Thermal megawatts.

[3] When construction permits are issued for two or more power reactors of the same design at a single power station that were subject to concurrent licensing review, the construction permit fee for the first reactor will be $60,000+ $80/Mw(t) and $30,000+$30/Mw(t) for each additional reactor.

[4] When operating licenses are issued for two or more power reactors of the same design at a single power station that were subject to concurrent licensing review, the operating license fee will be $125,000+$95/Mw(t) for the first reactor and $95,000+$60/Mw(t) for each additional reactor.

[5] For construction permits and operating licenses for power reactors with a capacity in excess of 3,000 Mw(t), the fee will be computed on a maximum power level of 3,000 Mw(t).

2. Section 170.31 of 10 CFR 170 is revised to read as follows:

§ 170.31 Schedule of fees for materials licenses.

Applicants for materials licenses and holders of materials licenses shall pay the following fees:

SCHEDULE OF MATERIALS LICENSE FEES

Category of materials licenses [1]	Application fee [2]	Annual fee
1. Special nuclear material:		
A. Licenses for quantities of five (5) kilograms or more of contained uranium-235, uranium-233 and plutonium, except for licenses for plutonium processing and fuel fabrication plants as defined in § 70.4(r) of this chapter, licenses for storage only and licenses authorizing possession and use of special nuclear material in sealed sources as defined in Part 70 of this chapter.	$10,000+$10 per kilogram (maximum fee $26,000).	$10,000+$10 per kilogram (maximum fee $26,000).
B. Licenses for possession and use of special nuclear material in plutonium processing and fuel fabrication plants as defined in § 70.4(r) of this chapter.	$27,000	$27,000.
C. Licenses for quantities of five (5) kilograms or more of contained uranium-235, uranium-233 and plutonium for storage only except for licenses authorizing storage only of special nuclear material in sealed sources as defined in Part 70 of this chapter.	$2,440	$2,440.
D. Licenses for quantities of 350 grams to five (5) kilograms of contained uranium-235, uranium-233 and plutonium except for licenses for storage only and licenses authorizing possession and use of special nuclear material in sealed sources as defined in Part 70 of this chapter.	$2/gram (maximum fee $6,000).	$2/gram (maximum fee $6,000).
E. All other specific special nuclear material licenses	$120	$120.
2. Source material:		
A. Licenses for source material in quantities greater than 50 kilograms, except licenses for storage only and licenses for use only of source material in counterweights.	$80+$0.10 per kilogram (maximum fee $1,300).	$80+$0.10 per kilogram (maximum fee $1,300).
B. All other specific source material licenses	$80	$80.
3. Byproduct material:		
A. Licenses for possession and use of byproduct material issued pursuant to Parts 30 and 33 of this chapter for processing, or manufacturing of items containing byproduct material or quantities of byproduct material for commercial distribution.	$1,755	$1,755.
B. Licenses for byproduct material issued pursuant to Part 34 of this chapter for industrial radiography.	$610	$610.
C. Licenses for possession and use of byproduct material in quantities of 10,000 curies or more in sealed sources for irradiation of materials.	$555	$555.

Footnotes at end of table.

SCHEDULE OF MATERIALS LICENSES FEES—Continued

Category of materials licenses [1]	Application fee [2]	Annual fee
3. Byproduct material—Continued		
D. Licenses for possession and use of byproduct material in quantities of less than 10,000 curies in sealed sources for irradiation of materials.	$265	$265.
E. Licenses issued pursuant to Part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material to persons generally licensed under Part 31 or 35 of this chapter, except specific licenses authorizing redistribution of items which have been manufactured or imported under a specific license and licensed by the Commission for distribution to persons generally licensed under Part 31 or 35 of this chapter.	$690	$690.
F. Licenses issued pursuant to Part 32, except §32.11, of this chapter to distribute items containing byproduct material or quantities of byproduct material to persons exempt from the licensing requirements of Part 30 of this chapter, except specific license authorizing redistribution of items and quantities which have been manufactured or imported under a specific license and licensed by the Commission for distribution to persons exempt from the licensing requirements of Part 30 of this chapter, and specific licenses which authorize distribution of timepieces, hands, and dials.	$690	$690.
G. Licenses for possession and use of byproduct material for research and development, except those licenses covered by Category 3A.	$265	$265.
4. Waste disposal:		
A. Waste disposal licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of commercial disposal by land or sea burial by the waste disposal licensee.	$1,625	$1,625.
5. Well logging and well surveys:		
A. Licenses for possession and use of special nuclear material and byproduct material for oil and gas well logging and well surveys.	$265	$265
6. Nuclear laundries:		
A. Licenses for commercial collection and laundry of items contaminated with byproduct material, source material and special nuclear material.	$265	$265.
7. All other licenses:		
A. All other specific materials licenses other than licenses in Categories 1A through 6A.	$25	$25.

[1] Amendments reducing the scope of a licensee's program shall not entitle the licensee to a partial refund of any fee; applications for amendments increasing the scope of a program to a higher fee category will not be accepted for filing unless accompanied by the prescribed fee less the amount already paid.

[2] Applications for materials licenses covering more than one fee category shall be accompanied by the prescribed fee for each category.

(Sec. 501, 65 Stat. 290; 31 U.S.C. 483a)

Dated at Washington, D.C., this 19th day of January 1972.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary of the Commission.

[FR Doc.72-994 Filed 1-24-72;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23055]

[14 CFR Parts 207, 208, 212, 214, 372a]

CHARTER AIR TRAVEL

Proposed New Class; Extension of Time for Filing Comments

JANUARY 19, 1972.

The Board, by circulation of notice of proposed rule making EDR-218/SPDR-22A, dated December 30, 1971, and published at 37 F.R. 222, gave notice that it had under consideration the amendment of Parts 207, 208, 212, and 214 of its economic regulations (14 CFR Parts 207, 208, 212, and 214), and the adoption of a new Part 372a of its Special Regulations (14 CFR Part 372a), establishing a new class of charter to be called "Travel Group Charter." Interested persons were invited to participate in the proceeding by submission of twelve (12) copies of written data, views, or arguments pertaining thereto to the Docket Section of the Board on or before February 7, 1972, with reply comments thereon due on or before February 22, 1972.

Counsel for 10 trunkline carriers has requested that the time for filing initial comments be extended to February 22, 1972, and that the time for filing responsive comments be extended to March 21, 1972. It is asserted that a 2-week extension of time for filing initial comments is required to obtain evidence to rebut the presumptions stated in the Explanatory Statement accompanying the proposed rule, to prepare drafts of comments, to coordinate a joint position for the various clients, and to print the comments and perform related tasks. It is further asserted that a 2-week extension of time for filing reply comments is needed because many interested persons do not serve their comments in rule making proceedings and it sometimes takes days or weeks to obtain copies. Counsel for the member carriers of the National Air Carrier Association (NACA), representing the supplemental air carriers, opposes the request for extensions of time, stating that the purpose of the trunkline carriers' request is to preclude the use of travel group charters during the 1972 summer season, that the basic outline of the Board's proposal has been known to the trunkline carriers since January 1971, and that the problem of coordinating the joint comments of a number of carriers is one which NACA also faces but does not warrant any extension of time.

The Board desires to move forward with this rule making proceeding as expeditiously as possible. However, considering the complexity of the proposed rule and its importance to the air travel industry and the public, the request for a 2-week extension of time for filing initial comments appears reasonable and will be granted. In light of this extension of time for filing initial comments, a 1-week additional extension of time for filing responsive comments appears reasonably adequate, and will be granted.

The Board does not contemplate granting any further extensions of time in this matter except under the most compelling circumstances.

Accordingly, the Board hereby extends the time for submitting initial comments to February 22, 1972, and the time for filing reply comments is hereby extended to March 15, 1972.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-1069 Filed 1-24-72;8:49 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19047; FCC 72-47]

TELEVISION TABLE OF ASSIGNMENTS, SUBSTITUTING CHANNEL 26 FOR CHANNEL 59 AT NEW HAVEN, CONN.

Report and Order Terminating Proceeding

In the matter of amendment of § 73.606(b) of the Commission's rules, Television Table of Assignments, Substituting Channel 26 for Channel 59 at New Haven, Conn., Docket No. 19047, RM-1361.

1. The Commission has before it for consideration the television channel interchange proposal of Impart System, Inc. (Impart), permittee of UHF Station WTVU, not yet constructed on Chan-

nel 59 at New Haven, Conn.,[1] upon which we initially denied rule making [2] but, upon reconsideration, granted and invited comments in the notice of proposed rule making, released herein on October 12, 1970 (FCC 70–1104), and published in the FEDERAL REGISTER on October 15, 1970 (35 F.R. 16183). The proposal would amend the television Table of Assignments by interchanging Channel 59 at New Haven with the unoccupied Channel 26 assignments at New London, Conn., as follows:

City	Channel No.	
	Present	Proposed
New Haven, Conn	8+, 59, *65	8+, 26, *65
New London, Conn	26	59

In addition, Impart requests that its permit for Station WTVU at New Haven be modified to specify operation on Channel 26 instead of Channel 59.

2. Comments were received on the proposal from the petitioner, Impart; WATR, Inc. (WATR), licensee of Station WATR–TV (Channel 20), Waterbury, Conn.; the Association of Maximum Service Telecasters, Inc. (MST); and Louis Van Leeuwen, acting for himself and six other unnamed residents of the New Haven area who, he states, desire to establish a UHF station in the New Haven area. Except for the petitioner, none of these parties urge its adoption. WATR, which opposed rule making on the proposal, continues to oppose it, urging that, in any case, if Channel 26 is substituted for Channel 59 at New Haven, it should be open for application by any and all interested parties. MST takes no position on whether the proposal should be adopted. Its single concern with it is that a New Haven Channel 26 assignment would involve a short spacing of 4.3 miles between the New Haven Channel 26 reference point and either the present or proposed transmitter for Station WXTV, Channel 41, Paterson, N.J., and it requests that if Channel 26 is reassigned to New Haven that its use there be conditioned on the employment of a site meeting all mileage separation requirements. While Leeuwen and his group support the reassignment of Channel 26 from New London to New Haven, they alternatively propose that it be assigned to New Haven, not in substitution for the New Haven Channel 59 assignment, but as an additional assignment in order to make a second unreserved UHF channel available at New Haven for which they can apply. Their proposal would replace Channel 26 at New London with Channel 69, leaving Channel 59 at New Haven undisturbed. The Leeuwen proposal was opposed by Impart in reply comments.

3. New Haven (1970 population, 137,707) is located in New Haven County (1970 population, 744,948), with an urbanized population coextensive with that of New Haven County, and a 1970 Standard Metropolitan Statistical Area population of 348,424.[3] Of the three New Haven television channel assignments, only Channel 8, occupied by Station WNHC–TV since 1957, is in use. Although neither UHF assignment at New Haven has been activated as yet, there is an application on file for the reserved Channel 65 educational assignment, filed November 2, 1970, by Connecticut Educational Television Corp., and Impart holds a construction permit for a commercial station on Channel 59, which it acquired by assignment in 1967.

4. New Haven is a part of the Hartford-New Haven-New Britain-Waterbury, Conn., television market, which ranks as the 19th largest in the country.[4] Besides the New Haven VHF station, there are four other commercial television stations (1 VHF, 3 UHF) and a UHF educational station operating in this market area. The commercial stations include VHF Station WTIC (Channel 3) and UHF Station WHCT (Channel 18) at Hartford, approximately 35 miles north of New Haven; UHF Station WHNB (Channel 30), New Britain, Conn., approximately 25 miles north of New Haven; and UHF Station WATR (Channel 20), Waterbury, Conn., approximately 18 miles northwest of New Haven. An educational UHF Station (WEDH) operates on the Hartford reserved Channel 24 assignment. Besides the New Haven Channel 59 assignment, the only other unreserved assignment still unused in this market area is Channel 61 at Hartford.[5] Channel 43, assigned to Bridgeport, Conn., approximately 18 miles south of New Haven, is also not in use.[6] The other reserved Channel *49 Bridgeport assignment has been occupied by an educational station (WEDW) since December 1967. American Research Bureau (ARB) audience estimates for February–March 1971, indicate that the New Haven and Hartford VHF stations have the greatest share of the available TV audience in the Hartford-New Haven Area of Dominant Influence (ADI), with the New Britain-Hartford Channel 30 station having the third largest share. In New Haven County, however, it appears that three New York VHF stations (WCBS, WNBC, WNEW) draw larger audiences than either the New Britain UHF station or those at Hartford and Waterbury.[7]

[1] Impart has applications on file to extend time or construction of Station WTVU (BMPCT–7097) and to modify its WTVU permit to specify a new antenna site and make other changes (BMPCT–6611). Action is being withheld on these applications pending resolution of the proceeding which we instituted on Dec. 2, 1970, in Dockets Nos. 19103–19108, ordering Victor Muscat (100 percent stockholder of Impart), Impart (Docket No. 19107), and various other entities controlled by Muscat to show cause why their various construction permits should not be revoked in light of his conviction for breach of fiduciary duty ("Securities and Exchange Commission v. Fifth Avenue Coach Lines, Inc.," Victor Muscat, Edward Krock, Thomas Bolan, and Roy M. Cohn, 289 F. Supp. 3 (1968)) and the pendency of various civil and criminal charges against him. See Order to Show Cause, Victor Muscat, et al., released December 7, 1970, FCC 70–1270, 26 FCC 2d 631. By order released Jan. 6, 197, oral argument was postponed in the proceeding until further order (FCC 70–1344, 26 FCC 2d 977). By order, released Dec. 10, 1971 (FCC 71–1227), oral argument in the proceeding is now scheduled on Feb. 15, 1972, before the Commission, en banc.

[2] See Memorandum Opinion and Order, adopted Feb. 12, 1969, FCC 69–133, 16 FCC 2d 620, 15 Pike & Fischer R.R. 2d 1551.

[3] Population statistics are from the 1970 U.S. Census of Population.

[4] American Research Bureau (ARB) ranking, as of June 30, 1971, based on average viewing households during prime time.

[5] A construction permit held by Kappa Television Corp. for Channel 61, Hartford, was deleted Apr. 30, 1971, and no application has since been filed for the channel.

[6] A station operated on Channel 43 at Bridgeport prior to 1960 (WICC–TV) but has since been inactive. The permit held by Newsvision Co. for Station WFTT on Channel 43 was deleted July 20, 1971, and no application has since been filed for the channel.

[7] ARB TV Audience Estimates (Ratings) in the Hartford-New Haven ADI, February–March 1971:

Station	Monday–Friday 5–7:30 p.m.	Sunday–Saturday 7:30 p.m.–11 p.m.	Sunday–Saturday 9 a.m.–midnight
	Percent	*Percent*	*Percent*
WTIC (3), Hartford	17	20	12
WNHC (8), New Haven	9	16	7
WHCT (18), Hartford	3	1	1
WATR (20), Waterbury	----------	1	----------
WEDH (*24), Hartford	1	----------	1
WHNB (30), New Britain	6	11	5
WCBS (2), New York	2	3	2
WNBC (4), New York	1	4	2
WNEW (5), New York	4	2	2
Homes tuned to TV	47	61	34

ARB TV AUDIENCE ESTIMATES (RATINGS) IN NEW HAVEN AND HARTFORD COUNTIES, FEBRUARY–MARCH, 1971

Station	Monday–Friday 5–7:30 p.m.		Sunday–Saturday 7:30 p.m.–11 p.m.		Sunday–Saturday 9 a.m.–midnight	
	New Haven	Hartford	New Haven	Hartford	New Haven	Hartford
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
WTIC (3), Hartford	10	21	12	25	7	15
WNHC (8), New Haven	13	6	19	12	9	5
WHCT (18), Hartford	----------	6	----------	1	----------	3
WATR (20), Waterbury	----------	----------	2	----------	1	----------
WEDH (*24), Hartford	----------	1	----------	1	----------	1
WHNB (30), New Britain	2	11	4	18	2	9
WCBS (2), New York	5	----------	8	----------	4	----------
WNBC (4), New York	3	----------	10	----------	4	----------
WNEW (5), New York	8	----------	5	----------	4	----------
Homes tuned to TV	46	36	63	59	34	33

5. New London (1970 population, 31,630) is located in New London County (1970 population 230,348), approximately 50 miles southwest of Providence, R.I., 55 miles southwest of New Bedford, Mass., and 40 miles southeast of Hartford and northeast of New Haven, with an urbanized population coextensive with that of New London County. It is a part of the New London-Groton-Norwich Standard Metropolitan Statistical Area (1970 population 198,228) and the Providence ADI. While Channel 26 has been assigned to New London since 1952, it has never been activated. A construction permit, granted for the channel in 1952, was deleted in 1960 for failure to construct, and no application has since been filed for the channel. New London County is principally served at the present time by the three VHF stations at Providence and New Bedford, and also by Hartford, New Haven, and Boston VHF stations.

6. Impart desires to operate on Channel 26 instead of Channel 59 at New Haven because it considers the lower channel technically superior for use in serving the New Haven area and in competing with the other UHF stations in the area. This is basically because it believes the lower channel has a capacity for somewhat higher signal strength in areas of shadow encountered in the rugged terrain in the New Haven area and because the other UHF stations now operating in the area operate on relatively low channels (WTIC–TV, Channel 18, Hartford; WHNB, Channel 30, New Britain; WATR, Channel 20, Waterbury). We were not, however, persuaded by Impart's prior argument and technical showings that the technical advantages of Channel 26 over Channel 59 at New Haven would be of such significance as to warrant rule making on its proposal, and particularly since there would be no gain in channel efficiency in terms of added assignments resulting from adoption of its channel interchange proposal. The additional argument and technical showing contained in its present comments add nothing which changes our viewpoint in this regard.

7. In adopting the present UHF assignment plan in 1966, we stated that, in order to derive an efficient nationwide table of assignments capable of meeting our assignment and television objectives, we would be guided by considerations of assignment efficiency in assigning high and low channels, and we emphasized that there is no advantage to lower assignments sufficient to warrant deviation from this policy.[8] Further, since the television situation is not static, and changes in the facilities and sites of existing stations and the advent of new stations are unpredictable, and any differences in propagation characteristics which might possibly affect the coverage potentialities of a high UHF channel over a low UHF channel can be compensated for by judicious site selection and sufficient power and antenna height, we do not consider it possible to conclude with any certainty that a particular low band UHF channel would be significantly better than a particular high band channel for coverage and use from a technical or competitive standpoint. We have, on occasion, as Impart notes, changed assignments from high to lower numbered channels as a matter of accommodation (mostly to existing stations) where the change was otherwise feasible and without adverse impact on existing assignments and stations. However, the assignment pattern and assignment possibilities in this Connecticut Valley area are now such as to make it evident that high, as well as low numbered, UHF channels must be used in this area in meeting additional demands and needs for new television services in the future. Consequently, unless channel efficiency would be increased, we do not believe that our television objectives or the interests of the public in this area would be served by altering that pattern by shifting channels from one place to another in this area merely to provide a lower numbered channel in one place for reasons of accommodation or of some claimed technical advantage over a higher numbered channel in use.

8. While Impart's proposal would not increase channel efficiency, since it appeared otherwise technically feasible, we did decide, upon reconsideration, to give it further consideration in rule making for one central reason. Since the channel interchange proposed would also not decrease channel efficiency, we felt that, in that circumstance, rule making was warranted to determine whether Channel 26 would have advantages over Channel 59 at New Haven for promoting the prompt commencement of a second TV commercial service there as to constitute an overriding public interest reason for making the change. We also were of the view that we should give consideration to whether there might be some public interest advantage in moving Channel 59 to New London in place of Channel 26 to open up new areas for translator usage.

9. Now that we have again considered Impart's channel exchange proposal in light of the comments filed herein, we are convinced that it would have no public interest advantage in either regard and should be denied. There appears no basis whatsoever for concluding that Channel 26 holds potential over Channel 59 at New Haven for the earlier advent of a second commercial television service there. Impart itself agrees that the proposed substitution would have no impact upon its prompt commencement of a new commercial television service at New Haven once it is authorized to construct and operate at the site and with the facilities proposed in its pending modification application for Channel 59. There would also be no public interest advantage in replacing Channel 26 with Channel 59 at New London in order to free more channels for translator usage. Our further study of this possibility reveals that the areas where channels would be released for translator use by moving Channel 59 to New London are now precluded from translator usage on those channels because of authorized stations.

10. We have also given consideration to Leeuwen's proposal to reassign Channel 26 to New Haven for an additional UHF assignment without disturbing Channel 59 at New Haven by replacing Channel 26 at New London with Channel 69. We are satisfied that Channel 26 at New Haven would be technically feasible, since there is a relatively large area east and close to New Haven meeting spacing requirements where a Channel 26 transmitter could be located.[9] We are not convinced, however, of the technical suitability of Channel 69 as a replacement for Channel 26 at New London, since the area northeast of New London meeting spacing requirements where a Channel 69 transmitter could be located is some 17 miles from the nearest New London city limit. While there is no evidence at this time of any developing interest in establishing a local station at New London, it would not appear that a channel asignment with such a limitation on possible site location would be likely to stimulate such interest and that, in a community the size of New London, and with the VHF services available in that area, it might well be the added deterrent which would keep the New London area from having a local television service in the future.

11. While we do not consider Channel 69 a desirable replacement for Channel 26 at New London, we also are not persuaded by Leeuwen's showing that there is a need for a second unreserved UHF assignment at New Haven at this time which would warrant reassigning Channel 26 from New London to New Haven with or without replacement at New London. From the record, and particularly the impact study submitted with the Impart comments, it appears reasonable to conclude that use of Channel 26 at New Haven could not be expected to have a significantly greater impact upon existing and potential UHF services on unused assignments in the area than Channel 59. But the showings in this regard are based on the assumption that Channel 26 would replace Channel 59 at New Haven and fill the need for a second rather than a third commercial TV service there. In view of the VHF and UHF services now available in the New Haven area, the problems of further UHF growth in this area, as evidenced by the unsuccessful attempts to activate unused UHF assignments in the area at Bridgeport for a first local commercial service and at Hartford for a third commercial

[8] See fifth report and memorandum opinion and order, paragraph 59, Docket No. 14229, 2 FCC 2d 527, 6 Pike & Fischer R.R. 2d 1643.

[9] The transmitter site now sought by Impart for its Channel 59 operation in its pending modification application (BMPCT–6611), and which it also contemplates for a Channel 26 operation, is within this area, located approximately 6 miles east-northeast of the northeast corner of New Haven's city limits within the town of North Branford. Impart considers this location the optimum site for operation on either Channel 59 or 26 at New Haven in view of terrain, zoning, and aeronautical considerations.

service, both of which are larger than New Haven, it would appear much more questionable whether a second UHF unreserved assignment at New Haven is warranted on the basis of any need which would outweigh considerations of adverse impact upon commencement and continuation of UHF service upon channels now assigned to this area. The Leeuwen showing does not demonstrate any particular need for Channel 26 as a third commercial television service at New Haven or provide anything helpful in resolving the impact question. While there is, of course, the possibility that adoption of the Leeuwen proposal might lead to New Haven having a second local commercial station sooner on Channel 26 than on Channel 59, this possibility is too speculative and uncertain to be a basis for decision, considering that the assignment, under our rules, would be open for application not only to the Leeuwen group, but to Impart, and all other interested parties, and, as a result, might require a lengthy comparative hearing.

12. In view of the foregoing, we are not amending the television Table of Assignments for New Haven and New London at this time, either by adopting the Impart proposal to interchange Channel 59 at New Haven with Channel 26 at New London, or the proposal of the Leeuwen group to assign Channel 26 at New Haven by replacing Channel 26 with Channel 69 at New London, and this proceeding is terminated.

Adopted: January 12, 1972.

Released: January 17, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[10]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-982 Filed 1-24-72;8:45 am]

[10] Commissioners H. Rex Lee and Reid absent.

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF LOUISIANA

Cancellation of Competitive Lease Offering

JANUARY 24, 1972.

The competitive oil and gas lease offering of blocks on the Outer Continental Shelf off Louisiana scheduled for December 21, 1971, as announced in the FEDERAL REGISTER on November 20, 1971 (36 F.R. 22188), and subject to the notice of December 21, 1971, published in the FEDERAL REGISTER on December 22, 1971 (36 F.R. 24232), has been canceled and withdrawn. All bids which were received have been returned unopened.

HARRISON LOESCH,
Assistant Secretary of the Interior.

[FR Doc.72-1197 Filed 1-24-72;10:37 am]

Bureau of Reclamation

ENVIRONMENTAL STATEMENTS

Issuance of Bureau Directives Regarding Preparation

Notice is hereby given of the publication of procedures of the Bureau of Reclamation to implement the policy and directives of section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91-190, 83 Stat. 852, January 1, 1970); section 2(f) of Executive Order 11514 (March 5, 1970); the guidelines issued by the Council on Environmental Quality (36 F.R. 7724, April 23, 1971); Office of Management and Budget Bulletin No. 72-6 (September 14, 1971); and Departmental Manual Chapter 516.2 (September 27, 1971).

Set forth below is Reclamation Instructions Chapter 376.5 entitled "Statement of Environmental Impact." The numbering system used is that of Reclamation Instructions.

Dated: January 18, 1972.

ELLIS L. ARMSTRONG,
Commissioner.

Included in the Reclamation Instructions Part, but not published in this notice, are various format and tabular illustrations.

RECLAMATION INSTRUCTIONS—PART 376—ENVIRONMENTAL QUALITY—PRESERVATION AND ENHANCEMENT

CHAPTER 5—STATEMENT OF ENVIRONMENTAL IMPACT

.1 *Requirement.* This chapter sets forth requirements and procedures for preparing and processing statements of the environmental impact of Bureau activities. These instructions implement applicable provisions the statement. However, if an ongoing proj- of section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91-190, 83 Stat. 852, January 1, 1970), hereafter referred to as the act; section 2(f) of Executive Order No. 11514 (March 5, 1970); and guidelines issued by the Council on Environmental Quality (36 F.R. 7724, April 23, 1971), Office of Management and Budget Bulletin No. 72-6, and Departmental Manual Part 516.

The act requires that environmental statements be prepared and submitted with every recommendation or report on proposals for legislation and for other major Federal actions significantly affecting the quality of the environment. Environmental statements are required for proposed actions with major environmetal impacts or which are or may be highly controversial.

Each Reclamation activity that authorizes or otherwise provides for modification of the environment, including the legal and administrative protection afforded to it, must be carefully analyzed and assessed in regard to its environmental impact. Environmental statements will be submitted to the Council on Environmental Quality (CEQ) on all legislation or other proposed major actions which may result in significant changes in the quality of the environment. The study and analysis supporting each environmental statement will utilize a systematic interdisciplinary approach that draws heavily on the natural and social sciences, the environmental design arts, and current evaluation procedures.

.2 *Applicability*—A. *Actions initiated after January 1, 1970.* All Bureau activities after the effective date of the act (January 1, 1970) which significantly affect the environment, either by modifying it or by changing its legal or administrative protection, are subject to the provisions of this chapter. If a feasibility report environmental statement has not been prepared, an environmental statement shall be prepared for the definite plan report. Where the feasibility report environmental statement has been prepared, individual feature statements will be required only when it is not adequately covered in the overall environmental statement, or is materially changed from the planning report.

B. *Actions initiated before January 1, 1970.* The provisions of this chapter apply to continuing major Bureau actions having a significant effect on the environment even though they arise from projects or programs initiated prior to enactment of the act.

Where it is not practicable to reassess the basic course of action, continuing major actions must be shaped to minimize adverse environmental consequences. It is also important in continuing actions that account be taken of environmental consequences not fully evaluated at the outset of the project or program. Ongoing programs or uncompleted features of projects which were authorized prior to January 1, 1970, must be reconsidered to determine whether they constitute major Federal actions significantly affecting the environment. If the ongoing program or uncompleted feature of a project has significant environmental impact, alternatives must be considered and an environmental statement must be prepared.

It is essential that the act be applied as effectively as possible. The application may require alterations in features of the project to which resources have not yet been unalterably committed. The ongoing program or uncompleted feature of a project need not be stopped or delayed pending preparation of ect entails individual major features or separable operating entities not yet authorized or not yet funded for start of construction, an environmental statement is necessary if it is determined that any of the incremental features have a significant environmental impact.

In deciding between an overall project environmental statement or an individual feature environmental statement, the rule to apply is that the overall project environmental statement is preferred.

.3 *Purpose of statement.* The environmental impact statement provides a means for giving environmental impact careful and appropriate review in the decisionmaking process. Environmental statements summarize the salient features of a proposed project or action program. They describe the environmental setting and provide concise, factual information concerning "Alternatives to the Proposed Action" where unresolved environmental issues are raised.

The environmental statement must have sufficient detail to allow responsible officials to understand the effects of a proposed action and to make accurate decisions regarding protection and enhancement of environmental values. The statement should reflect the measures taken to create and maintain conditions under which man and nature can exist in productive harmony.

.4 *Definitions*—A. *"Major federal actions significantly affecting the quality of the human environment"* (quoted from the Act) is to be construed with a view to the overall cumulative impact of the action proposed, and of further actions contemplated. Such actions may be localized in their impact, but, if the components of the environment or its uniqueness may be significantly affected, the statement is to be prepared.

Significant effects include those that degrade or enhance the quality of the environment; curtail or extend the range of beneficial uses of the environment; or serve short term, to the disadvantage of long term, environmental goals. Significant effects can also include actions which may be both beneficial and detrimental. Significant effects on the quality of the human environment include impacts that directly and indirectly affect human beings.

B. *Draft Environmental Statement.* This document, to be as complete as possible, is circulated to Federal, State, and local agencies and to any public or private entity having an expressed interest, for their review and comment as to its accuracy and completeness. It should accompany a proposed action document through the Bureau's review process. It may be circulated concurrently with the review process as long as final decisions are not made prior to Departmental clearance or the Final Environmental Statement (see .4C below).

C. *Final Environmental Statement.* This should be complete in all elements and must incorporate review comments, including discussions of unresolved issues. A copy of the review comments of each agency and interested party is included with the Final Environmental Statement (see Appendix A-7).[1] The final environmental statement should accompany a proposed action document through the Department's final decisionmaking process.

D. *Lead Agency.* "Lead Agency" is the Federal agency having primary authority for committing the Federal Government to a course of action. An "agency" is usually

[1] Appendix not filed with the Office of Federal Register.

thought to mean the Departmental level. The definition of "lead bureau" within an "agency" would be identical to that of "lead agency." Where the authority of agencies or bureaus is more or less equal, and the consequences are major for each, a determination will be sought by the Office of the Commissioner through the Assistant Secretary—Program Policy.

.5 *Responsibility.* Responsibility with regard to environmental statements follows the delineation of functional responsibilities in DM155 (included in the Bureau's Executive Manual as D155), and the following:

A. *Regions and E&R Center.* (1) Regional Directors, the Chief, Division of Atmospheric Water Resources Management, the Chief, Division of General Research, and the Chief, Western U.S. Water Plan, each within his area of principal functional responsibility, determine the need for and prepare environmental statements.

(2) The E&R Center divisions, under the coordination of Code 800, review draft environmental statements directed to them and assist the regions, when requested, by providing information for environmental statements.

B. *Office of the Commissioner.* (1) The division of functional concern in the Office of the Commissioner is responsible for review and processing of environmental statements.

(2) The Office of Assistant to the Commissioner—Ecology provides coordination and advice on environmental statements, and responds to requests from other agencies and individuals for copies of Reclamation environmental statements.

.6 *Bureau actions requiring Environmental Statements.* Bureau plans and actions of the following types may require environmental impact statements. This list is, in itself, neither mandatory nor all-inclusive, and the responsible official must base his judgment on the criteria in .7 below.

A. Recommendations or favorable reports to the Congress relating to legislation that changes the legal or administrative status afforded to the environment and legislation relating to appropriations for programs or projects that result in significant impact on the environment.

B. Projects, programs, and continuing activities including research:

(1) Directly undertaken by the Bureau of Reclamation.

(2) Supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of financial assistance.

(3) Involving a Federal lease, permit, license, certificate, or other entitlement for use.

C. Recommendation or adoption of policies, principles, standards, procedures, regulations, and plans which affect the environment through changes in management, operation or maintenance of facilities or which modify the legal or administrative protection afforded environmental resources.

D. Actions relating to natural or cultural resources:

(1) Acquisition or disposal of the resources.

(2) Regulation, permission, prohibition, or other institutional control of their use.

(3) Their operational or physical management.

(4) Construction or operation of various structures to manage them.

(5) Recommendations of comprehensive, program, or project plans for their management for which immediate authorization is anticipated based on recommendations made.

E. Activities that will significantly affect the following will require an environmental statement:

(1) Rare or endangered species—plant, animal, or fish.

(2) Formally classified areas such as Wilderness Areas, Primitive Areas, Wild and Scenic Rivers, National Recreation Areas, Scenic Areas, Historical Areas, Archeological Areas, Geological Areas, National Trails, National Wildlife Refuges, State Wildlife Refuges or Management Areas, parks or similar locally designated areas, and areas being studied for classification for such purposes.

(3) Municipal watersheds.

(4) Reservoir operation (major changes).

(5) Large roadless areas.

(6) Scenic attractions.

(7) Wetlands and estuaries.

(8) Free-flowing streams or major changes in regulated streams.

(9) Air quality.

(10) Water quality.

(11) Key wildlife or fish habitat.

F. Planning Federal water and related land resources projects and programs. Examples: Irrigation, municipal and/or industrial water, hydroelectric projects, and atmospheric water resources management programs.

G. Research or investigations where the on-the-ground tests involve treatment or modification of natural resources.

H. Construction activities on Federal water and related land resources projects and programs. Examples: Irrigation, municipal and/or industrial water; hydroelectric projects which have not been covered by a prior environmental statement, or where there has been a major change in design from that presented in the Authorization Report and environmental statement accompanying that report; and major new transmission lines or transmission line relocations.

I. Other activities such as:

(1) Changes in river operation or reservoir operation procedures.

(2) Major dam modification programs.

(3) Major canal modification programs.

(4) Vegetative management programs.

(5) Major acquisition leases, exchanges, or disposals of lands.

(6) Major public service developments, such as recreation facilities developed after the initial construction period.

(7) Major powerplant modification programs.

.7 *General criteria.* The following criteria as they pertain to effects on the environment should be applied in determining whether a statement is required:

(1) Degree of disturbance on the components of the ecosystem. Both onsite and offsite effects should be recognized.

(2) Irreversible effects on basic resources; short-term versus long-term commitments.

(3) Cumulative effects of many small actions.

(4) Chain reactions or secondary effects of interrelated activities.

(5) Whether the action is of national, regional, or local importance.

(6) A demonstrated or proven uniqueness or rareness of the resource affected.

(7) Precedent-setting cases.

(8) Scope of anticipated public involvement and controversy anticipated.

.8 *Interagency and intergovernmental coordination.* In addition to the procedures set forth herein, existing mechanisms for obtaining the views of departmental bureaus and offices and of other Federal, State, and local agencies will be utilized to the maximum extent practicable in the preparation and subsequent review of draft environmental statements. When seeking assistance and comments on such statements, the Bureau should request that the views expressed should be guided by the national policy as expressed in Public Law 91–190 "* * * to use all practical means and measures, including financial, and technical assistance in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans."

A. *Departmental bureaus and offices.* A number of offices and bureaus within Interior may have inputs into the preparation of the draft environmental statement. Accordingly, working-level consultations will be initiated early in the development of the proposal and during the preparation of the draft environmental statement.

The draft environmental statement will be circulated for review and comments, to all Interior entities which have delegated jurisdiction or special environmental expertise. Comments received from these bureaus and offices will be attached to the final environmental statement.

The Advisory Council on Historic Preservation and the National Park Service have taken steps to implement the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470) and they should be consulted to determine if a National Registry property is involved in the undertaking.

B. *Other Federal agencies.* (1) Those Federal agencies having "jurisdiction by law or special expertise with respect to any environmental impact involved" or "which are authorized to develop and enforce environmental standards" must be consulted in the preparation of environmental statements. The CEQ guidelines, section 7, set forth the agencies to be consulted and from whom formal comments will, where appropriate, be solicited in the review of the draft statement. The offices to which drafts are to be sent for official agency review and comment are listed in the CEQ guidelines, appendix III; [1] except for Small Reclamation Projects Act loans which are circulated only at the regional level.

(2) The Environmental Protection Agency will be invited to review each draft statement on matters related to air or water quality standards, noise control, solid waste disposal, pesticide regulation, radiation criteria and standards, or other matters within its authority.

(3) A period of not less than 45 days will normally be established for reply, after which it may be presumed, unless an extension is requested, that the agency consulted has no comment. Whenever feasible, extensions of time of up to 15 days should be granted. In exceptional cases, where time is critical, a review time limit of 30 days may be established. A period of 45 days shall be allowed for EPA review. The review period will officially start on the date the Notice of Availability is published in the FEDERAL REGISTER.

C. *State and local agencies.* (1) Where no public hearing was held to invite State and local review, and where review of the proposed action by State and local agencies authorized to develop and enforce environmental standards is relevant, State and local review shall be provided as follows:

(a) For Federal water and related land resources plans, projects, and programs, review by State and local governments will be through procedures set forth by the Water Resources Council (section IIIE of Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources, approved by the President on May 15, 1962, and printed as Senate Document 97, 87th Congress; Handbook for Coordination of Planning Studies and Reports, June 1969).

(b) For direct Federal development projects, including water and related land resource projects, and for projects assisted under programs listed in attachment D of Office of Management and Budget Circular A–95, review by State and local governments will be through State and regional or metropolitan clearinghouses in accordance with

[1] Appendix not filed with the Office of Federal Register.

Circular A-95 and implementing Bureau instructions.

(c) For actions affecting the cultural or historic components of the environment, review by State and local agencies will be through procedures set forth by the Advisory Council on Historic Preservation (36 F.R. 3310), and draft environmental statements will reflect consultation with the State Liaison Officer for Historic Preservation and with the State Archeologist.

(d) For actions having an impact on Indian lands or communities, review by State and local agencies will also include review by local Indian tribal governing bodies.

(2) Where the procedures in C(1) above are not appropriate, review and comment by State and local agencies authorized to develop and enforce environmental standards may be obtained by distributing the draft environmental statement to the appropriate State and regional or metropolitan clearinghouses, unless the Governor of the State has designated some other point for obtaining this review.

(3) Clearinghouse procedures allow State and local agencies 30 days for initial comment, with an extension of 30 days upon request. The review period will officially start on the date the Notice of Availability is published in the FEDERAL REGISTER.

D. *Special situations.* When a proposed grant, leasing, or similar program does not entail approval by other agencies, the views of Federal, State and local agencies in the legislative, and possibly the appropriation, process may have to suffice. The principle to be applied is to obtain views of other agencies at the earliest feasible time in the development of program and project proposals.

.9 *Public participation and availability of statements.* The public must be provided timely information and material sufficient for an understanding of plans and programs with their environmental impact in order to obtain the views of interested parties. The public must also be provided information on alternative courses of action.

A. *Public hearings.* Public hearings may be held to solicit the views of interested parties. Notice of such hearings will include publication in the FEDERAL REGISTER no less than 30 days before the hearing date, and such other notice as the Regional Director or responsible E&R Center official deems appropriate. Proposals to hold public hearings as well as plans to publish the FEDERAL REGISTER notice shall be coordinated with the Office of the Commissioner. If it is decided to prepare a draft environmental statement prior to a hearing, the statement shall be made available to the public at least 15 days, and preferably 30 days, before the hearing date.

B. *Public inspection.* Draft and final environmental statements, including required attachments (see appendix A–7 attachments),[1] will be made available for public inspection at the following locations:

(1) The Department's Office of Communications (for statements considered especially newsworthy by the Director of Communications; otherwise that office will assist the public in locating and inspecting such statements).

(2) Office of Ecology in the Office of the Commissioner. (This office also maintains review comments and a complete record of hearings.)

(3) Division of Engineering Support, Technical Services Branch, E&R Center. (This office also maintains review comments and a complete record of hearings.)

(4) Any involved regional office. (The involved regional office also maintains review comments and a complete record of hearings.)

(5) Involved field offices as appropriate. (Those offices with primary involvement maintain review comments and a complete record of hearings.)

(6) State and regional or metropolitan clearinghouses, where appropriate.

(7) A local public meeting place, such as a county courthouse or public library, in the immediate vicinity of the proposed action, where appropriate.

C. *Charges for copies.* Whenever possible, copies of draft and final environmental statements, including required attachments, will be made available to the public at no cost. In those cases where the cost of reproduction of such statements is prohibitive, or when an unreasonably large number are requested by a single entity, the public may be charged a fee no greater than the incremental costs of reproduction (43 CFR 2.3).

D. *Notifying the public.*—(1) FEDERAL REGISTER *publication.* Notices of availability of draft and final environmental statements will be made in the FEDERAL REGISTER at the time of transmittal of the statement to CEQ. Format is shown in appendix B.[1]

(2) *Local mailing list.* Regional Directors and the Division of Engineering Support, Technical Services Branch, E&R Center, will develop and maintain a mailing list of local environmental, conservation, and other groups who have expressed an interest in reviewing draft environmental statements during the concurrent review process.

(3) *News releases.* News releases at the Commissioner, regional, and/or E&R Center levels will be made when appropriate with respect to the draft and final environmental statement.

.10 *General procedures.*—A. *Administrative action (see .13 and appendix C).*[1] (1) Administrative actions are defined as any proposed action subject to section 102(2)(C) of the act other than proposals for legislation to the Congress or reports on legislation. (Examples: Planning report process on projects that will make a significant impact on the environment; award of contracts on actions that make a significant impact on the environment.)

(2) To the maximum extent practicable, no action is to be taken before the expiration of 90 days after a draft environmental statement has been furnished to CEQ, circulated for comment, and publicly announced in the FEDERAL REGISTER, whichever is later.

(3) To the maximum extent practicable, no action is to be taken sooner than 30 days after a final environmental statement has been made available to CEQ and to the public, and a Notice of Availability has been published in the FEDERAL REGISTER. If the final statement is filed within the 90-day period in (2) above, the two periods may run concurrently to the extent that they overlap.

(4) Where, in the opinion of the Commissioner, emergency circumstances which override considerations of expense to the Government or impaired program effectiveness make it necessary to take an action having significant environmental impact without observing the time limitations in (2) and (3) above, the Commissioner will consult with the Assistant Secretary—Program Policy, who will in turn consult with CEQ, concerning alternative arrangements.

B. *Legislative proposals and favorable reports on legislation.* (Also see appendix C.) (1) The Bureau is responsible for preparing environmental statements for its legislative proposals which have significant impact upon the environment, and for any necessary consultations with appropriate Federal, State, and local agencies in the course of preparing and reviewing such statements. State and local agency consultations are not required unless there is a specific impact in the jurisdiction of a State or local agency.

(a) Information copies of approved draft or final environmental statements will accompany all such legislative proposals when submitted by the Bureau to the Legislative Counsel for circulation within the Department, and will be circulated with such proposals.

(b) Information copies of approved draft or final environmental statements will accompany the Legislative Counsel's submittals of such legislative proposals to OMB for clearance.

(2) In referring introduced legislation to the Bureau of Reclamation for comment, the Legislative Counsel, in consultation with the Assistant Secretary—Program Policy, will indicate whether an environmental statement will be required in the event of a proposed favorable report; and, if required, will designate the bureau or office responsible for its preparation.

(a) If Reclamation is designated to prepare the environmental statement, the Bureau will submit the proposed draft environmental statement to the Legislative Counsel along with comments on the introduced legislation. This proposed draft environmental statement will accompany the proposed favorable report on its "2-day wait" period within the Department.

(b) The approved draft environmental statement will be circulated by Reclamation for official review and comment at the same time that the Legislative Counsel submits the Department's proposed favorable report, accompanied by information copies of the statement to OMB for clearance. The Assistant Secretary—Program Policy will clear the statement, assign a control number, date it, and transmit 10 copies to CEQ prior to Reclamation sending it out for review and comment. No FEDERAL REGISTER notice is required.

(3) Final environmental statements for legislative proposals and for favorable reports on legislation, and draft environmental statements, where appropriate under section 10(c) of the CEQ Guidelines, will be sent to the Congress by the Legislative Counsel. Reclamation will transmit 35 copies through the Assistant Secretary—Water and Power Resources, to the Assistant Secretary—Program Policy, who will endorse the statement, number and date it, and transmit copies to CEQ, the Legislative Counsel, and the Director of Communications. No FEDERAL REGISTER notice is required.

(4) The Legislative Counsel may permit deviation from the above procedures if undue delay in the presentation of Departmental views to the Congress would result.

C. *Annual budget estimates.* (1) Environmental statements and summary lists for annual budget estimates shall be handled in accordance with OMB Bulletin 72–6 and Appendix C[1] of this chapter, as modified below.

(2) Draft environmental statements for projects and programs included in annual budget estimates will be prepared and circulated for review and comment by August 1 of the fiscal year preceding the year under consideration. The draft statements to be circulated should therefore be based on the proposed program used in the spring review and the environmental statement information would be available for the Annual Program Conference. When the Presidential allowances are known, the Office of the Commissioner will notify the Regional Director or the Division Chief in the E&R Center of the final environmental statements which will be needed for transmittal to the Congress and CEQ prior to Congressional hearings.

(3) Final environmental statements for projects and programs included in the budget will be transmitted to the Congress by the Assistant Secretary—Management and Budget and to CEQ by the Assistant Secretary—Program Policy following the President's budget transmittal to the Congress and before Congressional hearings.

[1] Appendix not filed with the Office of Federal Register.

(4) Regional Directors or the responsible E&R Center Division Chief shall furnish the following budget material in response to the annual budget call letter:

(a) A tabulation in format of Exhibit 1 to OMB Bulletin 72–6.

(b) A narrative, by appropriation, for the Bureau's Summary Statement. In the case of programs for which it is not possible to make an assessment of the potential impact on the environment, or to identify environmental statements that will be required, the narrative may include a statement about general environmental impact and the expected timing of decisions regarding the need for environmental statements.

.11 *Preparation of statements.* Unless otherwise determined by the Office of the Commissioner, statements shall be prepared by an entity responsible to officials designated in .5A, who shall form a multiple-disciplinary team as may be needd for a properly balanced statement. Information helpful to the preparation of the statement may be obtained from all appropriate sources, including contractors, study reports submitted by applicants for grants, contracts, loans, leases, licenses, or permits, and study reports of bureaus or offices within the Department, other Federal agencies or States. However, the environmental statement is a Bureau of Reclamation product, and the official designated in .5A is fully responsible for its content.

Each statement shall contain the following:

(1) Cover sheet—see Appendix A–1 [1] for draft statement; Appendix A–2 for final statement.

(2) Summary sheet—see Appendix A–3 [1] for draft statement; Appendix A–4 [1] for final statement.

(3) Body of the Statement, containing eight sections in the order shown in Appendix A–5.[1]

(4) Consultation and coordination with others—see Appendix A–6.[1]

(5) Attachments—see Appendix A–7.[1]

Draft statements shall be double spaced and final statements shall be single spaced.

.12 *Processing Environmental Statements.*—A. *General.* The Regional Director or the E&R Center division chief with principal functional interest in the action should identify the stage or stages of a series of actions at which the provisions of this chapter will be applied. Environmental statements may be necessary both in the development of a national program and in the review of proposed projects within the national program. Care should be taken not to duplicate the review process, but when actions being considered differ significantly from those that have already been reviewed pursuant to this chapter, an environmental statement shall be provided.

B. *Specific procedures.* The several steps for the review, clearance, and approval of draft and final environmental statements are set forth in tabular form in Appendix C.[1]

C. *Advance copies of statements.* Since a substantial number of copies of both the draft and the final statements is to be transmitted to Washington, it is requested that advance copies of each statement be sent to the Commissioner for final review and approval before the statement is reproduced in numbers. Advance copies should also be sent to the E&R Center, Code 800, for review and comment, and to the respective Regional Solicitor's office for information.

D. *Federal Agencies having jurisdiction by law or special expertise.* The Federal agencies to which statements are to be referred in accordance with Appendix C,[1] steps 8 and 28, include the following:

Department of Agriculture—Office of the Secretary.
Department of Commerce—Deputy Assistant Secretary for Environmental Affairs.
Department of Defense—Assistant Secretary for Defense.
Department of Health, Education, and Welfare—Assistant Secretary for Health and Science Affairs.
Department of Housing and Urban Development (HUD has delegated review authority to its regional offices).
Department of State—Special Assistant to the Secretary for Environmental Affairs.
Department of Transportation—Assistant Secretary for Environment and Urban Systems.
Atomic Energy Commission—Director, Office of Environmental Affairs.
Federal Power Commission—Commission's Advisor on Environmental Quality.
Environmental Protection Agency (EPA has delegated review authority to its regional offices).
Office of Economic Opportunity—Director.
Department of the Army—Executive Director of Civil Works, Office of the Chief of Engineers.

.13 *Special requirements of reclamation programs*—A. *Planning reports*—(1) *Feasibility reports.* The Regional Director's proposed and final feasibility reports wll contain a chapter on environmental aspects. The chapter should be in sufficient detail that all environmental aspects associated with the proposal can be adequately described in the environmental statement to be developed later.

A proposed draft environmental statement shall accompany the Regional Director's proposed feasibility report when it is transmitted for field level review. The proposed draft does not have to be cleared through the Department before it is sent for field level review.

The Regional Director's feasibility report when transmitted to the Commissioner shall be accompanied by a draft environmental statement. This draft statement will accompany the Secretary's proposed planning report when the Bureau sends it, on behalf of the Secretary of the Interior, for review by the States and Federal agencies. The draft statement also will be sent to local agencies, conservation/environmental groups, and the public. At that time it will also be sent to other bureaus and offices within Interior. Concurrently, copies of the draft environmental statement will be sent to the Council on Environmental Quality by the Assistant Secretary—Program Policy, and a notice of availability will be published in the FEDERAL REGISTER.

The final environmental statement will accompany the Secretary's final planning report when it is sent to the President for advice as to the relationship of the proposal to his program. At that time, the final environmental statement will be sent by the Assistant Secretary—Program Policy to the Council on Environmental Quality and a notice published in the FEDERAL REGISTER.

(2) *Reconnaissance and definite plan reports.* Environmental statements shall accompany significant favorable reconnaissance reports as determined by the Regional Director in consultation with the Office of the Commissioner. Environmental statements should not accompany definite plan reports if an adequate environmental statement was prepared for a feasibility report and the plan has not changed significantly since the feasibility report. Both reconnaissance and definite plan reports will have an environmental impact chapter.

B. *Small reclamation project loan applications.* Processing of environmental statements for the Small Reclamation Project Loan Program will generally follow the procedures in appendix C, with the following modifications. Loan applicants will prepare an environmental impact study report in consultation with appropriate Federal, State, and local agencies. The draft environmental statement will be prepared by the Regional Director using the study report as appropriate, and advance copies will be furnished the E&R Center and the Commissioner for review and approval before reproduction.

In appendix C,[1] step 4, only 50 copies of environmental statements for loan applications should be sent to the Commissioner, attention 700. After clearance by the Assistant Secretary—Program Policy, the control number and date will be furnished the Regional Director for concurrent distribution of the draft statement.

The distribution and review called for in appendix C, steps 8 to 10, should be modified as necessary to follow procedures applicable to the loan program. Comments on the draft environmental statement will be requested by the Commissioner from bureaus and offices within Interior and the Executive Director, Advisory Council on Historic Preservation. The regional office should contact the State Liaison Officer in the affected State to determine if properties are being considered for National Register nomination in its distribution for review and comment.

The procedures with respect to comments and the final environmental statement are the same as in appendix C.[1]

[FR Doc.72–1027 Filed 1–24–72;8:45 am]

National Park Service

SAGUARO NATIONAL MONUMENT, ARIZ.

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with the provisions of the Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1131, 1132), and in accordance with departmental procedures as identified in 43 CFR 19.5, that a public hearing will be held beginning at 1 p.m. on March 25, 1972, at the City Council Chambers, 250 West Alameda, Tucson, Ariz., for the purpose of receiving comments and suggestions as to the appropriateness of a proposal for the establishment of wilderness comprising about 32,300 acres within the Saguaro National Monument, Pima County, Ariz.

A packet containing a draft master plan and a preliminary wilderness study report, and providing additional information about the proposal, may be obtained from the General Superintendent, Southern Arizona Group, National Park Service, Post Office Box 13408, Phoenix, AZ 85002, or from the Director, Western Region, National Park Service, 450 Golden Gate Avenue, Box 36063, San Francisco, CA 94102.

A topographic map of the area proposed for establishment as wilderness is available for review in the above offices, at the Saguaro National Monument office, and in Room 1013 of the Department of the Interior Building at 18th and C Streets NW., Washington, D.C.

Interested individuals, representatives of organizations, and public officials are invited to express their views in person at the aforementioned public hearing, provided they notify the Hearing Officer, in care of the General Superintendent, Southern Arizona Group, National Park Service, Post Office Box 13408, Phoenix,

[1] Appendix not filed with the Office of Federal Register.

AZ 85002, by March 23 of their desire to appear. Those not wishing to appear in person may submit written statements on the wilderness proposal to the Hearing Officer, at that address for inclusion in the official record, which will be held open for 30 days following conclusion of the hearing.

Time limitations may make it necessary to limit the length of oral presentations and to restrict to one person the presentation made in behalf of an organization. An oral statement may, however, be supplemented by a more complete written statement which may be submitted to the Hearing Officer at the time of presentation of the oral statement. Written statements presented in person at the hearing will be considered for inclusion in the transcribed hearing record. However, all materials so presented at the hearing shall be subject to determinations that they are appropriate for inclusion in the transcribed hearing record. To the extent that time is available after presentation of oral statements by those who have given the required advance notice, the Hearing Officer will give others present an opportunity to be heard.

After an explanation of the proposal by a representative of the National Park Service, the Hearing Officer, insofar as possible, will adhere to the following order in calling for the presentation of oral statements:

(1) Governor of the State or his representative.
(2) Members of Congress.
(3) Members of the State Legislature.
(4) Official representative of the county in which the proposed wilderness is located.
(5) Officials of other Federal agencies or public bodies.
(6) Organizations in alphabetical order.
(7) Individuals in alphabetical order.
(8) Others not giving advance notice, to the extent there is remaining time.

Dated: January 17, 1972.

THOMAS FLYNN,
Deputy Director,
National Park Service.

[FR Doc.72-1040 Filed 1-24-72;8:46 am]

DEPARTMENT OF COMMERCE

NATIONAL BUREAU OF STANDARDS

Notice of Intent To Withdraw Certain Standards

In accordance with § 10.12 of the Department of Commerce Procedures for the Development of Voluntary Product Standards (15 CFR Part 10, as revised; 35 F.R. 8349, dated May 28, 1970), notice is hereby given of the Department's intent to withdraw the nine standards identified below. It has been tentatively determined that each of these standards, Commercial Standard (CS) and Simplified Practice Recommendation (SPR), are technically inadequate and that due to the existence of other more up-to-date nationally recognized standards for the products covered, revision of these out-of-date standards would serve no useful purpose. The more up-to-date standards that are considered to be suitable and appropriate replacements for the standards listed for withdrawal are identified below in parentheses.

CS 116-54 Homogeneous-Wall Bituminized-Fibre Drain and Sewer Pipe.
(ASTM D 1861-69 Standard Specification for Homogeneous Bituminized Fiber Drain and Sewer Pipe.)
CS 226-59 Laminated-Wall, Bituminized-Fibre Drain and Sewer Pipe.
(ASTM D 1862-64 Standard Specification for Laminated-Wall Bituminized Fiber Drain and Sewer Pipe.)
CS 270-65 Acrylonitrile-Butadiene-Styrene (ABS) Plastic Drain, Waste and Vent Pipe and Fittings.)
(ASTM D 2661-68 Standard Specification for Acrylonitrile - Butadiene - Styrene (ABS) Plastic Drain, Waste and Vent Pipe and Fittings.)
CS 272-65 Polyvinyl Chloride (PVC) Plastic Drain, Waste and Vent Pipe and Fittings.
(ASTM D 2665-68 Standard Specification for Poly(Vinyl Chloride) (PVC) Plastic Drain, Waste and Vent Pipe and Fittings.)
CS 228-61 Styrene Rubber Plastic Drain and Sewer Pipe and Fittings.
(ASTM D 2852-69T Standard Specification for Styrene-Rubber Plastic Drain and Building Sewer Pipe and Fittings.)
CS 188-66 Cast-Iron Soil Pipe and Fittings.
(ASTM A 74-69 Standard Specification for Cast Iron Soil Pipe and Fittings.)
CS 143-60 Perforated Vitrified Clay Pipe (Standard and Extra Strength.)
(ASTM C 13-69 Standard Specification for Standard Strength Clay Sewer Pipe.)
(ASTM C 200-69 Standard Specification for Extra Strength Clay Pipe.)
(ASTM C 211-68 Standard Specification for Standard and Extra Strength Perforated Clay Pipe.)
CS 224-60 Vitrified Clay Sewer Pipe (Standard and Extra Strength).
(ASTM C 13-69 Standard Specification for Standard Strength Clay Sewer Pipe.)
(ASTM C 200-69 Standard Specification for Extra Strength Clay Pipe.)
(ASTM C 211-68 Standard Specification for Standard and Extra Strength Perforated Clay Pipe.)
SPR 211-45 Clay Sewer Pipe and Fittings.
(ASTM C 12-64 Standard Specification for Installing Vitrified Clay Sewer Pipe.)

Any comments or objections concerning the intended withdrawal of any of these standards should be made in writing and directed to the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234, within 45 days of the publication of this notice. The effective date of withdrawal, where appropriate, will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures, from the effective date of the withdrawal.

LAWRENCE M. KUSHNER,
Acting Director.

JANUARY 19, 1972.

[FR Doc.72-1084 Filed 1-24-72;8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-422]

HAVER-LOCKHART LABORATORIES

Neomycin Sulfate-Sulfacetamide-Phenacaine Ophthalmic Ointment; Notice of Drug Deemed Adulterated

In the FEDERAL REGISTER of February 19, 1970 (35 F.R. 3181), the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration following evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on Neocetacaine Ophthalmic Ointment Veterinary, marketed by Haver-Lockhart Laboratories, Kansas City, Mo. 64141.

The announcement provided the manufacturer and all interested persons a 6-month period in which to submit new animal drug applications. Haver-Lockhart Laboratories does not hold an approved new animal drug application for said drug.

Based on the foregoing and the information before him, the Commissioner concludes that the above named drug is adulterated within the meaning of section 501(a)(5) of the Federal Food, Drug, and Cosmetic Act, in that it is not the subject of an approved new animal drug application pursuant to section 512 of the act. Therefore, notice is given to Haver-Lockhart Laboratories, and all interested persons that all stocks of said drug within the jurisdiction of the act are deemed adulterated within the meaning of the act and are subject to appropriate regulatory action.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501(a)(5), 512, 52 Stat. 1049, as amended, 82 Stat. 343-51; 21 U.S.C. 351(a)(5), 360b) and under the authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-1038 Filed 1-24-72;8:46 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-142]

DIRECTOR, PROGRAM PLANNING STAFF, ET AL.

Designation To Act as Acting Regional Administrator

The officers appointed to the following listed positions in Region V (Chicago)

are hereby designated to serve as Acting Regional Administrator, Region V (Chicago), during the absence of both the Regional Administrator and the Deputy Regional Administrator, with all the powers, functions, and duties redelegated or assigned to both the Regional Administrator and Deputy Regional Administrator: *Provided*, That no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Director, Program Planning Staff.
2. Assistant Regional Administrator for Administration.
3. Regional Counsel.

This designation supersedes the designation effective April 23, 1968 (33 F.R. 5599, May 9, 1968).

(Delegation May 4, 1962, 27 F.R. 4319; Dept. Interim Order 11, 31 F.R. 815, Jan. 21, 1966)

Effective as of October 1, 1971.

GEORGE J. VAVOULIS,
Regional Administrator,
Region V (Chicago, Ill.).

[FR Doc.72-1018 Filed 1-24-72;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-369, 50-370]

DUKE POWER CO.

Determination To Grant Exemption From Licensing for Certain Construction Activities

Pursuant to the provisions of 10 CFR 50.12 of the Atomic Energy Commission's (Commission) regulations, the Commission has granted an exemption from the requirements of 10 CFR 50.10(b) to the Duke Power Co. (the applicant) for certain additional construction activities involving units 1 and 2 of its William B. McGuire Nuclear Station prior to the issuance of construction permits and the completion of the National Environmental Policy Act of 1969 (NEPA) environmental review.

In an application dated September 18, 1970, the applicant applied for permits to construct two pressurized water nuclear power reactors, designated as the William B. McGuire Nuclear Station, units 1 and 2 (facilities), at the applicant's site in Mecklenburg County, N.C. On June 23, 1971, in response to a request by the applicant, the Commission granted the applicant an exemption from the provisions of 10 CFR 50.10(b) to allow certain construction activities at the facilities prior to the issuance of construction permits.

By letters dated September 3, October 1, and December 8, 1971, the applicant requested a further exemption from the provisions of 10 CFR 50.10(b) for certain additional construction activities at the facilities prior to the issuance of construction permits and provided the Commission with supporting information, including information on the environmental impact of the activities to be conducted under the exemption, if granted.

On the basis of our review of the information provided by the applicant in support of the request for an exemption and after consideration and balancing of the environmental factors specified in the proposed revision to 10 CFR 50.12 published in the FEDERAL REGISTER on December 1, 1971 (36 F.R. 22848), it has been determined that the requested exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest and should be authorized.

The basis for granting this exemption prior to the completion of the ongoing NEPA review of these facilities is set forth in a document entitled "Discussion and Findings by the Division of Reactor Licensing, U.S. Atomic Energy Commission, Relating to a Request for an Exemption from Licensing for Certain Construction Activities at the McGuire Nuclear Station, Units 1 and 2, Prior to the Completion of the NEPA Environmental Review, AEC Docket Nos. 50-369 and 50-370," dated December 21, 1971.

The applicant's letters of September 3, October 1, and December 8, 1971, relating to this request for an exemption, a letter from the Director, Division of Reactor Licensing to the applicant dated January 17, 1972, granting the exemption, and the "Discussion and Findings" referred to above, are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Public Library of Charlotte, and Mecklenburg County, 310 Tryon Street, Charlotte, NC 28208. Copies of the "Discussion and Findings" document may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 17th day of January 1972.

For the Atomic Energy Commission.

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

[FR Doc.72-1032 Filed 1-24-72;8:46 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24164; Order 72-1-68]

CAPITOL INTERNATIONAL AIRWAYS, INC.

Order of Investigation and Suspension Regarding Baggage Liability Limitation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of January 1972.

By tariff revisions [1] marked to become effective January 22, 1972, Capitol International Airways, Inc. (Capitol) proposes to reduce its baggage liability limitation provided without charge to the passenger (applicable to other than foreign air transportation) from $500 to $100, and to assess an excess valuation charge of $1 on any valuation declared by the passenger in excess of $100 up to a maximum of $500.

In support of its proposal, Capitol states that with the effectiveness of the proposed change it intends to institute a self-insurance program; that the increase is designed to cover the cost of administering that program; and that the increase will in no way result in an increase in its pretax profits. The carrier also states that during the last 6 months the average claim has been $100 or less, and that with the passengers' option of increased valuation its anticipated claim settlements will be larger. The carrier further alleges that its proposal is within the Price Commission stabilization guidelines, and that it is not required to advise the Commission of its proposal inasmuch as its gross revenue is under $50 million annually.

No complaints have been filed.

Upon consideration of the proposal and all other relevant matters, the Board finds that the proposal may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be investigated. The Board further concludes that the proposal should be suspended pending investigation.

In our opinion, Capitol's proposal is inconsistent with the Board's decision in the Baggage Liability Rules Case, Docket 15529,[2] in which we found that $500 was the minimum limitation domestic trunk and local service carriers should place on their liability for personal property, including baggage, provided without assessing a charge. Although that case was limited in scope to the liability rules applicable to domestic services of the trunkline and local service carriers, we find no basis, absent a convincing showing to the contrary, upon which to depart from the standards established therein. We will also investigate the lack of a provision in Capitol's tariff for the declaration of value in excess of the $500 free limit at a reasonable charge.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the charge and provisions of Rule No. 55(D)(1) on 2d [3] and 3d revised pages 16 of Capitol International Airways, Inc.'s C.A.B. No. 160 (Capitol Airways, Inc., series), and rules, regulations, or practices affecting such charge and provisions are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if

[1] Capitol International Airways, Inc., C.A.B. No. 160.

[2] Order E-24198, Sept. 19, 1966.

[3] Insofar as the rule does not provide, at a reasonable charge, for the declaration of value in excess of the present limitation of $500.

found to be unlawful, to determine and prescribe the lawful charge and provisions, and rules, regulations, or practices affecting such charge and provisions;

2. Pending hearing and decision by the Board, Rule No. 55(D)(1) on 3d revised page 16 of Capitol International Airways, Inc.'s C.A.B. No. 160 (Capitol Airways, Inc., series) is suspended and its use deferred to and including April 20, 1972, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order be filed with the aforesaid tariff and be served upon Capitol International Airways, Inc., which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-1070 Filed 1-24-72;8:49 am]

FEDERAL COMMUNICATIONS COMMISSION

[Supp. 1]

CANADIAN FM BROADCASTING CHANNEL ALLOCATIONS

Addition to Table

JANUARY 14, 1972.

Amendment of Table A of the 1963 Working Arrangement for Allocations of FM Broadcast Stations under the Canada-U.S.A. FM Agreement of 1947. *Supplement No. 1* To the Table of Canadian FM broadcasting channel allocations within 250 miles of the Canada-U.S.A. border, dated October 1, 1971, as revised to September 15, 1971.

Pursuant to exchange of correspondence between the Department of Communications of Canada and the Federal Communications Commission, table A of the FM Working Arrangement has been amended as follows:

City	Channel No.	
	Delete	Add
Bonnington, British Columbia		222A
Toronto, Ontario	[3] 260C_1*	260C_1*
Chicoutimi, Quebec		300
Drummondville, Quebec		243A
Quebec City, Quebec	298B	298C_1
St. Anne de Beaupre, Quebec		267B
Sherbrooke, Quebec	243C_1*	266C_1*

[3] Limited to parameters of 200 kw. and 441 feet or equivalent.

Further amendments to Table A will be issued as public notices in the form of numbered supplements or recaptiulated lists.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-980 Filed 1-24-72;8:45 am]

[Report 579]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JANUARY 17, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30(b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

1973-C2-P-72—Southwestern Bell Telephone Co. (KKD283), for additional facilities to operate on 454.575 MHz at location No. 2: Normandy Road and 42d Street, Fort Worth, TX.

4019-C2-P-(4)-72—The Bell Telephone Co. of Pennsylvania (KGA474), for additional facilities to operate on 152.60 MHz and change the antenna system operating on 152.63 and 152.78 MHz located at 1.9 miles north of Wyoming, Pa.

4140-C2-ML-72—Montana Communications (KOP294), change base frequency to 152.06 MHz located on XL Heights, 3 miles northeast of Butte, Mont.

4145-C2-P-72—Mobilphone-Paging Radio Corp. (KCA725), for additional facilities to operate on 454.25 MHz at location No. 3: On Folmouth Street, Johnston, R.I.

4148-C2-P-72—Ranch Radio, Inc. (KLB324), for additional facilities to operate on 454.225 MHz located 2 miles northwest of Wharton, Tex.

4169-C2-P-(5)-72—Southern Bell Telephone & Telegraph Co. (KIG292), delete frequencies 152.63 MHz base and 157.89 MHz test; replace transmitter operating on 152.51 MHz base; replace test transmitter operating on 157.77 MHz; add four base channels on 152.57, 152.66, 152.72, and 152.78 MHz; add test frequencies 157.83, 157.92, 157.98, and 158.04 MHz; change the antenna system and relocate facilities to 325 Gardenia Street, West Palm Beach, FL.

4177-C2-P-(2)-72—Communications Equipment & Service Co. (KWA632), change repeater frequencies from 72.30 and 459.175 MHz to 2175 MHz at location No 1: Ester Dome, Alaska, and change control frequencies from 75.68 and 454.175 MHz to 2125 MHz at location No. 2: 1010 College Road, Fairbanks, AK.

4178-C2-P-(7)-72—Mountain States Telephone & Telegraph Co. (KOA607), change the antenna structure for 152.51, 152.57, 152.60, 152.63, 152.66, 152.72, and 152.81 MHz at location No. 2: 12403 North 15th Avenue, Phoenix, AZ.

4179-C2-P-72—Lalie Hampton, doing business as Radio Call Co. (New), for a new one-way station to be located at 17th Street on Beaver Creek Knob, Bristol, Tenn., to operate on 152.24 MHz.

4180-C2-P-72—R. O. Deaderick Co. (KCI308), for additional facilities to operate on 152.18 MHz at location No. 3: WBIR TV Tower, Knoxville, Tenn.

4181-C2-P-72—Curtin-Call Communications, Inc. (New), for a new one-way station to be located at Division and Main Streets, Fond du Lac, WI, to operate on 158.70 MHz.

4186-C2-P-72—Radio Dispatch Co. (New), for a new one-way station to be located at 2210 Boardwalk, Atlantic City, NJ, to operate on 158.700 MHz.

4187-C2-P-(2)-72—Mueller Electronics, Inc. (New), for a new one-way station to be located at Boardwalk at Iowa Avenue, Atlantic City, N.J., to operate on 152.24 and 158.70 MHz.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

4188–C2–P–72—Radio Broadcasting Co. (New), for a new one-way station to be located at 2210 Boardwalk, Atlantic City, N.J., to operate on 152.240 MHz.

4189–C2–P–(2)–72—Airsignal International, Inc. (New), for a new one-way station to be located at 2.5 miles east-northeast of Bridgeton, N.J., to operate on 152.240 and 158.700 MHz.

4190–C2–AL–72—Professional Administrative Services, Inc., consent to assignment of license from Professional Administrative Services, Inc., Assignor, to American Communication Systems, Inc., Assignee. Station: KIG300 Atlanta, Ga.

4251–C2–P–72—Airphone Co. (KCC266), for additional facilities to operate on 35.58 MHz at a new location described as location No. 2: Mount Tom, near WHYN–TV Tower, Massachusetts.

4252–C2–P–72—Jersey Information Center, Inc. (New), for a new two-way station to be located at 0.8 mile north of Salem, N.J.

4253–C2–P–72—Victor E. Duane (New), for a new one-way station to be located at 5538 Colerain Avenue, Cincinnati, OH, to operate on 158.70 MHz.

4255–C2–P–72—Southern Bell Telephone & Telegraph Co. (KIY392), change the antenna system operating on 152.69 MHz, located at 111 East Fifth Street, Panama City, FL.

4254–C2–P–72—R.C.S., Inc. (KRM971), replace transmitter operating on 454.225 MHz control at location No. 3: 819 West Church Street, Santa Maria, CA.

4267–C2–P–72—Howard A. Maddox, Inc. (New), for a new two-way station to be located at 447 South Commerce Street, Sebring, FL, to operate on 152.12 MHz.

4268–C2–P–72—Colgan-Communications, Inc. (New), for a new one-way station to be located at 0.4 mile north of Route No. 6, on Oak Street, Barnstable, Mass., to operate on 152.24 MHz.

Correction

4468–C2–P–71—Peabody Telephone Answering Service (KCC786), correct to read: Major amendment to 7370–C2–P–69. Amended to add base frequency 152.21 MHz. See Public Notices dated June 16, 1969 and Mar. 1, 1971, Reports Nos. 444 and 533.

POINT-TO-POINT MICROWAVE RADIO SERVICE

INFORMATIVE: Applicant, MCI St. Louis—Texas, Inc., is proposing 17 new point-to-point microwave sites for specialized common carrier service in a four-State area from Missouri to Texas and intermediate points. These applications are in compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and informative guidelines published regarding frequency coordination report No. 562 FCC Common Carrier Services Information released Sept. 20, 1971.

4107–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 4 miles north of Granby City, Mo., at latitude 36°58'46" N. and longitude 94°15'08" W. Frequency 6197.2H MHz on azimuth 85°47' and 6315.9H MHz on azimuth 296°58'.

4108–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2 miles northwest of Chetopa, Kans., at latitude 37°03'44" N. and longitude 95°08'30" W. Frequency 6152.8V MHz on azimuth 60°19' and 6063.8H MHz on azimuth 177°11'.

4109–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 6.5 miles east-northeast of Chelsea, Okla., at latitude 36°37'31" N. and longitude 95°23'40" W. Frequency 6063.8H MHz on azimuth 52°40' and 6063.8V MHz on azimuth 210°23'.

4110–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 7.5 miles north of Tiawah, Okla., at latitude 36°22'27" N. and longitude 95°34'35" W. Frequency 6404.8V MHz on azimuth 30°16' and 6315.9H MHz on azimuth 206°44'.

4111–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 4.5 miles southeast of Skedee, Okla., at latitude 36°19'50" N. and longitude 96°38'41" W. Frequency 6315.9V MHz on azimuth 114°20' and 6404.8H MHz on azimuth 251°33'.

4112–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 8 miles north-northeast of Stillwater, Okla., at latitude 36°13'31" N. and longitude 97°01'55" W. Frequency 6063.8H MHz on azimuth 71°19' and 6063.8H MHz on azimuth 234°32'.

4113–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 3.5 miles south of Mulhall, Okla., at latitude 36°00'59" N. and longitude 97°23'31" W. Frequency 6404.8H MHz on azimuth 54°19' and 6315.9V MHz on azimuth 226°16'.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4114–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2 miles northeast of Cashion, Okla., at latitude 35°49'23" N. and longitude 97°38'23" W. Frequency 6152.8V MHz on azimuth 46°7' and 6063.8H MHz on azimuth 188°28'.

4115–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2 miles east-southeast of Dibble, Okla., at latitude 35°01'45" N. and longitude 97°35'14" W. Frequency 6152.8H MHz on azimuth 343°39' and 6063.8V MHz on azimuth 111°23'.

4116–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 1 mile north of Wayne, Okla., at latitude 34°56'21" N. and longitude 97°18'33" W. Frequency 6404.8V MHz on azimuth 291°33' and 6315.9H MHz on azimuth 209°23'.

4117–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 3 miles north of Foster, Okla., at latitude 34°23'16" N. and longitude 97°37'05" W. Frequency 6404.8H MHz on azimuth 29°17' and 6063.8H MHz on azimuth 199°48'.

4118–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2.5 miles south of Alma, Okla., at latitude 34°23'16" N. and longitude 97°37'05" W. Frequency 6404.8H MHz on azimuth 19°44' and 6315.9H MHz on azimuth 182°28'.

4119–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2 miles southwest of Cornish, Okla., at latitude 34°07'47" N. and longitude 97°37'53" W. Frequency 6152.8H MHz on azimuth 02°27' and 6063.8V MHz on azimuth 167°40'.

4120–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 4 miles southeast of Bonita, Tex., at latitude 33°43'50" N. and longitude 97°31'37" W. Frequency 6404.8V MHz on azimuth 347°43' and 6315.9V MHz on azimuth 133°25'.

4121–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 1.5 miles north-northeast of Hood, Tex., at latitude 33°34'28" N. and longitude 97°19'48" W. Frequency 6152.8V MHz on azimuth 313°31' and 6063.8H MHz on azimuth 173°19'.

4122–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 5 miles northeast of Stony, Tex., at latitude 33°16'03" N. and longitude 97°17'14" W. Frequency 6404.8H MHz on azimuth 353°21' and 6315.9H MHz on azimuth 161°27'.

4123–C1–P–72—MCI St. Louis—Texas, Inc. (New), a new station 2 miles south-southeast of Roanoke, Tex., at latitude 32°59'56" N. and longitude 97°10'49" W. Frequency 6152.8H MHz on azimuth 341°31' and 6063.8V MHz on azimuth 126°50'.

(INFORMATIVE: Applicant, MCI Indiana-Ohio, Inc., is modifying its original proposal for specialized common carrier radio service between Cleveland, Ohio, and Cincinnati, Ohio, and other major cities in Ohio by filing seven new applications as listed below.)

4124–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 3, Medina, Ohio. C.P. for a new station 3 miles south-southeast of Medina, Ohio, at latitude 41°04'48" N., longitude 81°50'32" W. Frequencies 6197.2V MHz on azimuth 17°33' toward North Royalton, Ohio, 6226.9H MHz on azimuth 256°25' toward Nova, Ohio, and 3730.0V MHz on azimuth 89°30' toward Akron, Ohio.

4125–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 5, Nova, Ohio. C.P. for a new station 2.3 miles south-southeast of Nova, Ohio, at latitude 40°59'55" N., longitude 82°16'56" W. Frequencies 5974.8H MHz on azimuth 76°08' toward Medina, Ohio, and 5945.2V MHz on azimuth 211°21' toward Mansfield, Ohio.

4126–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 6, Mansfield, Ohio. C.P. for a new station 2.3 miles south of Mansfield, Ohio, at latitude 40°41'02" N., longitude 82°32'02" W. Frequencies 6197.2V MHz on azimuth 31°11' toward Nova, Ohio, and 6226.9V on azimuth 211°01' toward Chesterville, Ohio.

4127–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 7, Chesterville, Ohio. C.P. for a new station 1.5 miles north-northeast of Chesterville, Ohio, at latitude 40°30'08" N., longitude 82°40'37" W. Frequencies 5945.2H MHz on azimuth 30°56' toward Mansfield, Ohio, and 5945.2V MHz on azimuth 215°44' toward Sunbury, Ohio.

4128–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 8, Sunbury, Ohio. C.P. for a new station 3 miles west-northwest of Sunbury, Ohio, at latitude 40°14'45" N., longitude 82°55'03" W. Frequencies 6197.2V MHz on azimuth 35°35' toward Chesterville, Ohio, and 6226.9H MHz on azimuth 221°28' toward Hilliard, Ohio.

4129–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 11, Vienna, Ohio. C.P. for a new station 0.7 mile north-northeast of Vienna, Ohio, at latitude 39°56'13" N., longitude 83°36'26" W. Frequencies 6197.2V MHz on azimuth 77°04' toward Hilliard, Ohio, and 6226.9V MHz on azimuth 240°12' toward Byron, Ohio.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4130–C1–P–72—MCI Indiana-Ohio, Inc. (New), Site 12, Byron, Ohio. C.P. for a new station 1.9 miles east of Byron, Ohio, at latitude 39°47'11" N., longitude 83°56'49" W. Frequencies 5974.8V MHz on azimuth 59°59' toward Vienna, Ohio, and 5945.2H MHz on azimuth 211°03' toward Waynesville, Ohio.

4134–C1–MP–72—American Telephone & Telegraph Co. (WHB36), 4.75 miles south of Marion, Wis. Modification of C.P. to change polarization 4198V to 4198H MHz toward WHB38.

4135–C1–P/ML–72—Michigan Bell Telephone Co. (KQM41), 309 South Washington Street, Saginaw, MI. C.P. and modification of license to add frequency, add point of communication, to WUCM–TV and add one transmitter.

4141–C1–P–72—South Central Bell Telephone Co. (KJK51), 216 South Fourth Street, Danville, KY. Latitude 37°38'38" N., longitude 84°46'25" W. C.P. to add frequencies: 10,915H and 11,155V MHz toward Mount Vernon, Ky.; 10,835V MHz toward Burgin, Ky., and 3710H and 4790H MHz toward Richmond, Ky.

4142–C1–P–72—South Central Bell Telephone Co. (KJK52), 5.2 miles west-southwest of Mount Vernon, Ky. C.P. to add frequencies 11,365H and 11,605V MHz toward Danville, Ky. and 11,245H and 11,485V MHz toward London, Ky.

4143–C1–P–72—Glacier State Telephone Co. (KWW96), Homer, Alaska. C.P. to change frequency 6355.0H MHz to 2128.0V MHz toward Seldovia, Alaska, via passive reflector.

4144–C1–P–72—Glacier State Telephone Co. (KWW97), Seldovia, Alaska. Latitude 59°26'22" N., longitude 151°42'48" W. C.P. to add 6235.0H MHz to 2178.0V MHz toward Homer, Alaska, via passive reflector.

4147–C1–P/L–72—The Mountain States Telephone & Telegraph Co. (New), Bill Williams Mountain, 3.5 miles southwest of Williams, Ariz. C.P. and license to add frequencies 2170H MHz toward Hualapai Peak, Ariz.

4148–C1–P/L–72—The Mountain States Telephone & Telegraph Co. (New), Hualapai Peak, 10.7 miles east-southeast of Kingman, Ariz. Latitude 35°05'40" N., longitude 113°54'18" W. C.P. and license to add frequencies 2120H MHz toward Bill Williams Mountain, Ariz.; 11,405H and 11,645V MHz toward Kingman, Ariz.

4149–C1–P/L–72—The Mountain States Telephone & Telegraph Co. (New), 501 North Third Street, Kingman, AZ. C.P. and license to add freqeuncies 10,715V and 10,955H MHz toward Hualapai Peak, Ariz.

4150–C1–P–72—American Telephone & Telegraph Co. (KSH90), 4 miles northeast of Watertown, Wis. C.P. to add frequency 4150H MHz toward Palmyra Junction, Wis., and 4050V MHz toward Fox Lake, Wis.

4151–C1–P–72—American Telephone & Telegraph Co. (KYJ64), 4.5 miles east-northeast of Fox Lake, Wis. C.P. to add frequencies 4090V and 4090H MHz toward Watertown Junction, and Fisk, Wis.

4152–C1–P–72—American Telephone & Telegraph Co. (KYJ63), 2 miles east of Fisk, Wis. C.P. to add frequency 4050H MHz toward Fox Lake and Hortonville, Wis.

4153–C1–P–72—American Telephone & Telegraph Co. (KYJ62), 2 miles east-northeast of Hortonville, Wis. C.P. to add frequencies 4090H MHz toward Fox Lake, Wis., and 3930H and 4010H MHz toward Marion, Wis.

4154–C1–P–72—American Telephone & Telegraph Co. (WHB36), location: 4.75 miles south of Marion, Wis. C.P. to add frequencies 3890H and 3970H toward Hortonville, Wis., and 3890V and 3970V toward Eland, Wis.

4155–C1–P–72—American Telephone & Telegraph Co. (WHB38), location: 1 mile north of Eland, Wis. To add frequencies 3930H and 4010H toward Marion, Wis., and add 3930H and 4010H toward Rib Hill Junction, Wis.

4156–C1–P–72—American Telephone & Telegraph Co. (KSJ43), location: 2.5 miles southwest of Wausau, Wis. To add 3890H and 3970H toward Eland, Wis., and add 3950V MHz toward Medford, Wis.

4157–C1–P–72—American Telephone & Telegraph Co. (KSP41), location: 6 miles east of Medford, Wis. To add frequencies 4990V MHz toward Rib Hill Junction, Wis., and add 3990H toward Bellinger, Wis.

4158–C1–P–72—American Telephone & Telegraph Co. (KSP40), location: 0.3 mile west of Bellinger, Wis. To add 3950H MHz toward Medford, Wis., and add 3950H MHz toward Eagleton, Wis.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4159–C1–P–72—American Telephone & Telegraph Co. (KSP38), location: 1.5 miles east-northeast of Eagle Point, Wis. To add frequencies 3990H MHz toward Bellinger, Wis., and add 3910H MHz toward Cameron, Wis.

4160–C1–P–72—American Telephone & Telegraph Co. (KSP37), location: 3 miles southeast of Cameron, Wis. To add 3870H MHz toward Eagleton, Wis., and add 3870H toward Cumberland, Wis.

4161–C1–P–72—American Telephone & Telegraph Co. (KSP36), location: 1.5 miles southwest of Cumberland, Wis. To add 3910H MHz toward Cameron, Wis., and add 3910H toward Centuria, Wis.

4162–C1–P–72—American Telephone & Telegraph Co. (KSP35), location: 2 miles northwest of Centuria, Wis. To add 3870H MHz toward Cumberland, Wis., and 3870V MHz toward Wyoming, Minn.

4163–C1–P–72—American Telephone & Telegraph Co. (KAK48), location: 2 miles northeast of Wyoming, Minn. To add frequency 3910V MHz toward Centuria, Wis.

4170–C1–P–72—General Telephone Co. of the Southwest (KLT54), location: Northside of Tate Street, between Athius and 15th Street, Brownfield, Tex. For C.P. to replace transmitters and change antenna system for frequencies 5937.8V MHz and 6056.4V MHz.

4171–C1–P–72—General Telephone Co. of the Southwest (KLU66), location: Northwest corner of intersection at Conway and Porterfield Streets, Tahoka, Tex. For C.P. to replace transmitter for frequencies 6189.8V and 6308.4V MHz and change the antenna system.

4172–C1–P–72—Microwave Communications, Inc. (New), 2.75 miles south-southeast of Waynesville, Ill. Frequencies 6404.8H toward Station WAX69, Bloomington, Ill., and 6019.3H MHz toward Station WAX70, Elkhart, Ill.

4173–C1–MP–72—Microwave Communications, Inc. (WAX69), 0.66 mile west of Bloomington, Ill. Modification of C.P. (5427–C1–MP–70) delete frequencies, equipment, and path toward WAX70, Elkhart, Ill., and substitute frequency 6152.8H MHz toward (New), Waynesville, Ill.

4174–C1–MP–72—Microwave Communications, Inc. (WAX70), 0.5 mile east-northeast of Elkhart, Ill. Modification of C.P. (5428–C1–MP–70) delete frequencies, equipment, and path toward WAX69, Bloomington, Ill., and substitute 6271.4H toward (New) Waynesville, Ill.

4175–C1–P–72—New York Telephone Co. (New), 158 State Street, Albany NY. (Developmental) Frequency: 11,095 V and H MHz toward Troy, N.Y.

4176–C1–P–72—New York Telephone Co. (New), 94 Fourth Street, Troy, NY. (Developmental) Frequency: 11,225 V and H MHz toward Albany, N.Y.

4182–C1–ML–72—West Coast Telephone Co. of California (KML51), Patrick's Point, near Trinidad, Calif. Modification of license change polarization from H to V on frequencies 6234.3 and 6412.2 MHz toward Eureka, Calif.

4183–C1–P–72—Wisconsin Telephone Co. (WDE34), 2 miles east of Fisk, Wis. C.P. to add 6404.8H MHz toward Oshkosh, Wis.

4184—C1–P–72—Wisconsin Telephone Co. (New), 315 Algoma Boulevard, Oshkosh, WI. Frequency: 6123.1H toward Fisk, Wis.

The following applicants proposes to establish omnidirectional facilities for the provision of common carrier "Subscriber-Programed" television service.

4146–C1–P–72—Colony Communications, Inc. (New), off Ludlow Street, Johnston, R.I. Latitude 41°48'22" N., longitude 71°28'12" W. Frequencies: 2150.20V (aural), 2152.325 (visual) directed toward various receiving points of system and 2154.00 (aural), 2158.50H (visual) toward various receiving points of system.

4166–C1–P–72—United Video, Inc. (New), corner of Jolly and Hagedorn Road approximately 3.5 miles south and 1 mile east center of East Lansing, Mich. Latitude 42°40'50.7" N., longitude 84°27'37" W. Frequencies: 2152.325V (visual), 2150.2V (aural) toward various receiving points of system and 2158.5V (visual), 2152.0 (aural) toward various receiving points.

4167–C1–P–72—Western Tele-Communications, Inc. (New), 933 Valley Ridge Drive, Homewood, Ala. Latitude 33°28'58" N., longitude 86°48'41" W. Frequencies: 2152.325 (visual), 2150.20 (aural) toward various receiving points of system and 2158.325 (visual), 2154.000 (aural) toward various receiving points of systems.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4199–C1–P–72—Western Tele-Communications, Inc. (New), 6.3 miles south-southwest of Fort Collins, Colo. Latitude 40°32'46.2" N., longitude 105°11'52" W. Frequencies: 2152.325V (visual), 2150.200V (aural) toward various receiving points of system and 2158.500V (visual), 2154.000V (aural) toward various receiving points of system.

4200–C1–P–72—Western Tele-Communications, Inc. (New), 4.5 miles south of Yakima, Wash. Latitude 46°31'58" N., longitude 120°28'56" W. Frequencies: 2152.325V (visual), 2150.200V (aural) toward various receiving points of system and 2158.500V (visual), 2154.000V (aural) toward various receiving points of system.

4201–C1–P–72—Western Tele-Communications, Inc. (New), 0.9 mile northwest of El Paso, Tex. Latitude 31°47'31" N., longitude 106°28'46" W. Frequencies: 2152.325V (visual), 2150.200V (aural) toward various receiving points of system and 2158.500V (visual), 2154.000V (aural) toward various receiving points of system.

4202–C1–P–72—Western Tele-Communications, Inc. (New), 1.5 miles southeast of Spokane, Wash. Latitude 47°36'03" N., longitude 117°19'42" W. Frequencies 2152.325V (visual), 2150.200V (aural) toward various receiving points of system and 2158.500V (visual), 2154.000V (aural) toward various receiving points of system.

4203–C1–P–72—Western Tele-Communications, Inc. (New), 511 Southwest 10th Avenue, Portland, OR. Latitude 45°31'18" N., longitude 122°40'48" W. Frequencies: 2152.325V (visual), 2150.200V (aural) toward various receiving points of system and 2158.500V (visual), 2154.000V (aural) toward various points of system.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

4237–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 2, Victory Junction, Kans. C.P. for a new station 12024 Leavenworth Road, Victory Junction, KS, at latitude 39°08'47", longitude 94°51'32". Frequencies 6226.9 MHz on azimuth 109°21' toward Kansas City, Mo., and 6197.2 MHz on azimuth 44°25' toward Nashua, Mo.

4238–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 4, Gower, Mo. C.P. for a new station 2.6 miles south-southeast of Gower, Mo., at latitude 39°34'25", longitude 94°34'46". Frequencies 6226.9 MHz on azimuth 186°46' toward Nashua, Mo., and 6197.2 MHz on azimuth 343°18' toward Helena, Mo.

4239–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 7, Fillmore, Mo. C.P. for a new station 1.7 miles east of Fillmore, Mo., at latitude 40°01'30", longitude 94°56'13". Frequencies 6197.2 MHz on azimuth 134°08' toward Helena, Mo. and 6226.9 MHz on azimuth 344°21' toward Skidmore, Mo.

4240–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 8, Skidmore, Mo. C.P. for a new station 1.8 miles east of Skidmore, Mo., at latitude 40°17'18", longitude 95°02'00". Frequencies 5945.2 MHz on azimuth 164°17' toward Fillmore, Mo., and 5974.8 MHz on azimuth 330°52' toward Elmo, Mo.

4241–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 9, Elmo, Mo. C.P. for a new station 4.3 miles west of Elmo, Mo., at latitude 40°31'13", longitude 95°12'10". Frequencies 6226.9 MHz on azimuth 150°46' toward Skidmore, Mo., and 6197.2 MHz on azimuth 300°06' toward Riverton, Iowa.

4242–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 15, Woodbine, Iowa. C.P. for a new station 3.7 miles southeast of Woodbine, Iowa, at latitude 41°42'11", longitude 95°38'41". Frequencies 6226.9 MHz on azimuth 198°50' toward Honey Creek, Iowa, and 6197.2 MHz on azimuth 77°21' toward Irwin, Iowa.

4243–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 16, Irwin, Iowa. C.P. for a new station 4.2 miles west-southwest of Irwin, Iowa, at latitude 41°45'46", longitude 95°17'09". Frequencies 5945.2 MHz on azimuth 257°36' toward Woodbine, Iowa, and 5945.2 MHz on azimuth 87°24' toward Ross, Iowa.

4244–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 19, Linden, Iowa. C.P. for a new station 7.3 miles north-northeast of Linden, Iowa, at latitude 41°44'48", longitude 94°12'58". Frequencies 6197.2 MHz on azimuth 252°36' toward Guthrie Center, Iowa, and 6226.9 MHz on azimuth 56°48' toward Woodward, Iowa.

4245–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 20, Woodward, Iowa. C.P. for a new station 2.9 miles west of Woodward, Iowa, at latitude 41°51'45", longitude 93°58'44". Frequencies 5974.8 MHz on azimuth 236°57' toward Linden, Iowa, 6152.8 MHz on azimuth 156°52' toward Grimes, Iowa, and 5974.8 MHz on azimuth 61°04' toward Kelley, Iowa.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

4246–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 23, Kelley, Iowa. C.P. for a new station 2.8 miles northwest of Kelley, Iowa, at latitude 41°58'19", longitude 93°42'46". Frequencies 6226.9 MHz on azimuth 241°15' toward Woodward, Iowa, 6226.9 MHz on azimuth 88°29' toward Colo, Iowa, and 11,665.0, 11,265.0 MHz on azimuth 53°52' toward Ames, Iowa.

4247–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 28, Toledo, Iowa. C.P. for a new station 1.8 miles northwest of Toledo, Iowa, at latitude 42°00'51", longitude 92°36'47". Frequencies 5945.2 MHz on azimuth 275°59' toward Lamoille, Iowa, and 5974.8 MHz on azimuth 97°06' toward Keystone, Iowa.

4248–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 29, Keystone, Iowa. C.P. for a new station 2.2 miles west-southwest of Keystone, Iowa, at latitude 41°58'44", longitude 92°14'23". Frequencies 6226.9 MHz on azimuth 277°21' toward Toledo, Iowa, and 6197.2 MHz on azimuth 95°54' toward Atkins, Iowa.

4249–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 34, Buchanan, Iowa. C.P. for a new station 3.1 miles southeast of Buchanan, Iowa, at latitude 41°45'23", longitude 91°13'33". Frequencies 5945.2 MHz on azimuth 274°51' toward North Liberty, Iowa, and 5974.8 MHz on azimuth 94°10' toward Bennett, Iowa.

4250–C1–P–72—MCI Mid-Continent Communications, Inc. (New), Site 36, Blue Grass, Iowa. C.P. for a new station 2.6 miles south-southwest of Blue Grass, Iowa, at latitude 41°32'50", longitude 90°47'02". Frequencies 5945.2 MHz on azimuth 332°20' toward Bennett, Iowa, and 10,735.0, 11,135.0 MHz on azimuth 94°25' toward Davenport, Iowa.

INFORMATIVE: Applicant, MCI Mid-Continent Communications, Inc., is modifying its previously filed application by the addition of 14 new sites. These new applications are necessitated to insure compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and informative guidelines published regarding Frequency Coordination Report No. 562, Common Carrier Services Information released Sept. 20, 1971.

4256–C1–MP–72—American Telephone & Telegraph Co. (KMJ86), 434 South Grand Avenue, Los Angeles, CA. Modification of C.P. (3895–C1–P–71) to increase output power from 2 to 5 watts on frequencies 3830V and 3810V MHz directed toward Corona Del Mar, Calif.

4257–C1–MP–72—American Telephone & Telegraph Co. (KNL24), 3.5 miles east of Corona Del Mar, Calif. Modification of C.P. (3894–C1–P–71) to increase output power from 2 to 5 watts on frequencies 3790V and 3870V MHz toward Los Angeles, Calif.

4258–C1–MP–72—American Telephone & Telegraph Co. (KNL28), Salton, 9.5 miles north-northeast of Ocotillo, Calif. Modification of C.P. (3890–C1–P–71) to increase output power from 2 to 5 watts on frequencies 3870V and 3950V MHz toward Brawley, Calif.

4259–C1–MP–72—American Telephone & Telegraph Co. (KNL29), 1.4 miles west-southwest of Brawley, Calif. Modification of C.P. (3889–C1–P–71) to increase output power from 2 to 5 watts on frequencies 3910V and 3990V directed toward Salton and Glamis, Calif.

4260–C1–MP–72—American Telephone & Telegraph Co. (KNL30), 14.8 miles east-northeast of Glamis, Calif. Modification of C.P. (3888–C1–P–71) to increase output power from 2 to 5 watts on frequencies 3870V and 3950V MHz toward Brawley, Calif.

4261–C1–P–72—American Telephone & Telegraph Co. (KSA46), 3 miles northwest of Chicago Heights, Ill. C.P. to add frequency 3710V MHz directed toward St. John, Ind.

4262–C1–P–72—Bell Telephone Co. of Nevada (KPY31), Murry Summit, 1.4 miles west of Ely, Nev. C.P. to relocate and replace antenna; replace transmitters and change frequencies 6256.5 and 6375.2 MHz to 10,895H and 11,135H MHz toward Ely, Nev.

4263–C1–P–72—Bell Telephone Co. of Nevada (KPY32), 1025 Altman Street, Ely, NV. C.P. to replace facilities from 6004.5 and 6123.1 MHz to 11,305H and 11,545V MHz directed toward Murry Summit, Nev.

6264–C1–MP–72—KHC Microwave Corp. (WDD97), 2.5 miles south of Labelle, Tex., at latitude 29°50'25" N., longitude 94°09'41" W. Modification of C.P. to change location of receiving site and correct azimuth of transmission for frequencies 6226.9H and 6286.2H MHz to 56°00'.

4265–C1–MP–72—KHC Microwave Corp. (WDE80), Modification of C.P. to change location of station to 2 miles east-southeast of Port Neches, Tex., at latitude 29°58'45" N., longitude 93°55'50" W. Frequencies: 5974.8V and 6034.2V MHz on azimuth 73°15'. Applicant is requesting special temporary authority to construct and operate.

Major Amendments

402–C1–P–72—Microwave Relay Services, Inc. (New), change frequency 3910H to 4190H MHz at station located at 1851 Southampton Road, Jacksonville, FL.

403–C1–P–72—Microwave Relay Services, Inc. (New), change frequency from 3750H to 6375.2V MHz at station located at 1070 East Adams Street, Jacksonville, FL.

404–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequencies 5974.8, 6034.2, 6093.5, and 6152.8 MHz from vertical to horizontal and on frequency 5945.2 change polarization from horizontal to vertical at station located at North Meadowbrook Terrace, 4 miles west-northwest of Orange Park, Fla.

406–C1–P–72—Microwave Relay Services, Inc. (New), change coordinates from latitude 29°41'33" N., longitude 81°30'19" W., to latitude 29°41'31" N., longitude 81°30'17" W. at station located at 1.7 miles south of Hastings, Fla.

407–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequencies 6256.5 and 6315.9 MHz from horizontal to vertical, toward Hastings, Fla., at station located at Bunnell, Fla.

414–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequencies 4110 MHz from horizontal to vertical and 4130 from vertical to horizontal, toward Ocoee, Fla., at station located at Davenport Lake, 13.5 miles north of Haines, Fla.

417–C1–P–72—Microwave Relay Services, Inc. (New), change frequency from 4170V to 4150H toward B Keysville, Fla., and change coordinates from latitude 27°56'42" N., longitude 82°27'28" W., to latitude 27°56'42" N., longitude 82°27'29" W., at station located at 101 North Tampa Street, Tampa, FL.

419–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequencies 3770, 3850, 3930, and 4170 from vertical to horizontal and on frequencies 3750, 3830, and 4150 MHz from horizontal to vertical, at station located at Fort Green, Fla.

422–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequency 3950 from vertical to horizontal, at station located at 5.1 miles east of Bermont, Fla.

426–C1–P–72—Microwave Relay Services, Inc. (New), change azimuth from 155°17' to 158°42' and change polarization on frequencies 3770, 3850, and 3930 from horizontal to vertical and on frequencies 3750 and 3830 from vertical to horizontal, all toward Big Cypress, Fla., at station located at Seminole, 24.7 miles east of Immokalee, Fla.

428–C1–P–72—Microwave Relay Services, Inc. (New), change frequencies 3770H and 3850H to 4090H and 4170H toward West Palm Beach, Fla., at station located at Belle Glade, Fla.

430–C1–P–72—Microwave Relay Services, Inc. (New), change frequency 4110V to 4050H toward Seminole, Fla., and change coordinates from latitude 26°13'47" N., longitude 80°54'45" W., to latitude 26°13'15" N., longitude 80°55'37" W., at station located at Big Cypress, 27 miles east-southeast of Sunniland, Fla.

3262–C1–P–72—MCI—New York West, Inc. (New), station location: 3.5 miles northeast of Chatham, Ohio. Change polarization of frequency 6226.9 MHz toward North Royalton, Ohio, to horizontal.

3265–C1–P–72—MCI—New York West, Inc. (New), station location: 5.1 miles north of Zelienople, Pa. Change polarization of frequency 6197.2 MHz toward Poland, Ohio, to horizontal.

All other particulars same as reported on Public Notice dated Dec. 6, 1971.

431–C1–P–72—Microwave Relay Services, Inc. (New), change polarization on frequency 4150 from horizontal to vertical and on frequency 4170 from vertical to horizontal, at station located at Alligator Alley, 10.5 miles east of Andytown, Fla. All other particulars as reported on public notice No. 556 dated Aug. 9, 1971, remain the same.

7183–C1–P–71—Northwestern Bell Telephone Co. (New), change polarization of frequency 6004.5 from vertical to horizontal. Station location: Midway, Minn.

7185–C1–P–71—Northwestern Bell Telephone Co. (New), change polarization of frequency 6004.5 from horizontal to vertical. Station location: Duluth, Minn.

All other particulars same as reported in Public Notice dated June 21, 1971.

INFORMATIVE: Applicant, MCI Indiana-Ohio, Inc., is amending nine of its previously filed applications for authority to construct a new specialized common carrier service in the State of Ohio from Cleveland, Ohio, to Cincinnati, Ohio, and serving a number of other major cities in Ohio. The applications now being amended were originally filed on June 26, 1970. They appeared in Public Notice, July 6, 1970, FCC Report No. 499. No prior amendments to these applications have been filed. Each application that is now amended is referenced to the date filed. In addition, seven new sites are now proposed. The amendments and new applications are necessitated to insure compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and information guidelines published regarding Frequency Coordination in Report No. 562, FCC Common Carrier Services Information released Sept. 20, 1971.

8871–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 15, Mason, Ohio. Change proposed station location to a new station 2.8 miles south of Mason, Ohio, at latitude 39°18'58" N. and longitude 84°18'36" W. Correct azimuths and frequencies to frequency 5945.2V MHz on azimuth 216°15' toward Cincinnati, Ohio, and 5974.8H MHz on azimuth 30°42' toward Wawnesville, Ohio. Delete frequencies 6004.5V MHz and 6123.1V MHz on azimuth 359°37' toward Middletown, Ohio, frequencies 11,525.0V MHz and 11,285.0V MHz on azimuth 310°30' toward Hamilton, Ohio; frequencies 5974.8V MHz and 6093.5V MHz on azimuth 2°10' toward Farmersville, Ohio, and frequencies 11,405.0V MHz and 11,645.0V MHz on azimuth 204°33' toward Cincinnati, Ohio. Delete Farmersville, Ohio, Middletown, Ohio, and Hamilton, Ohio, as points of communication.

8874–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 16, Cincinnati, Ohio. Change proposed station location to a new station at the Cincinnati Center, corner of Fifth and Vine Streets, Cincinnati, Ohio. Correct coordinates to latitude 39°06'06" N., longitude 84°30'42" W. Correct azimuths and frequencies to frequency 6197.2V MHz on azimuth 36°08' toward Mason, Ohio. Delete frequencies 10,955.0V MHz and 10,715.0V MHz on azimuth 24°29' toward Gano, Ohio. Delete Gano, Ohio, as a point of communication.

8875–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 14, Dayton, Ohio. New station to be located at 1048 South Main Street, Dayton, Ohio. Correct coordinates to latitude 39°45'39" N., longitude 84°11'28" W. Correct azimuths and frequencies to frequency 3730.0H MHz on azimuth 162°44' toward Waynesville, Ohio. Delete frequencies 11,155.0H MHz and 10,915.0H MHz on azimuth 248°04' toward Fowlerville, Ohio, and frequencies 5974.8V MHz and 6093.5V MHz on azimuth 84°04' toward Cortsville, Ohio. Delete Fowlerville, Ohio, and Cortsville, Ohio, as points of communication.

8876–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 13, Waynesville, Ohio. Change proposed station location to a new station 2.7 miles north-northwest of Waynesville, Ohio, at latitude 39°34'14" N., longitude 84°05'53" W. Correct azimuths and frequencies to frequency 6197.2H MHz on azimuth 30°56' toward Byron, Ohio, 6226.9H MHz on azimuth 210°49' toward Mason, Ohio, and frequency 3770.0H MHz on azimuth 342°47' toward Dayton, Ohio. Delete frequencies 6226.9V MHz and 6345.5V MHz on azimuth 264°22' toward Dayton, Ohio, frequencies 6256.5V MHz and 6375.2V MHz on azimuth 81°41' toward Big Plain, Ohio, and frequencies 11,405.0V MHz and 11,645.0V MHz on azimuth 332°19' toward Springfield, Ohio. Delete Big Plain, Ohio, and Springfield, Ohio, as points of communication.

8878–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 9, Hilliard, Ohio. Change proposed station location to a new station 0.1 mile northeast of Hilliard, Ohio, at latitude 40°00'37" N., longitude 83°11'16" W. Correct azimuth and frequencies to frequency 5974.8H MHz on azimuth 41°17' toward Sunbury, Ohio, frequency 5945.2V MHz on azimuth 257°20' toward Vienna, Ohio, and frequencies 10,775.0V MHz and 11,175.0V MHz on azimuth 107°57' toward Columbus, Ohio. Delete frequencies 6034.2V MHz and 6152.8V MHz on azimuth 261°57' toward Cortsville, Ohio, and frequencies 10,795.0V MHz and 11,035.0V MHz on azimuth 62°32' toward Columbus, Ohio. Delete Cortsville, Ohio, as a point of communication.

8879–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 10, Columbus, Ohio. New station to be located at 100 East Broad Street, Columbus, OH, at latitude 39°57'46" N., longitude 82°59'52" W. Correct azimuth and frequencies to frequency 1166.5V MHz and 11,265.0V MHz on azimuth 288°04' toward Hilliard, Ohio. Delete frequencies 11,245.0V MHz and 11,485.0V MHz on azimuth 242°44' toward Big Plain, Ohio, and frequencies 11,245.0V MHz and 11,485.0V MHz on azimuth 92°50' toward Etna, Ohio. Delete Big Plain, Ohio, and Etna, Ohio, as points of communication.

8885–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 4, Akron, Ohio. Change proposed station location to a new station at the corner of Bowery and Main Streets, Akron, Ohio, latitude 41°04'54" N., longitude 81°31'11" W. Correct azimuths and frequencies to frequency 3770.0V MHz on azimuth 269°43' toward Medina, Ohio. Delete frequencies 5945.2V MHz and 6063.8V MHz on azimuth 212°54' toward Apple Creek, Ohio, and frequencies 6004.5V MHz and 6123.1V MHz on azimuth 01°49' toward Warrensville, Ohio. Delete Apple Creek, Ohio, and Warrensville, Ohio, as points of communication.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8886–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 2, North Royalton, Ohio. Change proposed station location to new station 1 mile northwest of North Royalton, Ohio. Correct coordinates to latitude 41°19'25" N., longitude 81°44'24" W. Correct azimuth and frequencies to frequencies 10,735.0V MHz and 11,135.0V MHz on azimuth 14°09' toward Cleveland, Ohio, and frequency 5945.2V MHz on azimuth 197°37' toward Medina, Ohio. Delete frequencies 11,605.0H MHz and 11,365.0H MHz on azimuth 288°10' toward Cleveland, Ohio, and frequencies 6197.2V MHz and 6315.9V MHz on azimuth 181°49' toward Dayton, Ohio. Delete Dayton, Ohio, as a point of communication.

8887–C1–P–70—MCI Indiana-Ohio, Inc. (New), Site 1, Cleveland, Ohio. Change proposed station location to new station at 1621 Euclid Avenue, Cleveland, OH. Correct coordinates to latitude 41°30'03" N., longitude 81°40'50" W. Correct azimuth and frequencies to frequencies 11,625.0V MHz and 11,225.0V MHz on azimuth 194°11' toward North Royalton, Ohio. Delete frequencies 11,155.0H MHz and 10,915.0H MHz on azimuth 108°03' toward Warrensville, Ohio. Delete Warrensville, Ohio, as a point of communication.

INFORMATIVE: Applicant, MCI St. Louis-Texas, Inc., is amending 13 of 42 point-to-point microwave sites for specialized common carrier service in a four-State area from Missouri to Texas and intermediate points. The amendments are necessitated to insure compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and informative guidelines published regarding frequency coordination Report No. 562 FCC Common Carrier Services Information released Sept. 20, 1971.

5931–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 3.5 miles north-northeast of Marionville, Mo. Delete frequencies 5945.2 MHz and 6063.8 MHz on azimuth 271°31'. Add frequency 6226.9 MHz on 256°17'. All other particulars same as reported on Public Notice Nov. 8, 1971.

5932–C1–P–70—MCI St. Louis-Texas, Inc. (NeW), station location: 2 miles east of Freistatt, Mo. Delete frequencies 6286.2V MHz and 6404.8V MHz on azimuth 91°13', and 6197.2H MHz and 6315.9H MHz on azimuth 274°11'. Add frequency 5945.2H on azimuth 76°07' and 5974.8H MHz on azimuth 266°01'. Relocate site to latitude 37°00'05" N. and longitude 93°52'16" W.

5933–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 601 Main Street, Joplin, MO. Delete frequencies 6034.2H MHz and 6152.8H MHz on azimuth 93°56', and 5974.8V MHz and 6093.5V MHz on azimuth 268°13'. Add frequency 6152.8H on azimuth 116°49' and 6063.8V MHz on azimuth 297°37'.

5934–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 3 miles northwest of Columbus. Delete frequencies 6256.5V MHz and 6375.2V MHz on azimuth 88°01', and 6226.9V MHz and 6345.5V MHz on azimuth 233°20'. Add frequency 6404.8V on azimuth 117°26' and 6315.9V MHz on azimuth 240°31'. Relocate site to latitude 37°12'40" N. and longitude 94°48'51" W.

5935–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 3 miles south-southeast of Welch, Okla. Delete frequencies 5945.2V MHz and 6063.8V MHz on azimuth 53°07', and 5974.8V MHz and 6093.5V MHz on azimuth 244°44'. Add frequency 6404.8H on azimuth 357°11' and 6315.9H MHz on azimuth 232°50'. Relocate site to latitude 36°47'25" N. and longitude 95°07'30" W.

5936–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 4 miles north of Broken Arrow, Okla. Delete frequencies 6197.2V MHz and 6315.9V MHz on azimuth 64°25', and 6286.2V MHz and 6404.8V MHz on azimuth 201°21'. Add frequency 6152.8H on azimuth 26°38' and 6063.8H MHz on azimuth 289°53'. Relocate site to latitude 36°04'56" N. and longitude 95°45'27" W.

5950–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 15 West Sixth Street, Tulsa, OK. Delete frequencies 6004.5V MHz and 6123.1V MHz on azimuth 21°12', and 10,915V MHz and 11,115V MHz on azimuth 234°27'. Add frequency 6404.8H on azimuth 109°45' and 6315.9H MHz on azimuth 278°33'. Relocate site to latitude 36°09'01" N. and longitude 95°59'25" W.

5951–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 3 miles northwest of Tanglewood. Delete frequencies 11,325V MHz and 11,605V MHz on azimuth 54°17', and 5974.8V MHz and 6093.5V MHz on azimuth 232°05'. Add frequency 6152.8H on azimuth 98°24' and 6152.8V MHz on azimuth 294°35'. Relocate site to latitude 36°10'48" N. and longitude 96°14'10" W.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

5953–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 1.5 miles south of Sara, Okla. Delete frequencies 6004.5V MHz and 6123.1V MHz on azimuth 95°33', and 6034.2V MHz and 6152.8V MHz on azimuth 218°47'. Add frequency 6404.8V on azimuth 8°26' and 6315.9V MHz on azimuth 124°34'. Relocate site to latitude 35°33'55" N. and longitude 97°41'12 W.

5954–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 204 North Robinson Avenue, Oklahoma City, OK. Delete frequencies 6226.9V MHz and 6345.5V MHz on azimuth 38°34', and 6197.2V MHz and 6315.9V MHz on azimuth 114°19'. Add frequency 6152.8V on azimuth 304°40' and 6063.8 MHz on azimuth 220°21.

5955–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 1 mile north of Snow Hill, Okla. Delete frequencies 6004.5V MHz and 6123.1V MHz on azimuth 294°29', and 5974.8V MHz and 6093.5V MHz on azimuth 97°12'. Add frequency 6404.8V on azimuth 40°15' and 6315.9H MHz on azimuth 163°36'. Relocate site to latitude 35°18'17' N. and longitude 97°41'09" W.

5962–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: Route 183 and Darr Street, Irving, Tex. Delete frequencies 6197.2V MHz and 6315.9V MHz on azimuth 337°15', and 6286.2V MHz and 6404.8V MHz on azimuth 223°58'. Add frequency 6404.8V on azimuth 306°58', and 6315.9 MHz on azimuth 114°59'. Relocate site to latitude 32°50'02" N. and longitude 96°55'11" W.

5963–C1–P–70—MCI St. Louis-Texas, Inc. (New), station location: 2001 Bryan Street, Dallas, TX. Delete frequencies 6034.2V MHz and 6152.8V MHz on azimuth 43°42'. Add frequency 6152.8V on azimuth 295°3'. Relocate site to latitude 32°47'07" N. and longitude 96°47'47" W.

INFORMATIVE: A,pplicant, MCI Mid-Continent Communications, Inc., is amending 23 of its previously filed applications for authority to construct new specialized common carrier systems in a four-State area from Kansas City, Mo., through Kansas, Nebraska, into Iowa. The applications now being amended were originally filed on June 12, 1970. They appeared on Public Notice, June 22, 1970. Each application now amended is referenced to the date originally filed. In addition 14 new sites are now proposed. The amendments and new applications are necessitated to insure compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and informative guidelines published regarding frequency coordination Report No. 562 Common Carrier Services Information released Sept. 20, 1971.

8253–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 12, Springfield, Nebr. Change proposed station location to a new station 3.2 miles northeast of Springfield, Nebr., at latitude 41°06'30", longitude 96°04'14". Correct frequencies to 5945.2V MHz on azimuth 120°46' toward Tabor, Iowa, and 5974.8H MHz on azimuth 28°27' toward Omaha, Nebr. Delete Lincoln and Thurman, Nebr., as points of communication. Delete frequencies 11,155V, 10,915V MHz, 6286.2V, 6404.8V MHz, and 6226.9H, 6345.5H MHz.

8254–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 11, Tabor, Iowa. Change proposed station location to a new station 1.4 miles north of Tabor, Iowa, at latitude 40°55'37", longitude 95°40'13". Correct frequencies to 6226.9H MHz on azimuth 158°16' toward Riverton, Iowa, and 6197.2V MHz on azimuth 301°01' toward Springfield, Nebr. Delete Alvo and Barada, Nebr., as points of communication. Delete frequencies 6004.5V, 6123.1V MHz and 6034.2V, 6152.8V MHz.

8255–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 10, Riverton, Iowa. Change proposed station location to a new station 1.9 miles southeast of Riverton, Iowa, at latitude 40°39'57", longitude 95°32'01". Correct frequencies to 5945.2H MHz on azimuth 119°53' toward Elmo, Mo., and 5974.8H MHz on azimuth 338°21' toward Tabor, Iowa. Delete Thurman and Blair, Nebr., as points of communication. Delete frequencies 6256.5V, 6375.2V MHz and 6286.2V, 6404.8V MHz.

8256–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 5, Helena, Mo. Change proposed station location to a new station 5.6 miles south-southwest of Helena, Mo., at latitude 39°49'58", longitude 94°40'49". Correct frequencies to 5945.2H MHz on azimuth 163°14' toward Gower, Mo., 10,735.0V, 11,135.0V MHz on azimuth 244°11' toward St. Joseph, Mo., and 5974.8H MHz on azimuth 314°17' toward Fillmore, Mo. Delete Barada, Nebr., and Hoover, Mo., as points of communication. Delete frequencies 6034.2V, 6152.8V MHz, 6063.8H MHz and 6004.5H, 6123.1H MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8257–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 6, St. Joseph, Mo. C.P. for a new station Yule and Fourth Avenue, St. Joseph, Mo., at latitude 39°46'02", longitude 94°51'20". Correct frequencies to 11,665H, 11,265H MHz on azimuth 64°05' toward Helena, Mo. Delete Blair, Kans., as a point of communication. Delete frequencies 6197.2V, 6315.9V MHz.

8258–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 3, Nashua, Mo. Change proposed station location to a new station 3.1 miles northwest of Nashua, Mo., at latitude 39°20'21", longitude 94°36'55". Correct frequencies to 5945.2V MHz on azimuth 224°35' toward Victory Junction, Kans., and 5974.8V MHz on azimuth 06°45' toward Gower, Mo. Delete Blair, Kans., and Kansas City, Mo., as points of communication. Delete frequencies 6256.5H, 6375.2H MHz and 6286.2H, 6404.8H MHz.

8259–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 1, Kansas City, Mo. C.P. for new station 125 East 31st Street, Kansas City, MO, at latitude 39°04'14", longitude 94°34'59". Correct frequencies to 5974.8H MHz on azimuth 289°31' toward Victory Junction, Kans. Delete Hoover, Mo., as a point of communication. Delete frequencies 5945.2H, 6063.8H MHz.

8260–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 13, Omaha, Nebr. C.P. for a new station 3501 Farnam Street, Omaha, NE, at latitude 41°15'26", longitude 95°-57'49". Correct frequencies to 6226.9H MHz on azimuth 208°31' toward Springfield, Nebr., and 6197.2H MHz on azimuth 43°10' toward Honey Creek, Iowa. Delete Alvo, Nebr., and Pisgah, Iowa, as points of communication. Delete frequencies 6004.5H, 6123.1H MHz and 5945.2V, 6063.8V MHz.

8261–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 14, Honey Creek, Iowa. Change proposed station location to a new station location 4.4 miles southeast of Honey Creek, Iowa, at latitude 41°24'16", longitude 95°46'48". Frequencies 5945.2H MHz on azimuth 223°18' toward Omaha, Nebr., and 5974.8H MHz on azimuth 18°45' toward Woodbine, Iowa. Delete Botna, Iowa, and Decatur, Nebr. Delete frequencies 6226.9V, 6345.5V MHz, 6197.2V, 6315.9V MHz, and 6256.5V, 6375.2V MHz.

8262–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 17, Ross, Iowa. Change proposed station location to 1.1 miles east of Ross, Iowa, at latitude 41°46'31", longitude 94°53'57". Frequencies 6197.2H MHz on azimuth 267°39' toward Irwin, Iowa, and 6226.9H MHz on azimuth 114°20' toward Guthrie Center, Iowa. Delete Pisgah, Iowa, and Casey, Iowa, as points of communication. Delete frequencies 6004.5V, 6123.1V MHz and 5974.8H, 6093.5H MHz.

8263–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 18, Guthrie Center, Iowa. Change proposed station location to a new station location 3.5 miles west-southwest of Guthrie Center, Iowa, at latitude 41°39'47", longitude 94°34'11". Correct frequencies to 5974.8H MHz on azimuth 294°34' toward Ross, Iowa, and 5945.2V MHz on azimuth 72°22' toward Linden, Iowa. Delete Botna, Iowa, and Dallas Center, Iowa, as points of communication. Delete frequencies 6256.5H, 6375.2H MHz and 6197.2V, 6315.9V MHz.

8264–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 21, Grimes, Iowa. Change proposed station location to a new station location 4.2 miles south-southwest of Grimes, Iowa, at latitude 41°37'54", longitude 93°50'51". Frequencies 6404.8V MHz on azimuth 336°57' toward Woodward, Iowa, and 10,735.0V, 11,135.0V MHz on azimuth 105°09' toward Des Moines, Iowa. Delete Casey, Iowa, as a point of communication. Delete frequencies 6034.2V, 6152.8V MHz and 11,605.0V, 11,365.0V MHz.

8265–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 22, Des Moines, Iowa. C.P. for a new station location 715 Locus Street, Des Moines, IA, at latitude 41°35'12", longitude 93°37'38". Correct frequencies to 11,665.0H, 11,265.0H MHz on azimuth 285°18' toward Grimes, Iowa. Delete Dallas Center and Collins, Iowa, as points of communication. Delete frequencies 11,155.0V, 10,915.0V MHz and 5945.2H, 6063.8H MHz.

8266–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 25, Colo, Iowa. Change proposed station location to 2.2 miles south of Colo, Iowa, at latitude 41°58'45", longitude 93°18'36". Correct frequencies to 5974.8 MHz on azimuth 268°45' toward Kelley, Iowa, and 5945.2H MHz on azimuth 74°10' toward Lamoille, Iowa. Delete Des Moines, Ames, and Gladbrook, Iowa, as points of communication. Delete frequencies 6256.5H, 6375.2H MHz, 6286.2V, 6404.8V MHz, and 6226.9V, 6345.5V MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8267–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 24, Ames, Iowa. C.P. for a new station 301 Main Street, Ames, IA, at latitude 42°01'31", longitude 93°36'53". Correct frequencies to 10,735.0V, 11,135.0V MHz on azimuth 233°56' toward Kelley, Iowa. Delete Collins, Iowa, as a point of communication. Delete frequencies 5974.8V, 6093.5V MHz.

8268–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 26, Lamoille, Iowa. Change proposed station location to 1.2 miles east of Lamoille, Iowa, at latitude 42°02'38", longitude 93°00'07". Correct frequencies to 6197.2H MHz on azimuth 254°22' toward Colo, Iowa, 11,265.0H, 11,665.0H MHz on azimuth 85°00' toward Marshalltown, Iowa, and 6197.2V MHz on azimuth 95°43' toward Toledo, Iowa. Delete Collins and Garrison, Iowa, as points of communication. Delete frequencies 6004.5V, 6123.1V MHz, 5974.8V, 6093.5V MHz, and 5974.8V, 6093.5V MHz.

8269–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 27, Marshalltown, Iowa. C.P. for proposed station, corner of Second and Main Streets, Marshalltown, Iowa, at latitude 42°02'58", longitude 92°54'59". Correct frequencies to 10,735.0V, 11,135.0V MHz on azimuth 265°03' toward Lamoille, Iowa. Delete Gladbrook, Iowa, as a point of communication. Delete frequencies 6197.2V, 6315.9V MHz.

8270–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 30, Atkins, Iowa. Change proposed station location to 2.9 miles south-southwest of Atkins, Iowa, at latitude 41°57'03", longitude 91°52'58". Correct frequencies to 5945.2H MHz on azimuth 276°08' toward Keystone, Iowa, 6152.8V MHz on azimuth 65°31' toward Cedar Rapids, Iowa, and 5974.8H MHz on azimuth 124°28' toward North Liberty, Iowa. Delete Gladbrook and Waterloo, Iowa, as points of communication. Delete frequencies 6226.9V, 6345.5V MHz, 6286.2H, 6404.8H MHz, and 6197.2V, 6315.9V MHz.

8272–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 31, Cedar Rapids, Iowa. C.P. for new station location 5225 C Avenue, Cedar Rapids, IA, at latitude 42°01'54", longitude 91°38'38". Correct frequencies to 6404.8V MHz on azimuth 245°41' toward Atkins, Iowa. Delete Garrison, Amber, and Solon, Iowa, as points of communication. Delete frequencies 6004.5V, 6123.1V MHz, 5945.2H, 6063.8H MHz and 6034.2H, 6152.8H MHz.

8276–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 32, North Liberty, Iowa. Change proposed station location to 3.1 miles northeast of North Liberty, Iowa, at latitude 41°46'34", longitude 91°32'36". Correct frequencies to 6226.9H MHz on azimuth 304°40' toward Atkins, Iowa, 6197.2V MHz on azimuth 94°38' toward Buchanan, Iowa, and 11,665.0H, 11,265.0H MHz on azimuth 176°52' toward Iowa City, Iowa. Delete Cedar Rapids, and New Liberty, Iowa, as points of communication. Delete frequencies 6315.9H MHz, 6345.5V MHz, and 6256.5V, 6375.2V MHz.

8277–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 33, Iowa City, Iowa. C.P. for a new station location 102 South Clinton Street, Iowa City, IA, at latitude 41°39'44", longitude 91°32'06". Correct frequencies to 10,735.0V, 11,135.0V MHz on azimuth 356°52' toward North Liberty, Iowa. Delete Solon, Iowa, as a point of communication. Delete frequencies 5945.2V, 6063.8V MHz.

8278–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 35, Bennett, Iowa. Change proposed station location to 2.7 miles east of Bennett, Iowa, at latitude 41°44'21", longitude 90°55'06". Correct frequencies to 6226.9V MHz on azimuth 274°23' toward Buchanan, Iowa, and 6197.2H MHz on azimuth 152°14' toward Blue Grass, Iowa. Delete Solon and Davenport, Iowa, as points of communication. Delete frequencies 5974.8V, 6093.5V MHz and 5945.2V, 6063.8V MHz.

8279–C1–P–70—MCI Mid-Continent Communications, Inc. (New), Site 37, Davenport, Iowa. C.P. for a new station 1416 West 16th Street, Davenport, IA, at latitude 41°32'10", longitude 90°35'42". Correct frequencies to 11,665.0H, 11,265.0H MHz on azimuth 274°32' toward Blue Grass, Iowa. Delete New Liberty, Iowa, as a point of communication. Delete frequencies 6197.2V, 6315.9V MHz.

Corrections

4011–C1–P–72—The Pacific Telephone & Telegraph Co. (WBO39), correct frequency 10,816V MHz to read 10,815V MHz. All other terms same as listed in Report No. 578 dated Jan. 10, 1972.

4050–C1–P–72—Pacific Power & Light Co. (KPE25), Kalispill, Mont. Correct location to read: 111 First Avenue East, Kalispell, MT. Latitude 48°11'53" N., longitude 114°18'37" W.

Corrections—Continued

All other terms same as listed in Report No. 578 dated Jan. 10, 1972.

4051–C1–P–72—Pacific Power & Light Co. (New), correct to read: Frequencies: 10,795H and 11,035H MHz toward Blacktail Mountain, Mont., via passive reflector. All other terms same as listed in Report No. 578 dated Jan. 10, 1972.

4011–C1–P–72—The Pacific Telephone and Telegraph Company (WB039) correct frequency 10816V MHz to read 10815V MHz. All other terms same as listed in Report No. 578 dated Jan. 10, 1972.

[FR Doc.72–933 Filed 1–24–72;8:45 am]

FEDERAL MARITIME COMMISSION

BUREAU OF COMPLIANCE

Notice of Intent To Reject Regarding Deficient Tariffs

The domestic offshore files of the Federal Maritime Commission contain tariffs which have, for a period of time, not been in conformity with the Commission's regulations as required by section 2 of the Intercoastal Shipping Act, 1933, and the Commission's Tariff Circular No. 3. The following carriers have such tariffs on file:

El Sol De Mayo Express, 1301 Oak Point Avenue, Bronx, NY 10460.

San Lorenzo Express Corp., 2556 West Fullerton Avenue, Chicago, IL 60647.

Although numerous letters have been sent to them specifically identifying the tariff deficiencies, the Commission's staff has been unable to persuade the tariff filers over a period of 1 year or more to correct their tariffs to comply with the Commission's regulations. El Sol De Mayo's tariff contains conflicting and duplicating tariff provisions. San Lorenzo's tariff fails to publish its bill of lading provisions and disclaims liability on certain named commodities.

Section 2 of the Intercoastal Shipping Act, 1933, provides:

> The Commission shall by regulations prescribe the form and manner in which the schedules required by this section shall be published, filed, and posted; and the Commission is authorized to reject any schedule filed with it which is not in consonance with this section and with such regulations. Any schedule so rejected by the Commission shall be void and its use shall be unlawful.

Deficient tariffs are ambiguous, reflect inaccurate information to the shipping public and violate the Commission's regulations as published in Tariff Circular No. 3. Further, Rule 13(d) of Tariff Circular No. 3, as amended (46 CFR 531.13(d)), states that the fact a tariff publication is on file with the Commission does not relieve carriers from responsibility for any violation of law or regulations of the Commission issued thereunder; and, accordingly, the Commission proposes to reject their deficient tariffs in the absence of a showing of good cause as to why they should not be rejected.

Now, therefore it is ordered, That the above carriers advise the Director, Bureau of Compliance, at 1405 I Street NW., Washington, DC 20573, in writing within 30 days after the publication of this order in the FEDERAL REGISTER of any reasons why the Commission should not reject these deficient tariffs;

It is further ordered, That a copy of this order be sent by registered mail to the last known address of the carriers listed herein;

It is further ordered, That this notice be published in the FEDERAL REGISTER and a copy thereof filed in place of any tariff rejected pursuant to this notice.

By the Commission pursuant to authority delegated by § 7.01 of Commission Order No. 1 (Revised) dated September 29, 1971 (34 F.R. 15416).

AARON W. REESE,
Managing Director.

[FR Doc.72–1080 Filed 1–24–72;8:50 am]

[Docket No. 71–82; Agreement 9950]

POSTAL SERVICE

Modification of Order of Investigation and Hearing Regarding Agreement Relating to Rates and Other Matters To Be Used as a Basis for Negotiating Arrangements for Transportation of Mail

Upon consideration of motion of the Postmaster General, through counsel, for purposes of this proceeding, the Postmaster General is redesignated a party to the proceeding rather than petitioner as specified in the Order of Investigation and Hearing served October 28, 1971.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–1078 Filed 1–24–72;8:49 am]

[Independent Ocean Freight Forwarder License 586, 659, 606, 922]

D. C. ANDREWS & COMPANY OF MARYLAND, INC., ET AL.

Order of Revocation

Pursuant to the Commission Order dated December 27, 1971, approving the merger of D. C. Andrews International, Inc. and its subsidiaries, the following Licensees have submitted their respective Licenses to the Commission for revocation. D. C. Andrews & Co. of Maryland, Inc., FMC–586, D. C. Andrews & Co. of Massachusetts, FMC–659, D. C. Andrews & Co. of Louisiana, Inc., FMC–606 and D. C. Andrews & Co., Inc., New York, New York, FMC–922.

By virtue of authority vested in me by the Federal Martime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated 9–29–70);

It is ordered, That the Independent Ocean Freight Forwarder Licenses of the aforementioned companies are hereby revoked effective January 7, 1972.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon D. C. Andrews & Co. of Maryland, Inc., D. C. Andrews & Co. of Massachusetts, D. C. Andrews & Co. of Louisiana, Inc., and D. C. Andrews & Co., Inc., New York, N.Y.

AARON W. REESE,
Managing Director.

[FR Doc.72–1079 Filed 1–24–72;8:50 am]

FEDERAL POWER COMMISSION

[Docket No. CP72–180]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JANUARY 21, 1972.

Take notice that on January 14, 1972, Natural Gas Pipeline Company of America (applicant), 122 South Michigan Avenue, Chicago, IL 60603, filed in Docket No. CP72–180, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of equivalent volumes of natural gas with Arkansas Louisiana Gas Co. (Arkla) and the construction and operation of the facilities to effectuate such exchange, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that as a result of a sudden high demand for natural gas by human needs customers on Arkla's Lawton transmission system, which serves Lawton, Okla., it commenced on January 4, 1972, pursuant to § 157.22 of the Commission's regulations under the Natural Gas Act (18 CFR 157.22), emergency deliveries of natural gas to Arkla in Grady County, Okla., in exchange for equivalent volumes of natural gas to be received in Wheeler County, Tex. Applicant seeks authorization to continue to exchange up to 10,000 Mcf of natural gas per day with Arkla during periods of high demand for a term ending March 1, 1973, and to construct and operate the necessary facilities to effectuate such exchange in Wheeler County, Tex. Applicant estimates the cost of the Wheeler County facilities at $20,900 for which applicant will be reimbursed by Arkla.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before February 4, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to

become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1101 Filed 1-24-72;8:50 am]

[Docket No. CI72-425]

PENNZOIL PRODUCING CO.

Notice of Application

JANUARY 21, 1972.

Take notice that on January 12, 1972, Pennzoil Producing Co. (applicant), 900 Southwest Tower, Houston, Tex. 77002, filed in Docket No. CI72-425 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Arkansas Louisiana Gas Co. from the Cadeville Sand Unit, Calhoun Field, Jackson, Ouachita, and Lincoln Parishes, La., at the total initial rate of 25 cents per Mcf at 15.025 p.s.i.a., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the subject sale on December 28, 1971, within the contemplation of § 157.29 of the Commission's general policy and interpretations (18 CFR 157.29).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before February 4, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1102 Filed 1-24-72;8:50 am]

SELECTIVE SERVICE SYSTEM

RANDOM SELECTION SEQUENCE FOR INDUCTION OF REGISTRANTS

Notice of Lottery Drawing

By virtue of the authority vested in me by § 1631.1 of Selective Service Regulations (32 CFR 1631.1), a drawing will be conducted in the Department of Commerce Auditorium, Washington, D.C., on February 2, 1972, beginning at 10 a.m., e.s.t., to establish a random selection sequence for induction of registrants who during the calendar year 1972 have attained their 19th but not their 20th year of age.

CURTIS W. TARR,
Director.

JANUARY 19, 1972.

[FR Doc.72-1058 Filed 1-24-72;8:48 am]

OFFICE OF EMERGENCY PREPAREDNESS

WILLIAM C. McMILLEN, ET AL.

Appointment of Federal Coordinating Officer

Appointment

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575, December 31, 1970 (36 F.R. 37, January 5, 1971) to administer the Disaster Relief Act of 1970 (Public Law 91-606, 84 Stat. 1744), I hereby appoint William C. McMillen as Federal Coordinating Officer to perform the duties specified by section 201 of the Act for the disasters listed below to be effective November 16, 1971.

State	Disaster No.	Declaration date
Florida Vice William H. Hollaway, appointed January 7, 1970 (35 F.R. 403, January 10, 1970).	252	Nov. 7, 1968
Tennessee Vice Joseph W. Moody, appointed January 7, 1970 (35 F.R. 403, January 10, 1970).	263	July 11, 1969
Mississippi Vice William H. Hollaway, appointed March 21, 1970 (35 F.R. 5136, March 26, 1970).	271	Aug. 18, 1969
Alabama Vice William H. Hollaway, appointed January 7, 1970 (35 F.R. 403, January 10, 1970).	280	Apr. 9, 1970
Mississippi Vice William H. Hollaway, appointed February 26, 1971 (36 F.R. 4450, March 5, 1971).	302	Feb. 22, 1971
Kentucky Vice William H. Hollaway, appointed May 13, 1971 (36 F.R. 9045, May 18, 1971).	305	May 10, 1971
Tennessee Vice William H. Hollaway, appointed May 25, 1971 (36 F.R. 9806, May 28, 1971).	306	May 18, 1971

Dated: January 18, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-1030 Filed 1-24-72;8:45 am]

MISSISSIPPI

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disasater Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on January 19, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Mississippi from heavy rains and flooding, beginning about December 3, 1971, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Mississippi. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended) I hereby appoint Mr. Ronard Van Dame, Disaster Assistance Coordinator, OEP Region 4, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Mississippi to have been adversely affected by this declared major disaster:

The Counties of:

Amite.	Marion.
Franklin.	Pike.
Lawrence.	Wilkinson.
Lincoln.	

Dated: January 19, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-1061 Filed 1-24-72;8:48 am]

OREGON

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on January 21, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Oregon from severe storms and flooding, beginning about January 11, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Oregon. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Creath A. Tooley, Regional Director, OEP Region 10, to act as the Federal Coordinating Officer to perform the duties specified by Section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Oregon to have been adversely affected by this declared major disaster:

The Counties of:

Clatsop.	Tillamook.
Lincoln.	

Dated: January 24, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-1200 Filed 1-24-72;11:01 am]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-3998 etc.]

AIR PRODUCTS AND CHEMICAL, INC., ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Air Products and Chemicals, Inc	7-3998
Bank of New York Co., Inc	7-4000
Bulova Watch Co., Inc	7-4001
Capital Cities Broadcasting Corp	7-4002
Child World, Inc	7-4003
Columbia Pictures Industries, Inc	7-4004
Electronic Data Systems Corp	7-4005
Grolier Inc	7-4006
Harcourt Brace Jovanovich, Inc	7-4008

Upon receipt of a request, on or before February 1, 1972 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C., 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1041 Filed 1-24-72;8:46 am]

[File No. 7-3999]

ATLANTIC RICHFIELD CO.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the preferred stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Atlantic Richfield Co., $3 Cumulative Convertible Preference Stock, $1 Par Value, File No. 7-3999.

Upon receipt of a request, on or before February 1, 1972, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1042 Filed 1-24-72;8:47 am]

[File No. 7-4007]

GULF MORTGAGE AND REALTY INVESTMENTS

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the shares of beneficial interest of the following company, which security is listed and registered on one or more other national securities exchanges:

Gulf Mortgage and Realty Investments, shares of beneficial interest no par value, File No. 7-4007.

Upon receipt of a request, on or before February 1, 1972, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1043 Filed 1-24-72;8:47 am]

[File Nos. 7-4009—7-4014]

HASBRO INDUSTRIES, INC., ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Hasbro Industries, Inc	7-4009
Houston Natural Gas Corp	7-4010
Indianapolis Power & Light Co	7-4011
International Utilities Corp	7-4012
Kansas City Power & Light Co	7-4013
Louisville Gas & Electric Co	7-4014

Upon receipt of a request, on or before February 1, 1972, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1044 Filed 1-24-72;8:47 am]

[812-3049]

BROAD STREET INVESTING CORP. ET AL.

Notice of Filing of Application for Exemption from Transactions

JANUARY 18, 1972.

Notice is hereby given that Broad Street Investing Corp., National Investors Corp., Union Capital Fund, Inc., Whitehall Fund, Inc., 65 Broadway, New York, NY 10006, open-end, diversified, management investment companies, and Tri-Continental Corp., a closed-end, diversified, manabement investment company (hereinafter collectively referred to as "Applicants"), all registered under the Investment Company Act of 1940 (Act), have filed an application for an order pursuant to section 6(c) of the Act that its directors shall not be deemed to be interested persons as that term is defined under section 2(a)(19) of the Act solely by reason of their having any interest in any security issued by, or being a director or officer of, Applicants who may be deemed controlling persons of Union Service Distributor, Inc. (Union Distributor), or by being a director or officer of Union Service Corp., which wholly-owns Union Distributor. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Applicants receive investment research and administrative services at cost from Union Service Corp. (Union Service), all of the outstanding securities of which are owned by Applicants. The principal underwriter for Applicants, except Tri-Continental Corp., is Union Distributor, a broker-dealer registered under the Securities Act of 1934.

Under a mutual service agreement with Union Service, Applicants are each entitled to one representative on the Board of Directors of Union Service, and they each have designated one of their directors to serve as a director of Union Service. These directors comprise five of the nine members of that Board, the others being directors-at-large who are also officers or members of the executive committees of Applicants. In addition several directors of Applicants serve as officers of Union Service.

Section 2(a)(19) provides that an interested person of a principal underwriter of an investment company includes any person who has any interest in any security issued by a controlling person of such principal underwriter.

By virtue of ownership of stock of Union Service and effective ownership and control under the mutual service agreement, Applicants as a group may be concluded to be controlling persons of Union Distributor and thus all directors who own stock in Applicants may be concluded to be interested persons of Union Distributor. At the present time, all of the directors of Applicants own shares of one or more of such investment companies and all of the directors therefore may be interested persons.

Section 2(a)(19) further provides that an interested person of an investment company includes any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such broker-dealer. An interested person of a principal underwriter of an investment company is defined therein to include, in addition to the above, any affiliated person of such underwriter.

An affiliated person of another person is defined in section 2(a)(3) of the Act to include any officer or director of such other person. Control is defined under section 2(a)(9) to mean the power to exercise a controlling influence over the management or policies of a company, unless such power is solely the result of an official position with such company.

Applicants state that each director of Applicants might as such may be deemed a controlling person of Union Distributor and thus an interested person of Union Distributor and Applicants. Applicants further state that, if Union Service and Union Distributors are collapsed, a director and officer of Union Service and Applicants may be regarded as a director and officer of Union Distributor and thus an interested person of Union Distributor and Applicants.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants assert that the requested exemption is consistent with the provisions of section 6(c) primarily due to the unique organization of the investment company which has been beneficial to their shareholders in terms of operating costs.

Notice is further given that any interested person may, not later than February 7, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1049 Filed 1-24-72;8:47 am]

[File Nos. 7-4015—7-4024]

AMERICAN NATURAL GAS CO. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of Midwest Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
American Natural Gas Co	7-4015
Arlen Realty & Development Corp	7-4016
Asamera Oil Corp. Ltd	7-4017
Automation Industries, Inc	7-4018
Beverly Enterprises	7-4019
California Computer Products, Inc	7-4020
Cerro Corp	7-4021
Chadbourn, Inc	7-4022
Chris-Craft Industries, Inc	7-4023
Data Processing Financial & General Corp	7-4024

Upon receipt of a request, on or before February 1, 1972 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1045 Filed 1-24-72;8:47 am]

[File Nos. 7-4025—7-4034]

DATA PRODUCTS CORP. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of the Midwest Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Data Products Corp	7-4025
Deltona Corp	7-4026
Denny's Restaurants, Inc	7-4027
Digital Equipment Corp	7-4028
Eastern Gas & Fuel Associates	7-4029
General Cable Corp	7-4030
Gino's Inc	7-4031
Interstate Stores, Inc	7-4032
Kaufman & Broad, Inc	7-4033
Levi Strauss & Co	7-4034

Upon receipt of a request, on or before February 1, 1972 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1046 Filed 1-24-72;8:47 am]

[Files Nos. 7-4035—7-4044]

MARSHALL INDUSTRIES, ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of the Midwest Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Marshall Industries	7-4035
Mattel Inc	7-4036
Milgo Electronic Corp	7-4037
Nortek, Inc	7-4038
Norton Simon, Inc	7-4039
Reading & Bates Offshore Drilling Co	7-4040
Republic Corp	7-4041
Solitron Devices, Inc	7-4042
Sybron Corp	7-4043
Syntex Corp	7-4044

Upon receipt of a request, on or before February 1, 1972, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1047 Filed 1-24-72;8:47 am]

[File Nos. 7-4045—7-4048]

TELEPROMPTER CORP. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1972.

In the matter of applications of the Midwest Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Teleprompter Corp	7-4045
Transcontinental Investing Corp	7-4046
U.S. Freight Co	7-4047
Zayre Corp	7-4048

Upon receipt of a request, on or before February 1, 1972 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature

of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1048 Filed 1-24-72;8:47 am]

[811-1389, etc.]

S & P NATIONAL CORP. ET AL.

Notice of Proposal To Terminate Registration

JANUARY 17, 1972.

Notice is hereby given that the Commission proposes, pursuant to section 8(f) of the Investment Company Act of 1940 (Act), to declare by order upon its own motion that S & P National Corp. (S & P), Smith-Palmer Machine Corp. (Smith-Palmer) and Southwest International Corp. (Southwest), c/o Room 2930, 120 Broadway, New York, NY 10005, registered under the Act as closed-end nondiversified management investment companies, have ceased to be investment companies.

S & P registered under the Act on May 24, 1966. Smith-Palmer and Southwest registered under the Act on June 8, 1966. Smith-Palmer, an Illinois corporation, was dissolved by means of a decree entered November 12, 1964. S & P and Southwest, both Delaware corporations, were dissolved on October 7, 1968, by the filing of certificates of dissolution. It appears that the liquidation and dissolution procedures for all three companies have followed a plan of complete liquidation and dissolution pursuant to orders of the District Court for the Southern District of New York, dated March 25, 1968, June 28, 1968, and June 4, 1970.

Section 8(f) of the Act provides, in pertinent part, that when the Commission finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the effectiveness of such order, which may be issued upon the Commission's own motion where appropriate, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 17, 1971, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communications should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon S & P, Smith-Palmer or Southwest at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1050 Filed 1-24-72;8:47 am]

[812-3050]

TRI-CONTINENTAL CORP.

Notice of Filing of Application for Exemption

JANUARY 18, 1972.

Notice is hereby given that Tri-Continental Corp. (Applicant), 65 Broadway, New York, NY 10006, a closed-end, diversified management investment company registered under the Investment Company Act of 1940 (Act) has filed an application for an order pursuant to section 6(c) of the Act declaring that Lewis A. Lapham shall not be deemed an interested person of Applicant as that term is defined under section 2(a)(19) of the Act solely by reason of his status as a director of the Chubb Corp. (Chubb). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Mr. Lapham, a director of Applicant, is also a director of Chubb, an insurance holding company. Chubb owns all of the Capital Stock of United Life and Accident Insurance Co. (ULAICO), which has a wholly owned subsidiary, ULAICO Equity Services, Inc. (Equity Services), registered as a broker-dealer under the Securities Exchange Act of 1934. Applicant states that Chubb plans to acquire all the outstanding capital stock of Equity Services from ULAICO.

Equity Services is in the business of selling mutual funds and combined programs of mutual fund shares and life insurance issued by ULAICO, and independent insurance agents of ULAICO are registered representatives for these purposes. Equity Services is not a member of any securities exchange, does not make markets in securities and does not execute or clear security transactions, except transactions in mutual funds which it sells. It is not otherwise engaged in the securities business.

Mr. Lapham is neither a director, officer nor employee of ULAICO or Equity Services. The day-to-day activities of UALICO and Equity Services are conducted by their respective officers and the final responsibility for their affairs rests with their respective boards of directors.

Section 2(a)(19) of the Act, as here pertinent, defines an interested person of an investment company as any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such a broker or dealer.

Section 2(a)(3) of the Act includes in the definition of an "affiliated person" of another person, any director of such other person.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provisions of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that Mr. Lapham should not be deemed an "interested person" of Applicant because his affiliation with Chubb does not and will not impair his independence in acting on behalf of Applicant and its shareholders, and that the requested exemption is therefore consistent with the provisions of section 6(c).

Notice is further given that any interested person may, not later than February 7, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in

this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1051 Filed 1-24-72;8:47 am]

[812-3054]

UNION CAPITAL FUND, INC.

Notice of Filing of Application for Exemption

JANUARY 18, 1972.

Notice is hereby given that Union Capital Fund, Inc. (Applicant), 65 Broadway, New York, NY 10006, an open-end, diversified, management investment company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 6(c) for an order declaring that Maurice R. Greenberg (Greenberg) shall not be deemed an "interested person" of Applicant or Union Service Distributor, Inc. (Union Distributor), principal underwriter of Applicant, as that term is defined under section 2(a)(19) of the Act solely by reason of his status as an affiliated person of American International Fund Distributors, Inc. (AIF Distributors). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Mr. Greenberg, a director of Applicant, is also a director of AIF Distributors, a broker-dealer registered under the Securities Exchange Act of 1934.

AIF Distributors is the wholly-owned broker-dealer subsidiary of American International Group, Inc., the parent company of a group of insurance companies, of which Mr. Greenberg is director and president. AIF Distributors was formed and registered as a broker-dealer so that licensed life insurance representatives could become registered security representatives in order to sell investment company shares in connection with the sale of life insurance. At the present time, a combined insurance-mutual fund package is sold which provides for the purchase of life insurance underwritten by American International Life Assurance Co. and shares of National Investors Corp., an investment company associated with Applicant.

AIF Distributors is not and does not intend to be a member of any securities exchange, does not make markets in securities and does not execute or clear security transactions. It is not otherwise engaged in the securities business.

Mr. Greenberg is not an executive officer nor an employee of AIF Distributors. Day to day activities of AIF Distributors are conducted by its officers and employees and Mr. Greenberg takes no part in such decisions.

Section 2(a)(19) of the Act defines an interested person of an investment company and its principal underwriter to include any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such broker or dealer.

Section 2(a)(3) of the Act defines an affiliated person of another person to include any director of such other person.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Mr. Greenberg, as a director of AIF Distributors, is an affiliate of a broker-dealer and is thus an interested person of Applicant and Union Service Distributor, Inc., its principal underwriter.

Applicant asserts that Mr. Greenberg should not be deemed an "interested person" of Applicant because his affiliation with AIF Distributors does not affect and will not impair his independence in acting on behalf of Applicant and its shareholders and the requested exemption is therefore consistent with the provisions of section 6(c).

Notice is further given that any interested person may, not later than February 7, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1052 Filed 1-24-72;8:48 am]

[70-5133]

WEST PENN POWER CO.

Notice of Proposed Issue and Sale of Short-Term Notes to Banks and Commercial Paper Dealers and Exception from Competitive Bidding

JANUARY 18, 1972.

Notice is hereby given that West Penn Power Co. (West Penn), 800 Cabin Hill Drive, Greensburg, PA 15601, a public utility subsidiary company of Allegheny Power System, Inc., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 6(b) of the Act and Rule 50(a)(5) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

West Penn requests that from the date of the granting of this application to March 31, 1974, the exemption from the provisions of section 6(a) of the Act afforded to it by the first sentence of section 6(b) of the Act, relating to the issue of short-term notes, be increased to the extent necessary to cover the issue and sale of notes to banks and to dealers in commercial paper up to the maximum amount allowable under West Penn's charter without preferred stockholder consent, which, as of December 31, 1971, amounted to $56 million. West Penn proposes, under the proposed exemption, to issue and sell from time to time its short-term notes to banks and to dealers in commercial paper prior to March 31, 1974: *Provided*, That none of such notes shall mature later than September 30, 1974: *And provided further*, That $56 million represents the maximum amount of notes to be outstanding at any one time. Changes may be made in the maximum amount of notes to be outstanding upon the filing of a post-effective amendment and additional authorization by the Commission. The proceeds from the sale of the notes will be used by West Penn to reimburse its treasury for past expenditures made in connection with its construction program, to pay in part the cost of future construction, and for other corporate purposes. Construction expenditures of West Penn for the years 1972, 1973, and 1974 are estimated to total $227,302,000. The application states that, unless otherwise authorized by the Commission, any of West Penn's short-term debt outstanding hereunder after March 31, 1974, will be retired with internal cash resources, permanent debt or equity financing, or cash capital contributions.

Each note payable to a bank will be dated as of the date of borrowing and will mature not more than 270 days after the date of issue or renewal thereof. Each such note will bear interest at the prime rate of commercial banks at the time of

issue and will be prepayable at any time without premium or penalty. The proposed borrowings will be effected from among banks in maximum amounts as set forth below:

First National City Bank	$40,000,000
Mellon National Bank & Trust Co	15,000,000
Pittsburgh National Bank	12,000,000
The Chase Manhattan Bank N.A	5,000,000
Total	$72,000,000

The maximum amount of such borrowings will not, when taken together with any commercial paper outstanding, be in excess of $56 million. West Penn maintains balances at each of the above banks to meet regular operating requirements. If average balances were maintained solely to fulfill compensating balance requirements, at a customary 20 percent level, the effective interest cost to West Penn assuming a 5¼ percent prime rate would be approximately 6.6 percent.

The commercial paper notes will be in the form of promissory notes in denominations of not less than $50,000 nor more than $5 million and will be of varying maturities, with no maturity more than 270 days after the date of issue. None will be prepayable prior to maturity. The commercial paper notes will be sold directly to a dealer at a discount not in excess of the discount rate per annum prevailing at the time of issue for commercial paper of comparable quality and of the particular maturity. The dealer may reoffer the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the discount rate then available to West Penn. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which West Penn could borrow from banks. The dealer will reoffer the commercial paper notes to not more than 200 of its customers identified and designated in a list (nonpublic) prepared in advance. It is expected that the commercial paper notes will be held by the dealer's customers to maturity, but if the customers wish to resell prior to maturity, the dealer, pursuant to a verbal repurchase agreement, will repurchase the notes and reoffer them to others in its group of 200 customers.

West Penn requests an exception from the competitive bidding requirements of Rule 50 for the proposed issue and sale of its commercial paper pursuant to paragraph (a)(5) thereof. West Penn also requests authority to file certificates under Rule 24 with respect to the issue and sale of commercial paper hereafter consummated pursuant to this application on a quarterly basis.

The application states that fees and expenses related to the proposed transactions are estimated not to exceed $2,900, including credit rating fees in the amount of $2,500, and that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 15, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1053 Filed 1-24-72;8:48 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

RUST ENGINEERING CO., ET AL.

Notice of Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that on August 26, 1971, the Rust Engineering Co., 930 Fort Duquesne Boulevard, Pittsburgh, PA 15222, has jointly with Continental-Heine Chimney Co., Inc., 127 North Dearborn Street, Chicago, IL 60602, Custodis Construction Co., Inc., a division of Research-Cottrell, Inc., 120 South Riverside Plaza, Chicago, IL 60602, and the M. W. Kellog Co., Chimney Division, Post Office Box 1007, Williamsport, PA 17701, made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596) and 29 CFR 1905.11 for a variance, and for an interim order pending a decision on the application for a variance, from the construction safety standards prescribed in 29 CFR 1518.552(c) (36 F.R. 7385), concerning personnel hoists, and 29 CFR 1518.451 (1), (4), and (5) (36 F.R. 7378), concerning boatswain's chairs, which were made occupational safety and health standards by 29 CFR 1910.12.

The applicants state that all construction projects are under the direct supervision of their principal offices, listed below, even though the projects themselves are spread throughout the country. The addresses of the prinicipal offices are as follows:

The Rust Engineering Co., 930 Fort Duquesne Boulevard, Pittsburgh, PA 15222,
and
1130 South 22d Street, Birmingham, AL 35201.
Continental-Heine Chimney Co., Inc., 127 North Dearborn Street, Chicago, IL 60602.
Custodis Construction Co., 120 South Riverside Plaza, Chicago, IL 60606,
and
Box 368, Bound Brook, NJ 08805.
The M. W. Kellog Co., Chimney Department, Post Office Box 1007, Williamsport, PA 17701.

In making this application, the applicants certify that all employees who will be affected by the variance have been notified of the application by posting a copy thereof at each jobsite and of their right to petition for a hearing by posting a notice to that effect at each jobsite.

Regarding the merits of the application, applicants state that in constructing a chimney, an elevated working platform or scaffolding is moved upward with the construction. To reach such a platform an access ladder or equivalent safe access must be provided pursuant to 29 CFR 1518.451(a)(13). The use of an access ladder soon becomes impractical as the height of the construction increases and therefore another safe means of access must be provided.

Applicants state it is not feasible to use personnel hoists meeting the requirements of § 1518.552(c) inside a chimney. In a small chimney there would be insufficient room to construct a hoist tower and the hoist tower would interfere with the design and construction of proper scaffolding. Extension of the hoist tower above chimney construction involves many difficulties in erection, bracing, and guying. With reference to towers outside a chimney, the applicants state it is difficult to provide safe access from tower to chimney over increasing distances due to tapering of the chimney toward the top. Tower extension itself would be hazardous due to high winds, and guying a hoist tower 600 to 1,000 feet or more in height is generally not feasible. An outside hoist would not provide access to the movable working platform or the jack scaffold used in constructing a brick lining.

Applicants propose to use Special Workmen's Hoist and Safety Cages which they contend are feasible and safer for use in their construction than personnel hoists meeting the requirements of § 1518.552(c). On construction work on a chimney with a small lining, where the safety cage is not feasible, applicants would use a boatswain's chair to raise and lower workmen. During this procedure, the workmen's safety belts would

be attached to clamps as an additional safety measure. During construction or maintenance work on high chimneys where it is not feasible to use "block and falls" for transporting a workman, applicants propose to substitute a material hoist for the "block and falls".

A copy of the application will be made available for inspection and copying upon request at the Office of Safety and Health Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, DC 20210, and at the following Area Offices: Occupational Safety and Health Administration, 1370 Filbert Street, Suite 1010, Philadelphia, PA 19107; Occupational Safety and Health Administration, Room 848, Federal Office Building, 219 Dearborn Street, Chicago, IL 60604; Occupational Safety and Health Administration, Todd Mall, 2047 Canyon Road, Birmingham, AL 35216; Occupational Safety and Health Administration, Federal Building, Room 635, 970 Broad Street, Newark, NJ 07102; and Occupational Safety and Health Administration, Room 445–D, Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

Interested persons, including affected employers and employees, are invited to submit written data, views, and arguments regarding the application for a variance within 30 days following the publication of this notice in the FEDERAL REGISTER. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application for a variance within 30 days after the publication of this notice in the FEDERAL REGISTER, in conformity with the requirements of 29 CFR 1905.15. Submissions of written comments and requests for a hearing shall be in quadruplicate, and shall be addressed to the Office of Safety and Health Standards at the above address.

II. *Interim order.* It appears from the application for a variance and interim order, and supporting data, filed by the Rust Engineering Co., Continental-Heine Chimney Co., Inc., Custodis Construction Co., Inc., and the M. W. Kellog Co. that the practices, means, methods, and operations proposed by applicants will provide employment and places of employment which are as safe and healthful as those which would prevail if the applicants were to comply with the requirements of 29 CFR 1518.552(c), 29 CFR 1518.451 (1), (4), and (5), and 29 CFR 1910.12. It further appears from the application that an interim variance is necessary to prevent undue hardships to affected employers and employees: *Therefore it is ordered,* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, section 105 of the Contract Work Hours and Safety Standards Act, as amended, 29 CFR 1905.11(c), and in 29 CFR 1518.2, as amended, that Rust Engineering Co., Continental-Heine Chimney Co., Inc., Custodis Construction Co., Inc., and The M. W. Kellog Co. be, and they are hereby, authorized to transport personnel to and from the elevated platform, during maintenance (repair) or construction work on chimneys, utilizing a Special Workmen's Hoist, including the hoist machine, safety cage with safety cables on opposite sides, safety devices that will grip the safety cables in the event of any failure of the hoisting cable and limit switches to prevent overrun of the cage at both top and bottom of the chimney; to transport personnel one at a time to and from the elevated scaffold during maintenance or construction work on chimneys or chimney linings of a small diameter or from a bracket scaffold on the outside of a chimney utilizing a boatswain's chair attached to the hoisting cable of a material hoist from which the material bucket shall be temporarily disconnected; to attach the safety belt of the personnel being transported one at a time to or from the elevated scaffold in the boatswain's chair to a clamp riding a separate lifeline of ⅜-inch diameter wire rope securely attached to the rigging at the top and to a weight at the bottom; to substitute the material hoist for the "block and falls" when transporting personnel one at a time in a boatswain's chair; in accordance with the following additional conditions, in lieu of the requirements of 29 CFR 1518.451 (1), (4), and (5), 29 CFR 1518.552(c), and 29 CFR 1910.12:

(a) *Hoist machine.* (1) The hoist machine shall be a type designated as a Portable Man-Hoist, which meets all the conditions set forth herein.

(2) The hoist machine shall be powered both in the up and down direction and shall be located far enough from the footblock to obtain correct fleet angle or proper spooling on the hoist drum.

(3) The hoist machine shall be equipped with: (i) Torque converter and forward-reverse transmission;

(ii) Winding drum not less than 30 times diameter of rope used, and flange diameter not less than 1½ times the drum diameter;

(iii) A "Deadman" Control Switch in top of operating lever which shall stop the hoist immediately if released; and

(iv) A line speed indicator maintained in good working order.

(4) (i) The hoist shall be equipped with two independently operated brakes, each capable of holding the load. Braking shall be automatically applied with an electromagnetic braking device, capable of holding 150 percent of the rated load upon cessation of power.

(ii) Electromagnetic brake shall be located on input shaft to gear reducer. In addition, an externally contracting band-type brake shall be mounted directly on the hoist drum. A foot pedal shall be located near the operator's seat for sit-down control. The gear reduction shall be a totally enclosed worm gear reducer in oil bath.

(5) Hoist machine frame shall be a self-supporting, rigid, welded steel frame with skid base. Holding brackets for anchor lines shall be located at corners, as well as legs for anchor bolts.

(6) Hoisting machine wiring shall be equipped with terminal blocks for connections with limit switches that are placed at upper and lower end of travel to prevent the bottom of the cage from being taken above the platform level of the top scaffold or below the bottom loading platform. The hoist shall stop automatically if limit switch contact is opened.

(7) All electrical equipment shall be waterproof.

(8) Single lever control for both speed and direction shall be used.

(b) *Operating control.* (1) The operator of the hoist shall be an experienced operator.

(2) The hoist shall not be operated in excess of 250 f.p.m. when carrying personnel.

(3) Signals shall consist of two-way radio or wired intercom between hoist operator, the lower landing, and the upper landing.

(c) *Hoist rope.* (1) The hoisting rope shall be improved plow steel or equivalent quality of nonrotating type or regular lay rope with proper swivel and shall be not less than ½-inch diameter. It shall be attached to the cage by a closed hook or hook with locking swivel safety latch.

(2) Where clip fastening is used, there shall be at least three at each fastening and they shall be installed with "U" of clip on dead end of rope. Spacing, clip-to-clip, shall be 6 times the diameter of the rope.

(d) *Footblock.* (1) The footblock shall be of construction type of solid single piece bail.

(2) The line diameter of the footblock shall be not less than 24 times the rope diameter.

(3) The change in directions of hoist rope at the footblock shall be approximately 90°.

(e) *Cathead.* (1) The overhead sheave supports shall be securely fastened together by bolts to prevent spreading. The sheaves shall be installed between the supporting members and shall rotate on a fixed shaft or the shaft shall revolve in pillow block bearings.

(2) The sheaves used on cathead shall have a minimum diameter equal to 24 times diameter of rope when travel of rope on the sheaves is approximately 90°. When using ½-inch diameter rope, the corresponding minimum sheave diameter shall be 12 inches.

(f) *Safety cables.* (1) There shall be two steel safety cables suitable for use with safety clamps, as described in paragraph (g) (6), (7), and (8), or equivalent. One end shall be fastened to overhead support and the bottom end attached to a 100-pound weight with cable grips for adjusting. Safety cables shall be ⅜-inch diameter when used with two-man cage or ½-inch diameter when used with four-man cage.

(2) Clamping device used for fastening to weight must be of type that will not damage the ropes and will not require acute bending of the rope.

(3) Where the cage passes through the platform at top of project, adequate beveled cone shaped guard shall be provided at the underside of the working platform.

(g) *Cage.* (1) The cage shall be of welded construction, of two-man, or four-man capacity.

(2) The framework of the cage shall be covered with aluminum expand-x or equivalent covering.

(3) The floor shall be of plywood securely fastened in place, ¾-inch thick, for two-man cage or 1-inch thick for four-man cage.

(4) The roof shall be two thicknesses of ¾-inch plywood or in case of a steeply sloped roof shall be of ⅛-inch aluminum sheet.

(5) The entrance to the cage shall have a hinged gate equipped with a mechanical locking device.

(6) Safety clamps shall be of a type that are portable and can be attached or detached from the lifeline. The clamps shall be fabricated 100 percent of stainless steel, have instant holding action, and a solid self-locking pin, spring loaded for locking the two parts together.

(7) The safety clamps attached on opposite sides of the cage shall grip the safety cables in case of emergency.

(8) The safety clamps shall operate on the broken rope principle.

(h) *Capacity.* The maximum capacity for the two-man cage shall be two men or 400 pounds and for the four-man cage, four men or 800 pounds. A sign stating capacity shall be posted in the cage.

(i) *Emergency escape.* An emergency escape device with accommodations for each man in the cage with a minimum 5/16-inch braided nylon rope or better, long enough to reach the bottom landing from the highest escape point below the upper landing shall be securely attached to the inside of the cage. Not more than one man shall use the escape means at a time.

(j) *Welding.* All welding shall be done by welders in accordance with standards of the American Welding Society.

(k) When the safety cage is not being used to transport personnel, the safety cage and safety cables shall be pulled aside on the foundation and the hoisting hook transferred to the "bucket" for hoisting materials. The procedure shall be reversed when transporting of workmen is again required.

(l) The applicants, Rust Engineering Co., Continental-Heine Chimney Co., Inc., Custodis Construction Co., Inc., and the M. W. Kellog Co., shall give notice to affected employees of the terms of this interim order by the same means required to be used to inform them of the application for the variance.

Effective date. This interim order shall be effective as of January 22, 1972, and shall remain in effect until a decision is rendered on the application for variance by Rust Engineering Co., Continental-Heine Chimney Co., Inc., Custodis Construction Co., Inc., and the M. W. Kellog Co.

Signed at Washington, D.C., this 19th day of January 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-1062 Filed 1-24-72;8:48 am]

Office of the Secretary

ALASKA

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the act, notice is hereby given that Frank E. Cashel, Director of the Alaska Department of Labor has determined that there was a State "off" indicator in Alaska for the week ending November 6, 1971, and that an extended benefit period terminated in the State with the week ending November 27, 1971.

Signed at Washington, D.C., this 14th day of January 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-1029 Filed 1-24-72;8:45 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

JANUARY 20, 1972.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 116519 Sub. 13, Frederick Transport Ltd., now being assigned March 13, 1972, at Buffalo, N.Y., in a hearing room to be later designated.

MC 116519 Sub 15, Frederick Transport Ltd., now being assigned March 15, 1972, at Buffalo, N.Y., in a hearing room to be later designated.

MC 135437 Tri-Northeastern Transport, Inc., now being assigned March 17, 1972, at Buffalo, N.Y., in a hearing room to be later designated.

MC 135580 Lambert Transfer & Storage Co., assigned January 25, 1972, at Columbus, Ohio, canceled and application dismissed.

MC 15770 Sub 3, Calore Freight System, Inc., assigned February 18, 1972, MC 1756 Sub 18, People Express Co., assigned February 17, 1972, will be held in Room E 2222, 26 Federal Plaza, New York, N.Y.

MC 135965 J. P. Weist, doing business as Weiss Trucking, assigned at Minneapolis, Minn., application dismissed.

MC-F 11209 H. C. Gabler, Inc.—Purchase—John E. Foley, District Director, Internal Revenue Service, heard January 19, 1972, at Washington, D.C., and continued to February 4, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 23618 Sub 16, McAlister Trucking Co., MC 43867 Sub 22, Alton Leander McAlister, MC 54847 Sub 9, Intracoastal Truck Line, Inc., MC 60157 Sub 16, C. A. White Trucking Co., MC 74321 Sub 51, B. F. Walker, Inc., MC 79999 Sub 11, E. Jack Walton Trucking Co., MC 93318 Sub 17, Joe D. Hughes, Inc., MC 99776 Sub 7, Buckner Trucking, Inc., MC 103066 Sub 29, Stone Trucking Co., MC 106407 Sub 27, T. E. Mercer Trucking Co., MC 106509 Sub 22, Younger Transportation, Inc., MC 106775 Sub 29, Atlas Truck Line, Inc., MC 107687 Sub 43, Hill & Hill Truck Line, Inc., MC 108942 Sub 5, C. G. Todd Trucking Co., MC 109064 Sub 25, Tex-O-Ka-N Transportation Co., MC 110817 Sub 16, E. L. Farmer & Co., MC 115840 Sub 72, Colonial Fast Freight Lines, Inc., MC 119176 Sub 10, The Squaw Transit Co., MC 119774 Sub 27, Mary Ellen Stidham, N. M. Stidham, Inez Mankins & James E. Mankins, Sr. (doing business as) Eagle Trucking Co., MC 119897 Sub 12, A-1 Transportation Co., MC 120257 Sub 12, K. L. Breeden & Sons, Inc., assigned March 6, 1972, at Houston, Tex., are postponed to March 13, 1972, in Room 8212, Federal Building, 515 Rusk St., Houston, TX.

MC 107818 Sub 56, Greenstein Trucking Co., assigned January 27, 1972, at Chicago, Ill., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1085 Filed 1-24-72;8:50 am]

[Notice 10]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 19, 1972.

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 65802 (Sub-No. 49 TA), filed January 6, 1972. Applicant: LYNDEN TRANSPORT, INC., Post Office Box 433,

Lynden, WA 98264. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid concrete admixtures*, from Seattle, Wash., to points in Oregon, Idaho, Montana, and those in California lying on or north of a line drawn east and west through Redding, Calif., for 180 days. Supporting shipper: Master Builders, Inc., Lee at Mayfield, Cleveland, Ohio 44118. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 66124 (Sub-No. 5 TA), filed January 7, 1972. Applicant: PACIFIC NORTHWEST MOTOR FREIGHT LINES, INC., 600 South Edmunds, Seattle, WA 98108. Applicant's representative: George Kargianis, 21st Floor, Pacific Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Seattle, Wash., and Portland, Oreg., and return, for 180 days. Supporting shipper: Pacific International Freight Liners (Washington) Inc., Norton Building, Seattle, Wash. 98104. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 72423 (Sub-No. 2 TA) (Amendment), filed December 20, 1971, published FEDERAL REGISTER issue January 6, 1972, amended in part and republished as amended this issue. Applicant: R. D. HOUNSHELL, doing business as STERLING TRANSFER CO., 111 East Chestnut Street, Post Office Box 1007, Sterling, CO 80203. Applicant's representative: John P. Thompson, 450 Capitol Life Building, East 16th Avenue, Denver, CO 80203. NOTE: The purpose of this partial republication is to include request for applicant's republication to show carrier's intention to interline shipments at Denver and Julesburg, Colo. The rest of the application remains the same.

No. MC 103993 (Sub-No. 686 TA), filed January 7, 1972. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Wilkes County, N.C., to points in the United States east of the Mississippi River, and Minnesota and Louisiana, for 180 days. Supporting shipper: Bowen Mobile Homes, Inc., U.S. Highway 319 North, Tifton, Ga. 31794 (Reply to Boomer, N.C. 28606). Send protests to: Acting District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 113528 (Sub-No. 20 TA), filed January 7, 1972. Applicant: MERCURY FREIGHT LINES, INC., 710 North Joachim Street, 36603, Post Office Box 1247, Mobile, AL 36601. Applicant's representative: Herb Reynolds (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco and tobacco products*, including cigarettes, from points in North Carolina, to points in Alabama south of U.S. Highway 278, for 180 days. NOTE: Applicant intends to tack this authority with its present permanent authority at common points of Birmingham, Selma, and Mobile, Ala., and thereupon provide through service. Supporting shippers: Liggett & Meyers, Inc., Post Office Box 3836, Durham, NC 27702, Attention: Roland C. Hendricks, Distribution Manager; The American Tobacco Co., 245 Park Avenue, New York, NY 10017, Attention: C. F. Hardy. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 113666 (Sub-No. 63 TA), filed January 7, 1972. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Applicant's representative: Daniel R. Smetanick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in pneumatic tank trailers, from points in Monongahela Township, Greene County, Pa., to points in Maryland, Ohio, and West Virginia, for 180 days. Supporting shipper: Dayton Fly Ash Co., Inc. Subsidiary of AMAX (American Metal Climax, Inc.), Post Office Box 465, New Eagle, PA 15067. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 117758 (Sub-No. 2 TA), filed December 30, 1971. Applicant: GRINGERI BROS. TRANSPORTATION CO., INC., 70 Phillips Street, Watertown, MA 02172. Applicant's representative: John F. Curley, 15 Court Square, Boston, MA. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Albany, N.Y., to points in Massachusetts and Rhode Island, for 150 days. Supporting shipper: Chiquita Brands, Inc., 1250 Broadway, New York, NY 10001. Send protests to: Assistant Regional Director James F. Martin, Jr., Interstate Commerce Commission, Bureau of Operations, JFK Federal Building, Government Center, Boston, Mass. 02203.

No. MC 133562 (Sub-No. 11 TA) (correction), filed December 27, 1971, published FEDERAL REGISTER January 14, 1972, corrected and republished in part as corrected this issue. Applicant: HOLIDAY EXPRESS CORPORATION, Post Office Box 204, Estherville, IA 51334. NOTE: The purpose of this partial republication is to include the State of South Carolina as a destination point which was inadvertently omitted in previous publication. The rest of the notice remains the same.

No. MC 135650 (Sub-No. 1 TA) (correction), filed January 3, 1972, published FEDERAL REGISTER January 15, 1972, corrected and republished in part as corrected this issue. Applicant: ROYAL DELITE FOODS, INC., 4817 Governors Printz Boulevard, Edgemoor, DE 19809. Applicant's representative: F. D. Hammond, Post Office Box 53, Dover, DE 19901. NOTE: The purpose of this partial republication is to include the States of North Carolina and South Carolina as destination points which were inadvertently omitted in previous publication. The rest of the notice remains the same.

No. MC 136228 TA (correction), filed December 13, 1971, published FEDERAL REGISTER January 12, 1972, corrected and republished in part as corrected this issue. Applicant: LUISI TRUCK LINES, INC., Post Office Box 606, Milton-Freewater, OR 97862. Applicant's representative: Thomas G. Karter, 4410 Northeast Fremont, Portland, OR 97213. NOTE: The purpose of this partial republication is to set forth the correct MC 136228 TA, in lieu of MC 136222 TA, shown in error in previous publication. The rest of the notice remains the same.

No. MC 136232 TA (correction), filed December 13, 1971, published FEDERAL REGISTER January 12, 1972, corrected and republished in part as corrected this issue. Applicant: FRALEY'S INCORPORATED, Route 1, Big Stone Gap, VA 24219. Applicant's representative: Don R. Pippin, Norton, Va. 24273. NOTE: The purpose of this partial republication is to set forth the correct MC 136232 TA, in lieu of MC 136212 TA, shown in error in previous publication. The rest of the application remains as previously published.

No. MC 136233 (Sub-No. 1 TA), filed January 7, 1972. Applicant: NORTHTOWN TRUCK LINES, INC., 1112 Swift Street, Post Office Box 7333, North Kansas City, MO 64116. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverage in containers and related advertising material*, between Kansas City, Mo., and Richmond, Mo., on the one hand, and, on the other, Omaha, Nebr., Peoria, Ill., and Detroit, Mich., *empty containers and pallets* on return, for 150 days. Supporting shippers: Northland Distribution Co., Inc., 1112 Swift Street, North Kansas City, MO 64116; Richmond Distribution Co., Richmond, Mo. 64085. Send protests to: Vernon V. Coble, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 136262 (Sub-No. 1 TA), filed January 7, 1972. Applicant: J. C. MORIN,

doing business as UNIC PARCEL SERVICE, 410 St. Nicholas Street, Montreal, PQ, Canada. Applicant's representative: H. Neil Garson, Court Square West Building, 1400 North Uhle Street, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading). Restriction: The service authorized herein is subject to the following conditions: No service shall be rendered in the transportation of any package or article weighing more than 50 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment. Between the site of the U.S. Customshouse at or near Highgate Springs, Vt., on the one hand, and, on the other, the port of entry on the United States-Canada boundary line, at or near Highgate Springs, Vt., for 120 days. Supporting shippers: Pfizer Co. Ltd., 50 Place Cremazie, Montreal 351, PQ, Canada; Blackpool Brokerage Ltd., 410 St. Nicholas Street, Room 103, Montreal, PQ, Canada; Schering Corp. Ltd., Pointe Claire, Quebec, Canada; Querecair, Hagar No. 2, Montreal International Airport, Dorval, Quebec, Canada; Sylvania Electric (Canada) Ltd., 8750 Cote de Liesse Road, Montreal 376, PQ, Canada; Bechard & McMahon Ltd., 410 St. Nicholas Street, Room 26, Montreal 125, PQ, Canada; St. Arnaul & Bergevin Ltee., 410, rue St-Nicholas, Montreal 125, PQ, Canada. Send protests to: District Supervisor Martin P. Monaghan, Jr., Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 136309 TA, filed January 6, 1972. Applicant: KIRK A. JEFFERTS, 2915 Green Lantern Road, Everett, WA 98204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden shingles, shakes, and ridge trim*, from points in Skagit County, Wash., to points in California, for 180 days. Supporting shippers: Hurn Shingle Co., Inc., Route 1, Concrete, Wash.; Supreme Cedar Products, Inc., Post Office Box 457, Hamilton, WA 98255. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 136312 TA, filed January 7, 1972. Applicant: HASKELL FOODS COMPANY OF OKLAHOMA, INC., Haskell, Okla. 74436. Applicant's representative: Ezra Drake (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the warehouse of R.J.R. Foods, Haskell, Okla., to points in Arkansas, Kansas, Mississippi, Missouri, New Mexico, Oklahoma, and Texas, for 180 days. Supporting shipper: R.J.R. Foods, Inc., Donalf J. Kays, General Traffic Manager, 750 Third Avenue, New York, NY 10017. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

By the Commission.

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

[FR Doc.72-1086 Filed 1-24-72;8:50 am]

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