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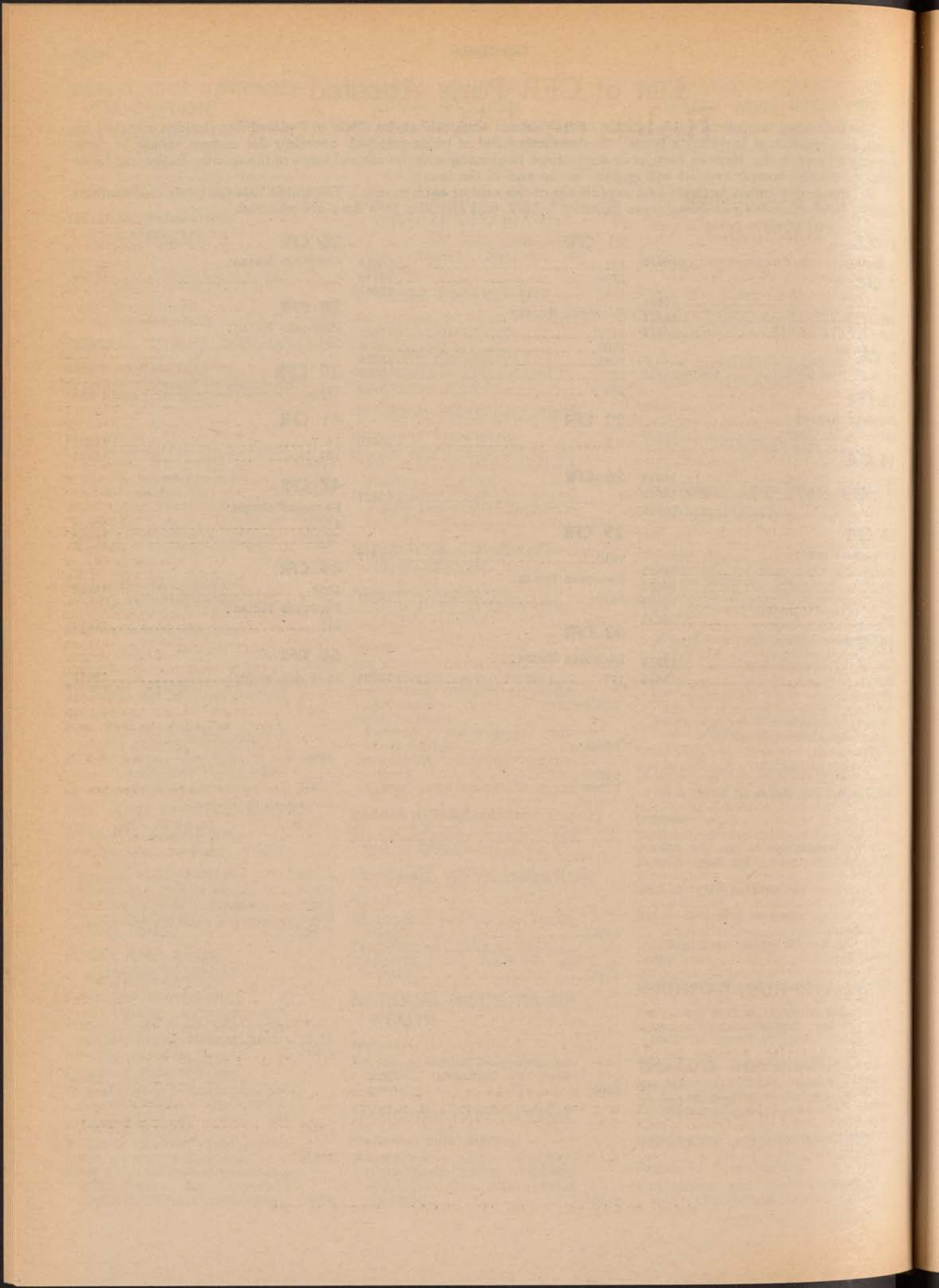
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# Rules and Regulations

## Title 6—ECONOMIC STABILIZATION

Rulings—Internal Revenue Service,  
Department of the Treasury

[Price Commission Ruling 1972-241]

### NEW PROPERTY—BRAND NAME AND PRIVATE BRAND ALCOHOLIC BEVERAGES

#### Price Commission Ruling

*Facts.* Retailer X for many years has sold only private brand alcoholic beverages. X now wishes to sell name brand alcoholic beverages.

*Issue.* (1) May Retailer X consider the name brand alcoholic beverages as "new property" within the meaning of the Economic Stabilization Regulations, 6 CFR 300.409 (1972)?

(2) If not, how does X determine the maximum selling prices for the name brand alcoholic beverages?

*Ruling.* (1) Brand name (including nationally advertised brand) alcoholic beverages are not a new property within the meaning of Economic Stabilization Regulation, 6 CFR 300.409 (1972) when compared with local or private brand alcoholic beverages of the same type (e.g., beer, scotch, bourbon, etc.). New property is defined in § 300.409(b) as property which is "substantially different from other property \* \* \* in purpose, function, quality or technology, or the use of that property \* \* \* must effect a substantially different result \* \* \*"

All alcoholic beverages are considered to be in one generic class. An item of any kind of alcoholic beverage is similar to another item of the same kind; the two items are not distinguishable from each other by any of the criteria enumerated in § 300.409(b). Bourbon is bourbon, scotch is scotch, rye is rye, etc. All are fit for human consumption. Regardless of label or brand, none is so substantially different from any other of the same kind to warrant treatment as new property within the meaning of § 300.409 of the regulations.

(2) Retailer X must determine his maximum selling prices for name brand alcoholic beverages pursuant to Economic Stabilization Regulation, 6 CFR 300.13 (a) (1972), by adding his customary initial percentage markup (CIPM) to the cost of the name brand alcoholic beverages.

Under § 300.13(a), Retailer X will apply to the cost of the name brand alcoholic beverages, at his option, the last CIPM he applied to private brand alcoholic beverages before November 13, 1971, or the CIPM he applied to private brand alcoholic beverages during his last fiscal year ending before August 15, 1971.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: September 12, 1972.

LEE H. HENKEL, Jr.,  
Chief Counsel,  
Internal Revenue Service.

Approved: September 12, 1972.

SAMUEL R. PIERCE, Jr.,  
General Counsel,  
Department of the Treasury.

[FR Doc.72-15757 Filed 9-12-72; 3:18 pm]

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 38]

#### PART 401—FEDERAL CROP INSURANCE

##### Subpart—Regulations for the 1969 and Succeeding Crop Years

###### GOOD FAITH RELIANCE ON MISREPRESENTATION

On pages 13718 and 13719 of the FEDERAL REGISTER of July 13, 1972 (37 F.R. 13718), was published a notice of proposed rule making to issue an amendment to § 401.107 of the Federal Crop Insurance regulations for the 1969 and succeeding crop years, as amended (7 CFR 401.101 et seq.).

Interested persons were given 30 days after publication of the notice in which to submit written data, views, or arguments with respect to the proposed amendment, but none have been received.

The proposed amendment, as issued in the notice, effective beginning with the 1973 crop year, was adopted with the following additions:

1. A basis and purpose paragraph is added preceding the amendment.
2. An authority clause is added immediately following the amendment.

Basis and purpose. The amendment herein is issued pursuant to and in accordance with the Federal Crop Insurance Act, as amended. Section 401.107 presently provides that where an indemnity has been erroneously paid and the Board of Directors finds (a) that the payment was made as a result of a misrepresentation or other erroneous action or advice by Corporation personnel, (b) that the insured person received the payment in good faith, and (c) that to require repayment would not be fair and equitable, the insured person shall be entitled to retain the payment. The purpose of the amendment is to broaden the section so that it applies to similar

cases where the indemnity has not been paid.

The Subpart—Regulations for the 1969 and Succeeding Crop Years (32 F.R. 15911), as amended, are amended as follows:

Section 401.107 is amended, effective beginning with the 1973 crop year, to read as follows:

#### § 401.107 Good faith reliance on misrepresentation.

Notwithstanding any other provision of the insurance contract, whenever an insured person under any contract of crop insurance entered into under these regulations, or any other regulations in this chapter issued pursuant to the Federal Crop Insurance Act, as amended, has suffered a loss to a crop which is not insured, or for which he is not entitled to an indemnity because of failure to comply with the terms of the insurance contract, but which he believed to be insured, or believed the terms of the insurance contract to have been complied with or waived, because of a misrepresentation or other erroneous action or advice by an agent or employee of the Corporation and the Board of Directors of the Corporation finds (a) that an agent or employee of the Corporation did in fact make such misrepresentation or take other erroneous action or give erroneous advice, (b) that said insured person relied thereon in good faith, and (c) that to deny said insured's claim for indemnity would not be fair and equitable, such insured person shall be entitled to such indemnity the same as if otherwise entitled thereto.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on September 6, 1972.

[SEAL] LLOYD E. JONES,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: September 11, 1972.

EARL L. BUTZ,  
Secretary.

[FR Doc.72-15696 Filed 9-13-72; 8:52 am]

[Amdt. 6]

#### PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

##### Subpart—Regulations for the 1967 and Succeeding Crop Years

###### ARIZONA-DESERT VALLEY CITRUS

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1971 crop year in the following respect:



6. Section 8 of the application and policy shown in § 409.25 of this chapter is amended effective beginning with the 1971 crop year to read as follows:

8. *Premium note.* In consideration hereof, the insured promises to pay to the order of the Federal Crop Insurance Corporation each crop year of the contract the annual premium and further agrees that as to any amount thereof not paid by September 30 of the crop year in which earned (October 31, 1972, for the 1971 crop year), it shall be increased by 10 percent. It is further agreed that any amount due the Corporation by the insured may be deducted from any indemnity payable to the insured and when not prohibited by law, from any loan or payment otherwise due the insured under any program administered by the U.S. Department of Agriculture.

(Signature of applicant)

(Witness to signature)

\_\_\_\_\_, 19\_\_\_\_

(Date)

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Amendment No. 4 was adopted by the Board of Directors on May 3, 1972, and published in the FEDERAL REGISTER on May 11, 1972 (37 F.R. 9458), to be effective beginning with the 1971 crop year, in order to reform the contracts of insurance in accordance with the opinion of the Deputy Comptroller General dated March 29, 1972. Among other things, that amendment redefined the crop year as the period beginning October 1 and extending through September 30 of the following calendar year. An unintended effect of that change was to make the 10 percent increase in the annual premium applicable at the end of the first month of the crop year in which earned, instead of at the end of the crop year as it was previously. The foregoing amendment is designed to correct this. But for the 1971 crop year, the increase will be applicable to premiums unpaid by October 31, 1972, as was originally intended. Under the circumstances, the Board of Directors found that it would be unnecessary to follow the procedure for notice and public participation prescribed by 5 U.S.C. 553 (b) and (c), as directed by the Secretary of Agriculture in a Statement of Policy, executed July 20, 1971 (36 F.R. 13804), prior to its adoption. Accordingly, said amendment was adopted by the Board of Directors on September 6, 1972.

[SEAL] LLOYD E. JONES,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: September 11, 1972.

EARL L. BUTZ,  
Secretary.

[FR Doc.72-15697 Filed 9-13-72; 9:52 am]

## Title 7—AGRICULTURE

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

[Valencia Orange Reg. 409]

#### PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

##### § 908.709 Valencia Orange Regulation 409.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act,

to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 12, 1972.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period September 15 through September 21, 1972, are hereby fixed as follows:

- (i) District 1: 380,000 cartons;
- (ii) District 2: 395,000 cartons;
- (iii) District 3: Unlimited.

(2) As used in this section, "handler", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: September 13, 1972.

CHARLES R. BRADER,  
Acting Deputy Director, Fruit  
and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72-15854 Filed 9-13-72; 4:13 pm]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Animal and Plant Health Inspection Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

[Docket No. 72-550]

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, in paragraph (e) (9) relating to the State of Indiana, a new subdivision (iii) is added to read:

(e) \* \* \*

(9) *Indiana.* \* \* \*

(iii) That portion of Carroll County bounded by a line beginning at the junction of the Carroll-Cass County line and State Highway 25; thence, following the Carroll-Cass County line in an easterly



direction to Secondary Road 500 East; thence, following Secondary Road 500 East in a southerly direction to Secondary Road 100 North; thence, following Secondary Road 100 North in a westerly direction to the Jackson-Deer Creek Township line; thence, following the Jackson-Deer Creek Township line in a northerly direction to State Highway 25; thence, following State Highway 25 in a northeasterly direction to its junction with the Carroll-Cass County line.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

*Effective date.* The foregoing amendment shall become effective upon issuance.

The amendment quarantines a portion of Carroll County in Indiana because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined area.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of hog cholera, and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 8th day of September 1972.

G. H. WISE,  
Acting Administrator, Animal  
and Plant Health Inspection Service.

[FR Doc. 72-15694 Filed 9-13-72; 8:50 am]

[Docket No. 72-551]

**PART 76—HOG CHOLERA AND  
OTHER COMMUNICABLE SWINE  
DISEASES**

**Areas Quarantined**

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable

swine diseases, is hereby amended in the following respects:

1. In § 76.2, paragraph (e) (1) relating to Nebraska is deleted.

2. In § 76.2, in paragraph (e) (3) relating to the State of North Carolina, subdivision (iii) relating to Harnett, Cumberland, and Sampson Counties is amended, and a new subdivision (iv) relating to Henderson County is added to read:

(e) \* \* \*

(3) *North Carolina.* \* \* \*

(iii) The adjacent portions of Harnett, Cumberland, and Sampson Counties bounded by a line beginning at the junction of U.S. Highway 421, State Highway 55 and the Seaboard Coast Line Railroad in Harnett County; thence, following the Seaboard Coast Line Railroad in a southwesterly direction to Secondary Road 1803 in Cumberland County; thence, following Secondary Road 1803 in a southeasterly direction to U.S. Highway 301; thence, following U.S. Highway 301 in a northeasterly direction to Secondary Road 1806; thence, following Secondary Road 1806 in a southerly direction to Secondary Road 1810; thence, following Secondary Road 1810 in a southeasterly direction to Secondary Road 1005; thence, following Secondary Road 1005 in a northeasterly direction to the Sampson-Cumberland County line; thence, following the Sampson-Cumberland County line in a generally southerly direction to U.S. Highway 13 in Sampson County; thence, following U.S. Highway 13 in a northeasterly direction to Secondary Road 1607; thence, following Secondary Road 1607 in a northwesterly, then northerly direction to U.S. Highway 421; thence, following U.S. Highway 421 in a northwesterly direction to Secondary Road 1626; thence, following Secondary Road 1626 in a generally northeasterly direction to Secondary Road 1624; thence, following Secondary Road 1624 in an easterly direction to Secondary Road 1625; thence, following Secondary Road 1625 in a northerly direction to State Highway 55; thence, following State Highway 55 in a generally northwesterly direction to U.S. Highway 421, State Highway 55 in Harnett County; thence, following U.S. Highway 421, State Highway 55 in a northwesterly direction to its junction with the Seaboard Coast Line Railroad in Harnett County.

(iv) That portion of Henderson County bounded by a line beginning at the junction of Interstate Highway 26 and Secondary Road 1528; thence, following Secondary Road 1528 in a northeasterly direction to Secondary Road 1006; thence, following Secondary Road 1006 in a northwesterly direction to Secondary Road 1556; thence, following Secondary Road 1556 in a northeasterly, then northerly direction to Secondary Road 1539; thence, following Secondary Road 1539 in a northeasterly direction to Secondary Road 1559; thence, following Secondary Road 1559 in a northeasterly direction to Secondary Road 1552; thence, following Secondary Road 1552 in a southeasterly direction to Secondary Road 1567; thence, following

Secondary Road 1567 in a southeasterly, then northeasterly direction to Secondary Road 1565; thence, following Secondary Road 1565 in a southeasterly direction to Secondary Road 1573; thence, following Secondary Road 1573 in a northeasterly direction to Secondary Road 1572; thence, following Secondary Road 1572 in a southeasterly direction to Secondary Road 1587; thence, following Secondary Road 1587 in a southeasterly direction to Secondary Road 1586; thence, following Secondary Road 1586 in an easterly direction to U.S. Highway 64; thence, following U.S. Highway 64 in a southwesterly direction to Secondary Road 1724; thence, following Secondary Road 1724 in a southeasterly direction to Secondary Road 1722; thence, following Secondary Road 1722 in a southwesterly direction to Secondary Road 1734; thence, following Secondary Road 1734 in a southwesterly direction to Secondary Road 1006; thence, following Secondary Road 1006 in a northwesterly direction to U.S. Highway 64; thence, following U.S. Highway 64 in a southwesterly direction to Interstate Highway 26; thence, following Interstate Highway 26 in a northwesterly direction to its junction with Secondary Road 1528.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Henderson County and an additional portion of Sampson County in North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas.

The amendments exclude a portion of Adams County, Nebr., from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas contained in 9 CFR Part 76, as amended, do not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 apply to the excluded area. No areas in Nebraska remain under quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose in the public interest. Insofar as the amendments relieve restrictions presently imposed but no longer deemed



necessary to prevent the spread of hog cholera, they should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 8th day of September 1972.

G. H. WISE,  
Acting Administrator, Animal  
and Plant Health Inspection Service.

[FR Doc.72-15695 Filed 9-13-72;8:50 am]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 12220, Amdt. 13-10]

#### PART 13—ENFORCEMENT PROCEDURES

##### Exercise of Certain Authority

The purpose of these amendments is to (1) add the Aeronautical Center Counsel (as to matters under title V of the Federal Aviation Act of 1958) to the persons designated in § 13.15 of the Federal Aviation Regulations as having authority to make or accept offers to compromise civil penalties; and (2) clarify § 13.19(c) (3) to confine elections (by persons charged in certificate actions) to appeal to the National Transportation Safety Board, to matters concerned with title VI of the Act.

These amendments to § 13.15 further reflect delegations of authority to exercise functions in enforcement proceedings under Part 13 by stating that in addition to the General Counsel, the Associate General Counsel for Operations and Evaluation, and the Regional Counsel concerned, the Aeronautical Center Counsel may make or accept offers to compromise civil penalties (as to matters under title V of the Federal Aviation Act of 1958).

Amendment 13-9, issued January 4, 1972 (37 F.R. 436; January 12, 1972) among other things inserted new subparagraph (3) in paragraph (c) of § 13.19 to reflect the current practice, as indicated in the enclosures of Notices of Proposed Certificate Action, of allowing the certificate holder to request that an order be issued in accordance with the Notice of Proposed Certificate Action so that he may appeal to the National

Transportation Safety Board. Paragraph (d) of § 13.19 specifically indicates that such an appeal is not available to any person whose Certificate of Aircraft Registration (a title V matter) is affected by an order issued under § 13.19. However, paragraph (c) (3) may be misinterpreted, particularly by a person who fails to read the entire section, as meaning that he may elect to appeal to the Board in a title V matter. These amendments clarify by specifically confining paragraph (c) (3) to situations where the charges concern matters under title VI to the Act, thus excluding application to aircraft registration matters.

Since these amendments are procedural in nature and do not impose a burden on any person, notice and public procedure thereon is not required and the amendments may be made effective in less than 30 days after publication.

In consideration of the foregoing, Part 13 of the Federal Aviation Regulations is amended, effective September 14, 1972, as follows:

#### § 13.15 [Amended]

1. By inserting the phrase "the Aeronautical Center Counsel (as to matters under title V of the Act)," after the words "the Associate General Counsel for Operations and Evaluations," in the second sentence in paragraph (b), and in the second sentence in paragraph (c), in § 13.15.

2. By amending subparagraph (3) in paragraph (c) in § 13.19 to read as follows:

#### § 13.19 Certificate action.

(c) \* \* \*

(3) Request that an order be issued in accordance with the Notice of Proposed Certificate Action so that he may appeal to the National Transportation Safety Board, if the charges concern a matter under title VI of the Act;

(Secs. 313(a), 601, 609, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1429; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); § 1.47(a) of the Regulations, Office of the Secretary of Transportation; 49 CFR 12)

Issued in Washington, D.C., on September 6, 1972.

J. H. SHAFFER,  
Administrator.

[FR Doc.72-15631 Filed 9-13-72;8:46 am]

[Airspace Docket No. 72-SW-36]

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

#### Alteration of Control Zone

On August 1, 1972, F.R. Doc. 72-11906 was published in the FEDERAL REGISTER (37 F.R. 15370). This document amended Part 71 of the Federal Aviation Regulations and contained an alteration of the

Enid, Okla., control zone which was to be effective October 12, 1972. Subsequent to publication of the document, the Air Force advised of a delay in commissioning a new VORTAC on Vance AFB, Okla., on which the alteration of the Enid, Okla., control zone is predicated. This will delay the effective date of alteration of the control zone to January 4, 1973. Action is taken herein to amend the effective date.

Since this amendment will impose no undue burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, F.R. Doc. 72-11906 is amended to change the effective date of Airspace Docket No. 72-SW-36 from 0901 G.m.t., October 12, 1972, to 0901 G.m.t., January 4, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on September 6, 1972.

R. V. REYNOLDS,  
Acting Director, Southwest Region.

[FR Doc.72-15633 Filed 9-13-72;8:46 am]

[Airspace Docket No. 72-SW-49]

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

#### Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Hammond, La.

On July 29, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 15319) stating the Federal Aviation Administration proposed to designate the Hammond, La., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 9, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the following transition area is added:

HAMMOND, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hammond Municipal Airport (latitude 30°31'15" N., longitude 90°25'00" W.), and within 3 miles each side of the New Orleans VORTAC 337° T. radial extending from the 5-mile radius to 28 miles northwest of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on September 6, 1972.

R. V. REYNOLDS,  
Acting Director, Southwest Region.

[FR Doc.72-15632 Filed 9-13-72;8:46 am]



[Airspace Docket No. 72-WA-49]

**PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**

**PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES**

**Federal Airways, Reporting Points, and Jet Routes; Elimination of Name Duplication**

The purpose of these amendments to Parts 71 and 75 of the Federal Aviation Regulations is to comply with a policy, adopted by the Federal Aviation Administration, to eliminate the duplication of names for air navigation aids by changing the name "John Day, Oreg.", to "Kimberly, Oreg.", wherever it appears in these parts.

Since these amendments are editorial in nature and no substantive change in the regulations is effected, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective October 12, 1972.

In consideration of the foregoing, Part 71 and Part 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., October 12, 1972, as hereinafter set forth.

1. Section 71.123 (37 F.R. 2009) is amended as follows:

a. In V-497 "John Day, Oreg.," is deleted and "Kimberly, Oreg.," is substituted therefor.

b. In V-500 "70 MSL John Day, Oreg.," is deleted and "70 MSL Kimberly, Oreg.," is substituted therefor.

2. In § 71.203 (37 F.R. 2311 and 5488) "John Day, Oreg." is deleted and "Kimberly, Oreg." is substituted therefor.

3. In § 71.207 (37 F.R. 2318 and 5488) "John Day, Oreg." is deleted and "Kimberly, Oreg." is substituted therefor.

4. Section 75.100 (37 F.R. 2382) is amended as follows:

a. In Jet Route No. 3 "John Day, Oreg.," is deleted and "Kimberly, Oreg.," is substituted therefor.

b. In Jet Route No. 15 "John Day, Oreg.," is deleted and "Kimberly, Oreg.," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on September 7, 1972.

CHARLES H. NEWPOL,  
Acting Chief, Airspace  
and Air Traffic Rules Division.

[FR Doc.72-15634 Filed 9-13-72;8:47 am]

**Title 19—CUSTOMS DUTIES**

**Chapter I—Bureau of Customs, Department of the Treasury**

[T.D. 72-231]

**PART 12—SPECIAL CLASSES OF MERCHANDISE**

**PART 25—BONDS**

**Conditional Release of Merchandise Involving Unfair Competition**

*Correction*

In F.R. Doc. 72-15107 appearing on page 18032 of the issue for Wednesday, September 6, 1972, the headings should read as set forth above.

**Title 21—FOOD AND DRUGS**

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

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS**

**PART 121—FOOD ADDITIVES**

**Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food**

**ADHESIVES; COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH DRY FOOD**

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1B2681) filed by GAF Corp., 140 West 51st Street, New York, N.Y. 10020, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of *a*-(*p*-nonylphenyl)-*omega*-hydroxypoly (oxyethylene) sulfate, ammonium salt as a component of food-packaging adhesives and of paper and paperboard in contact with dry food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended as follows:

1. In § 121.2520(c)(5) by alphabetically inserting in the list of substances a new item as follows:

§ 121.2520 Adhesives.

- \* \* \* \* \*
- (c) \* \* \* \*
- (5) \* \* \* \*

COMPONENTS OF ADHESIVES

Substances Limitations

- \* \* \* \* \*
- a* - (*p* - Nonylphenyl) - *omega* - hydroxypoly(oxyethylene) sulfate, ammonium salt; the nonyl group is a propylene trimer isomer and the poly (oxyethylene) content averages 9 or 30 moles.
- \* \* \* \* \*

2. In § 121.2571(b)(2) by alphabetically inserting in the list of substances a new item as follows:

§ 121.2571 Components of paper and paperboard in contact with dry food.

- \* \* \* \* \*
- (b) \* \* \* \*
- (2) \* \* \* \*

List of substances Limitations

- \* \* \* \* \*
- a* - (*p* - Nonylphenyl) - *omega* - hydroxypoly(oxyethylene) sulfate, ammonium salt; the nonyl group is a propylene trimer isomer and the poly (oxyethylene) content averages 9 or 30 moles.
- \* \* \* \* \*

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication 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 objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

*Effective date.* This order shall become effective on its date of publication in the FEDERAL REGISTER (9-14-72).

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: September 5, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.72-15655 Filed 9-13-72;8:51 am]

**SUBCHAPTER C—DRUGS**

**PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS**

**PART 135g—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD**

**Clopidol**

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (34-393V) filed by Dow Chemical Co., Post Office Box 1706, Midland, Mich. 48641, proposing the safe and effective use of clopidol in turkey feed. The supplemental application is approved.



The Commissioner further concludes that the regulations should be amended to provide for residues of the drug in liver, kidney, and muscle of turkeys.

An order published in the FEDERAL REGISTER of July 11, 1972 (37 F.R. 13531) providing an amendment to § 135e.46 Clopidol included in the table published under the "Limitations" column reference to a level of "0.125 percent" of the drug. This figure is in error and should read "0.0125 percent". In addition the text in the "Limitations" column for item 5 should be clarified regarding the withdrawal of such feeds from broiler and replacement chickens before slaughter by adding, following the existing text, the phrase, "if given at the level of 0.025 percent in feed or reduce level to 0.0125 percent 5 days before slaughter."

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic

Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135e and 135g are amended as follows:

1. In Part 135e the table in § 135e.46(e), is amended by revising the text under the "Limitations" column for item 5 to read "For broiler chickens and replacement chickens up to 16 weeks of age intended for use as caged layers; feed continuously as the sole ration; withdraw 5 days before slaughter if given at the level of 0.025 percent in feed or reduce level to 0.0125 percent 5 days before slaughter." and by adding a new item 6 as follows:

§ 135e.46 Clopidol.

(e) Conditions of use.

COLOPIDOL IN COMPLETED FEED

| Principal ingredient | Grams per ton                    | Combined with— | Grams per ton | Limitations  | Indications for use  |
|----------------------|----------------------------------|----------------|---------------|--|--|
| 6. Clopidol          | 113.5 or 227 (0.0125% or 0.025%) |                |               | For turkeys grown for meat purposes only; to be administered continuously in feed at 0.0125% or 0.025% clopidol as the sole ration depending upon management practices, degree of exposure, and amount of feed eaten; withdraw medication 5 days before slaughter. | Aid in the prevention of leucocytozoonosis caused by <i>Leucocytozoon smithi</i> |

§ 135g.62 [Amended]

2. Part 135g is amended in § 135g.62 by changing the opening text in paragraph (b) from "In chickens:" to read "In chickens and turkeys:"

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (9-14-72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: September 6, 1972.

C. D. VAN HOUWELING,

Director,

Bureau of Veterinary Medicine.

[FR Doc. 72-15563 Filed 9-13-72; 8:45 am]

## Title 22—FOREIGN RELATIONS

### Chapter I—Department of State

[Dept. Reg. 108.874]

#### PART 6—FREEDOM OF INFORMATION POLICY AND PROCEDURES

##### Availability of Records

Part 6 of Title 22 of the Code of Federal Regulations is amended as set forth below:

1. The heading of Part 6 is changed to read as set forth above.

2. Section 6.2(a) is amended to read as follows:

§ 6.2 Availability of records.

(a) All identifiable records of the Department of State shall be made available to the public upon compliance with the procedures established in this part, except to the extent that a determination

is made to withhold a record exemptable under 5 U.S.C. 552(b). That determination shall be made in accordance with § 6.5(b).

3. Section 6.3 is amended to read as follows:

§ 6.3 Availability of statements of policy, interpretations, manuals, instructions.

Statements of policy, interpretations, administrative manuals (or portions thereof), opinions, orders, and instructions to staff which affect any member of the public will be made public for inspection and copying in the public reading room, except to the extent that they are exemptable by law from disclosure and a determination to withhold is made under § 6.5(b).

4. The title of § 6.5 is changed, paragraph (b) is amended, and a new paragraph (c) is added, as follows:

§ 6.5 Authority to release and certify; authority to withhold records and appeals.

(b) If an office of the Department of State believes that a record which has been requested under this part should not be disclosed, it shall refer the request with a copy of the record in question to the Deputy Legal Adviser for Management. The Deputy Legal Adviser for Management, in consultation with the Office of Policy and Plans of the Bureau of Public Affairs, shall determine whether the record may be exempted from disclosure and whether, if so, it should nevertheless be disclosed. This determination

shall be in written form, clearly stating the basis upon which the record has been withheld, including the specific provision governing exemption under 5 U.S.C. 552(b) which has been determined to apply. That determination shall be final, subject only to review as provided in paragraph (c) of this section.

(c) Review of the determination under paragraph (b) of this section may be requested by the person who submitted the original request for a record which has been withheld. The review must be requested in writing within 30 days of the notice advising that person of the determination to withhold. The request for review should be forwarded by certified mail to the Deputy Under Secretary of State for Management, Chairman, Council on Classification Policy, Department of State, Washington, D.C. 20520, together with a copy of the written denial issued under paragraph (b) of this section. The request shall include a statement of the circumstances, reasons, or arguments advanced for insistence upon disclosure of the originally requested record. After review, the decision will be promptly communicated to the person requesting review, and will constitute the final action of the Department.

5. Section 6.6 is amended by adding a sentence at the end to read as follows:

§ 6.6 Public reading room.

\*\*\* The Chief, Records Services Division, in his discretion, may authorize persons to utilize their own portable copying equipment. Any arrangements for the use of such equipment must be consistent with security regulations of the Department of State and are subject to the availability of personnel to monitor such copying.

6. The title of § 6.9 is changed and the title is revised to read as follows:

§ 6.9 Opening of records for nonofficial research.

(a) *Definition.* As used in this section, "records" means records of the Department of State, including the records of U.S. posts abroad, and such other files as may be placed under the control of the Department of State.

(b) *General policy.* The Department will open its records on an equitable basis to all individuals engaged in nonofficial research as soon as such action may be taken without adversely affecting the national security, the maintenance of friendly relations with other nations, and the efficient operation of the Department. The opening of departmental records to nonofficial researchers will ordinarily not take place until after the records have been transferred to the custody of the National Archives and Records Service. The opening of records for nonofficial research will generally take place on the basis of large blocks of records defined by years and/or major subject categories.

(c) *Open records.* (1) The records of the Department, with the exceptions stated in subparagraph (2) of this paragraph, shall be automatically declassified



and opened to research when such records are 30 years old. The records for an entire year shall be opened normally on the first of January each year.

(2) Certain categories of records falling within the exemptions specified in § 6.4, as defined in restriction statements issued by the National Archives and Records Service, are not open for unofficial Research purposes until they are 50 or 75 years old.

(3) When, in the opinion of the Director of the Historical Office, it is administratively feasible and consistent with the national security to open blocks of records less than 30 years old, he shall so recommend to the Council on Classification Policy. On approval by the Council, such records shall be declassified and treated administratively as if they were open records as defined in subparagraph (1) of this paragraph, except that classified papers which have been identified as requiring special handling shall not be opened to researchers until they are declassified either by specific action of the Department in each case or by the automatic declassification after 30 years, as provided for in subparagraph (1) of this paragraph.

(d) *Restricted records.* (1) Records of the Department other than those declassified and opened in accordance with procedures set forth above are not available to access by nonofficial researchers except to the limited extent that may be permitted under §§ 9.22 and 9.25 of this chapter.

(2) Nothing in this subsection affects the rights of persons to request and to receive copies of identifiable foreign-policy documents of any age, unclassified or declassified, in accordance with the procedures set forth in §§ 6.1 through 6.8.

(e) *Information on administration of this section.* Correspondence with regard to the availability of records of the Department under this section should be addressed to the Director, Historical Office, Bureau of Public Affairs, Department of State, Washington, D.C. 20520.

7. A new § 6.10 is added to read as follows:

§ 6.10 Activities of advisory and industry advisory committees.

Any determination under section 13(d) of Executive Order 11671 of June 5, 1972 (37 F.R. 11307, June 7, 1972), that activities of an advisory committee or industry committee are matters which fall within policies analogous to those recognized in section 552(b) of title 5 of the United States Code and that the public interest requires such activities to be withheld from disclosure shall be made by the Chairman of the Council on Classification Policy of the Department of State. His determination shall be in writing and is final.

(Sec. 552, title 5, United States Code, Executive Order 11671 (37 F.R. 11307); sec. 4 of the Act of May 26, 1949, 63 Stat. 111, as amended; 22 U.S.C. 2658)

*Effective date.* These amendments shall be effective upon publication in the FEDERAL REGISTER (9-14-72).

For the Secretary of State.

WILLIAM B. MACOMBER, Jr.,  
Deputy Under Secretary  
for Management.

AUGUST 25, 1972.

[FR Doc. 72-15639 Filed 9-13-72; 8:51 am]

## Title 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 7201]

#### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

##### Accounting for Redemption of Trading Stamps and Coupons

###### Correction

In F.R. Doc. 72-14184 appearing at page 16911 of the issue for Wednesday, August 23, 1972, the following changes should be made in § 1.451-4:

1. In paragraph (d)(1), the second and third lines reading "For taxable years beginning after (the date of adoption of these regulations)", should read, "For taxable years beginning after August 22, 1972,"; and in paragraph (d)(2) the second and third lines reading "For taxable years beginning after [the date of adoption of these regulations]", should read, "For taxable years beginning after August 22, 1972,".

2. In paragraph (e)(1) the second and third lines, reading "beginning after (the date of adoption of these regulations), a taxpayer described", should read "beginning after August 22, 1972, a taxpayer described".

## Title 29—LABOR

### Chapter XVII—Occupational Safety and Health Administration, De- partment of Labor

#### PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

##### Maximum Allowable Capacity of Glass and Plastic Containers for Certain Class IA and Class IB Flammable Liquids

Pursuant to authority in section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593) notice of a proposed amendment to the standard for the size of glass and plastic containers for Class IA and Class IB flammable liquids (29 CFR 1910.106 (d)(2)(iii)) was published in the FEDERAL REGISTER (37 F.R. 3830) on February 23, 1972. The notice gave a period of

30 days for the submission of written comments and for requests for a hearing.

Several written comments on the proposal have been received. No hearing was requested.

One commentator alleged that the restriction in the proposal to reagent or higher grade liquids includes certain grades of USP, NF, purified and technical grades that might require glass or plastic packaging. Another commentator asked that the words "sale or" be deleted from the first sentence of the proposal to more clearly define what the applicability of the regulation is to employers. The proposed amendment has been changed in accordance with these comments.

A number of comments in opposition to the proposal emphasized the fragility of glass. As a result of their experience with glass containers, the commentators requested that an upper limit of 1 quart be established for both Classes IA and IB liquids. Some commentators stated that their own establishments and other users have successfully used stainless steel safety cans (lined and unlined) for storing high purity liquids.

The principal issue is whether 1-gallon glass containers are safer than smaller size glass containers. This question requires a comparison of the safety hazards associated with glass containers of the 1-gallon size vis-a-vis the safety hazards associated with the use of many glass containers of smaller sizes. If a 1-gallon glass container were broken more liquid would be spilled and a greater fire would result than in the breakage of a container of less capacity. On the other hand, when four 1-quart containers or eight 1-pint containers are to be handled, the chances of breakage are greater. Moreover, the chances of breakage would necessarily be greater in the handling of a comparatively greater number of smaller containers.

Submitted statements show that for certain reagents, residue upon evaporation and color shift are significantly greater if the reagent is stored in a metal container as compared with the same reagent stored in a glass container. The effect of such changes may be to compromise analytical techniques. For these reasons certain reagents must be made available in glass containers. Also, these same fine analysis techniques may require the use of substantial quantities of reagent as well as the maintenance of a quantity of a standard reagent over a long period of time.

After consideration of all the relevant information, I have concluded that handling 1-gallon glass containers is safer than handling a larger number of smaller glass containers.

Accordingly, pursuant to authority in section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593), and in 29 CFR 1910.4, 29 CFR 1910.106 is amended by revising paragraph (d)(2)(iii) to read as follows:



### § 1910.106 Flammable and combustible liquids.

(d) \* \* \*

(2) \* \* \*

(iii) *Size.* Flammable and combustible liquid containers shall be in accordance with Table H-12, except that glass or plastic containers of no more than 1-gallon capacity may be used for a Class IA or IB flammable liquid if:

(a) (1) Such liquid either would be rendered unfit for its intended use by contact with metal or would excessively corrode a metal container so as to create a leakage hazard; and

(2) The user's process either would require more than 1 pint of a Class IA liquid or more than 1 quart of a Class IB liquid of a single assay lot to be used at one time, or would require the maintenance of an analytical standard liquid of a quality which is not met by the specified standards of liquids available, and the quantity of the analytical standard liquid required to be used in any one control process exceeds one-sixteenth the capacity of the container allowed under Table H-12 for the class of liquid; or

(b) The containers are intended for direct export outside the United States.

*Effective date.* This amendment shall become effective on the date of its publication in the FEDERAL REGISTER (9-14-72). The stay provided in the notice of proposed rule making (37 F.R. 3830) is revoked as of that same date. (Sec. 6, 84 Stat. 1593; 29 U.S.C. 655, 29 CFR 1910.4)

Signed at Washington, D.C., this 11th day of September 1972.

GEORGE C. GUENTHER,  
Assistant Secretary of Labor.

[FR Doc.72-15692 Filed 9-13-72;8:52 am]

## Title 39—POSTAL SERVICE

### Chapter I—U.S. Postal Service

#### PART 124—MATTER MAILABLE UNDER SPECIAL RULES

##### Sexually Oriented Advertisements

Regulations codified in § 124.9 of Title 39, Code of Federal Regulations, are amended to clarify measurement of the 30-day period provided in 39 U.S.C. 3010; and to provide that annual subscribers to the Postal Service List (39 CFR 124.9 (b) (4)) may, at their option, receive in addition to the reproduced copy of the printout of the list, a computer tape of the list. Changes in office designations are also made.

Although the Postal Service would ordinarily follow the notice of proposed rule making procedures on a voluntary basis with respect to regulations covered by this document, the instant case does not warrant recourse to the procedures set out in 5 U.S.C. 553. Clarification of the regulations by these amendments will benefit mailers who are required to comply with 39 U.S.C. 3010(b) which pro-

vides that no person shall mail any sexually oriented advertisement to any individual whose name and address has been on a list for more than 30 days. The other changes being made are insubstantial. A delayed effective date of the amendments would, therefore, serve no useful purpose. Accordingly, the amendments which follow are effective upon publication in the FEDERAL REGISTER (9-14-72).

In § 124.9 *Sexually oriented advertisements*, make the following changes:

1. Under paragraph (b) *Application for listing*, amend subparagraph (4) to read as follows:

(b) \* \* \*

(4) The Mail Classification Division, Finance Department, as soon as practical after receipt of a Form 2201, shall place the customer's name and address and the names and addresses of his minor children if any are included on the application, on the Postal Service List (hereafter List) of persons desiring not to receive sexually oriented advertising. This information will be processed during the month and at the end of each month a revised or supplemental list will be prepared. The list will be dated the 10th day of the month following the month in which the Forms 2201 were processed. The 30-day period provided by section 3010(b) starts on the effective date of the list on which a person's name first appears.

2. Under paragraph (d) *Availability of Postal Service list*, amend subparagraph (1) to read as follows:

(d) \* \* \*

(1) Copies of the list or portions thereof and periodic amendments thereto shall be available to any person by annual subscription or by purchase of individual issues of the list. Requests for subscriptions and purchases of the individual issues should be submitted to the Manager, Mail Classification Division, Finance Department, U.S. Postal Service, Washington, D.C. 20260.

(i) A subscription year runs from January 1 through December 31. An annual subscriber will receive on a monthly schedule a reproduced copy of the printout of the list and may also receive, upon request, a computer tape of the list. If the blank tape used in preparation of the taped list is furnished by the Postal Service, a charge of \$30 per tape is applied. Further information on the format of the tapes may be obtained from the Manager, Mail Classification Division. Computer tapes of the list will be available only to annual subscribers. Requests for subscriptions must be accompanied by a certified check for \$5,000 payable to the U.S. Postal Service to be applied, at the end of the subscription year, against the annual subscription fee. Any excess over the annual subscription fee will be refunded and any deficiency charged to the subscriber. The annual subscription fee will be established at the end of each subscription year and will represent the net cost (after deduction of receipts from sales of individual issues of the list), prorated among the subscribers, of compiling, processing, print-

ing, and distributing the list. In no event will the annual subscription fee exceed \$10,000.

(ii) Nonsubscribers who wish to purchase reproduced copies of the printout of the list must request such copies by the 25th of each month to allow sufficient time for the list to be received by the 10th of the following month. The reproduced printout may be purchased at a fee of one-half of 1 cent per page, payable in cash or by certified check. All checks must be made payable to the U.S. Postal Service and should be sent to the Manager, Mail Classification Division.

3. Under paragraph (f) *Violations*, in subparagraph (4), change the reference "Director, Office of Rates and Classification" to "Manager, Mail Classification Division."

(39 U.S.C. 401, 3010)

ROGER P. CRAIG,  
Deputy General Counsel.

[FR Doc.72-15670 Filed 9-13-72;8:52 am]

## Title 49—TRANSPORTATION

### Chapter X—Interstate Commerce Commission

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1110, Amdt. 2]

#### PART 1033—CAR SERVICE

##### Penn Central Transportation Co. et al.

Penn Central Transportation Co., George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, trustees, required to restore service at the Buttonwood (Wilkes-Barre), Pa., gateway and to reroute traffic originally routed via that gateway.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 8th day of September 1972.

Upon further consideration of Service Order No. 1110, and good cause appearing therefor:

It is ordered, That:

Section 1033.1110 *Service Order No. 1110* (Penn Central Transportation Co., George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, trustees, required to restore service at the Buttonwood (Wilkes-Barre), Pa., gateway and to reroute traffic originally routed via that gateway) be, and it is hereby, amended by substituting the following paragraph (b) for paragraph (b) thereof:

(b) *It is further ordered*, That, effective at 12:01 a.m., September 18, 1972, traffic originally routed via Penn Central-Buttonwood (Wilkes-Barre)-Delaware and Hudson or via Delaware and Hudson-Buttonwood (Wilkes-Barre)-Penn Central shall be rerouted for interchange with Erie Lackawanna at Northumberland, Pa., for movement to or from Delaware and Hudson at Plymouth Junction, Pa.



*Effective date.* This amendment shall become effective at 12:01 a.m., September 11, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10-17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), 17(2))

*It is further ordered.* That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,  
*Secretary.*

[FR Doc.72-15689 Filed 9-13-72;8:50 am]

## Title 50—WILDLIFE AND FISHERIES

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

### PART 32—HUNTING

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

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (9-14-72).

§ 32.12 Special regulations; migratory game birds, for individual wildlife refuge areas.

#### NEW JERSEY

##### BRIGANTINE NATIONAL WILDLIFE REFUGE

Public hunting of rails, gallinules, waterfowl, and coots on the Brigantine National Wildlife Refuge, N.J., is permitted during established State and Federal seasons on only those areas designated by signs as open to hunting.

These open areas are delineated as Hunting Units 1, 2, and 3 on maps available at Refuge Headquarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with State and Federal regulations covering the hunting of migratory game birds subject to the following special conditions:

(1) Hunting on Unit 3 during the waterfowl season is restricted to certified Young Waterfowler Program Trainees only, by permit from designated blind sites, from the opening of the duck

hunting season up to and including the third Saturday.

(2) Hunting on Unit 3, after the third Saturday of the duck hunting season is restricted to certified Young Waterfowler Program Trainees and program instructors only, by permit from designated blind sites.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1973.

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

SEPTEMBER 7, 1972.

[FR Doc.72-15627 Filed 9-13-72;8:46 am]

### PART 32—HUNTING

**Kern National Wildlife Refuge, Calif.**

In F.R. Volume 37, No. 160, dated Thursday, August 17, 1972, on page 16605 (§ 32.12), add as special conditions for Kern National Wildlife Refuge:

(1) Hunting will be limited to the following dates: October 15, 22, 29, November 5, 12, 19, 26, December 3, 10, 17, 31, and January 7, 14, and 20.

(2) Boats without motors may be used for hunting.

(3) A Federal permit is required for the use of public hunting facilities. Permit may be obtained at the checking station on the refuge area. A fee of \$3.50 will be charged for a permit. Hunters will be served on a first-come, first-served basis, and a limit will be placed on the total number of hunters permitted at any one time.

JOHN D. FINDLAY,  
*Regional Director, Bureau of Sport Fisheries and Wildlife.*

SEPTEMBER 6, 1972.

[FR Doc.72-15640 Filed 9-13-72;8:51 am]

### PART 32—HUNTING

**Ouray National Wildlife Refuge, Utah**

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (9-14-72).

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### UTAH

##### OURAY NATIONAL WILDLIFE REFUGE

Public hunting of pheasants on the Ouray National Wildlife Refuge, Utah, is permitted from November 11 through November 19, 1972, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 7,500 acres, is delineated on maps available at refuge headquarters, Vernal, Utah, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM

87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of pheasants.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 23, 1971.

H. J. JOHNSON,  
*Refuge Manager, Ouray National Wildlife Refuge, Vernal, Utah.*

SEPTEMBER 7, 1972.

[FR Doc.72-15628 Filed 9-13-72;8:46 am]

### PART 32—HUNTING

**Bombay Hook National Wildlife Refuge, Del.**

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (9-14-72).

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

#### DELAWARE

##### BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public archery hunting of deer on Bombay Hook National Wildlife Refuge, Del., is permitted only on the deer hunting area and upland hunting area designated by signs as open to hunting. These open deer hunting areas are delineated on maps available at refuge headquarters, Smyrna, Del. 19977 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering archery hunting of deer subject to the following special conditions:

(1) Hunting by bow and arrow on the deer hunting area is permitted only on Saturdays from September 11 through October 31.

(2) The number of hunters admitted to the opened area at any one time will be restricted to 400 and a user fee of \$1 per hunter will be charged.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1972.

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

SEPTEMBER 7, 1972.

[FR Doc.72-15626 Filed 9-13-72;8:46 am]

### PART 32—HUNTING

**National Wildlife Refuges in Florida**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER (9-14-72).



§ 32.32 Special regulations; big game; for individual refuge areas.

FLORIDA

LAKE WOODRUFF NATIONAL WILDLIFE REFUGE

Public hunting of white-tailed deer and feral hogs is permitted on approximately 775 acres of Lake Woodruff National Wildlife Refuge. The area open to hunting includes all of Tick Island as delineated on a map available at the refuge headquarters, Post Office Box 488, De Leon Springs, FL 32028, or from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of white-tailed deer and hogs, subject to the following special conditions:

(1) Species permitted to be taken: White-tailed deer (either sex on archery hunt; bucks only on primitive gun hunt) and hogs.

(2) Bag limits: White-tailed deer—one per season; hogs and pigs—no limit.

(3) Open seasons: Bow and arrow—December 1-4, 1972. Primitive gun—December 15-18, 1972.

(4) Methods of hunting—(a) Bow and arrow season—longbows capable of casting a 1-ounce hunting arrow 150 yards. Sharp broadhead arrows must be used. "Firearms and crossbows are prohibited." Hunters must be on stands from one-half hour before sunrise to 1½ hours after sunrise. No stalking or movement through the woodlands is permitted during the stand hunt hours.

(b) Primitive gun season—Weapons permitted are muzzle loading percussion cap or flint lock rifles with a single or double rifled barrel of .40 caliber (.40 inch) minimum and a .58 caliber (.58 inch) maximum bore. Minimum barrel length is 20 inches.

(5) Access and hours of use: No overnight use is permitted on the refuge. No entry will be permitted prior to 1½ hours before sunrise and all hunters must be off the island by 1 hour after sunset. Access to the island is by boat, and hunters must furnish their own transportation. All access shall be through the check station on the north side of the island. Boats must be left at the check station while the hunter is on the island.

(6) Permits: Each participant must have in his possession a valid hunting permit issued by the Lake Woodruff National Wildlife Refuge in addition to any required State permits, licenses, etc. Permits are not transferable.

(7) Scouting: All participants issued a hunting permit by the refuge will be allowed to visit the hunt area on November 17 and 18, 1972, from 8 a.m. to 5 p.m. The hunting permit should be in your possession. Weapons or dogs are not allowed. Participants may bring their families or friends while scouting the area.

(8) A red, orange, or yellow outer garment (cap, hat, shirt, coat, vest, etc.) must be visible while hunting.

(9) Individuals under 18 years of age will not be permitted to hunt unless accompanied by a responsible adult.

(10) All fires are prohibited.

(11) No dogs are allowed on the refuge.

(12) It is unlawful to drive a nail, spike, or other metal object into any tree, or to hunt from any tree in which a metal object has been driven.

(13) Littering, cutting, or blazing live trees, disturbing any other forms of wildlife, or digging in Indian mounds is prohibited.

(14) Apprehension of a participant for any infraction of regulations shall be cause for immediate revocation of his hunting permit.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 18, 1972.

ST. MARKS NATIONAL WILDLIFE REFUGE

Public hunting of deer and wild hogs on the St. Marks National Wildlife Refuge, Fla., is permitted only in the area designated by signs as open to hunting. This open area, comprising 1,200 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of deer and wild hogs.

ST. VINCENT NATIONAL WILDLIFE REFUGE

Public hunting of white-tailed deer, feral (wild) hogs, raccoons, and opossums is permitted on 12,358 acres of St. Vincent National Wildlife Refuge. The open area, including all of St. Vincent Island, is delineated on a map available at the refuge headquarters, Post Office Box 447, Apalachicola, Fla. 32320, or from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of white-tailed deer, wild hogs, raccoons, and opossums, subject to the following special conditions:

(1) Species permitted to be taken: White-tailed deer (bucks only); hogs and pigs (any size); raccoons and opossums.

(2) Bag limits: White-tailed deer—one per day, two per season. Hogs, pigs, raccoons, and opossums—no bag limit.

(3) Open seasons: Bow and arrow—October 21-24, 1972, and November 18-21, 1972. Primitive gun—December 2-5, 1972.

(4) Methods of hunting: (a) Bow and arrow season—Longbows capable of casting a 1-ounce hunting arrow 150 yards and sharp broadhead arrows. Firearms and crossbows are prohibited. Hunters must be on stands from one-half hour before sunrise to 1½ hours after sunrise. No stalking or movement through the woodlands is permitted during the stand hunt hours.

(b) Primitive gun season: Weapons permitted are muzzle loading percussion cap or flint lock rifles with a single or double rifled barrel of .40 caliber (.40 inch) minimum and a .58 caliber (.58 inch) maximum bore. Minimum barrel length is 20 inches.

(5) Permit requirements: (a) Archery hunts: A nontransferable hunting permit must be obtained at one of the check stations on the island before hunting. This permit must be kept in possession while hunting.

(b) Primitive gun hunt: Each participant must have in his possession a valid hunting permit issued by the St. Vincent National Wildlife Refuge office in Apalachicola. These permits are non-transferable.

(6) Access: Initial entry onto St. Vincent Island is restricted to two check stations throughout the hunts. These are designated Campsite 1 and Campsite 2 on the hunting area map. Each hunter must check in upon initial entry and check out before leaving the island on the last hunting day. The use of boats to gain access at other designated locations is permitted following check-in. Boats to be used to gain access at points other than check stations must first be registered at one of the check stations. The use of boats for ingress and egress at unauthorized locations is prohibited.

(7) A red, orange, or yellow outer garment (cap, hat, shirt, coat, vest, etc.) must be visible while hunting.

(8) Individuals under 18 years of age will not be permitted to hunt unless accompanied by a responsible adult.

(9) Camping and fires are restricted to the two designated camping areas. Participants may set up camp 1 day prior to the opening of each hunt season and must remove all camping equipment from St. Vincent Island by 3 p.m. following the last day of each hunt season. Campers will remain in the campsite area prior to opening of the hunts and following the closing of the hunts.

(10) Dogs are not permitted on the island.

(11) No motorized vehicles or equipment such as scooters, tote bikes, beach buggies, jeeps, portable electric generators, chain saws, etc., will be permitted.

(12) It is unlawful to drive a nail, spike, or other metal object into any tree or to hunt from any tree in which a nail, spike, or other metal object has been driven.

(13) Apprehension of a participant for any infraction of regulations shall be cause for immediate revocation of his hunting permit.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 6, 1972.

C. EDWARD CARLSON,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 7, 1972.

[FR Doc.72-15645, Filed 9-13-72;8:47 am]



**Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT**

**Chapter 14—Department of the Interior**

**PART 14-7—CONTRACT CLAUSES**

**Fixed Price Construction Contracts**

Pursuant to the authority of the Secretary of the Interior, contained in 5 U.S.C. 301, Part 14-7 of Title 41 of the Code of Federal Regulations is hereby amended.

It is the general policy of the Department of the Interior to allow time for interested parties to take part in the rule making process. However, the amendment contained herein is minor and entirely administrative in nature. Therefore, the public rule making process is waived and the amendment will become effective upon publication in the FEDERAL REGISTER (9-14-72).

CHARLES G. EMLEY,  
Deputy Assistant Secretary  
of the Interior.

SEPTEMBER 8, 1972.

**Subpart 14-7.6—Fixed-Price Construction Contracts**

1. Section 14-7.602-50(1) (a), (b), (f) and (f) (8) are revised to read as follows:

§ 14-7.602 Additional standardized clauses.

§ 14-7.602-50 Additional contract clauses.

The following clauses are prescribed for use, as indicated, in fixed-price construction contracts.

§ 14-7.602-50(1) Listing of subcontractors.

(a) All contracts, entered into by negotiation or formal advertising, for building construction and alteration work to be performed in the United States and estimated to cost in excess of \$150,000 and involving the building trades subcontracting activities, shall require each bidder to submit with his bid the name and address of each subcontractor (or his own firm when he will perform the work) to whom the prospective contractor purposes to subcontract any of the categories of work listed on an Attachment to the Bid Form, SF 21, titled "List of Subcontractors." When the invitation for bids or request for proposals includes other than building construction, that portion of the work which is determined to be subject to the requirements of this section shall be clearly identified so that the bidder or offeror may understand what work is subject to the requirements.

(b) The subcontractor listing shall include such building trades subcontracting activities as plumbing, heating, ventilating, air conditioning, masonry, elevators, electrical work, and other appropriate categories designated by the

contracting officer, when the estimated cost of each of those categories at the time the invitation or request for proposals is prepared is equal to or in excess of 2 percent of the total estimated cost of the entire project. Such list of selected categories of work may also contain categories of an estimated value of less than 2 percent when, in the judgment of the contracting bureau or office, such listing is appropriate to protect the interest of the classes of subcontractors eligible to bid on such categories. The list of work categories will be included as part of the bid form.

(f) The contracting officer may permit substitution of a subcontractor for one named in a bid pursuant to the listing of subcontractors provision in unusual situations, upon submission by the contractor or bidder of a complete justification therefor. The term "unusual situations" includes (but is not limited to) a subcontractor's—

(8) Failure to meet any criteria of responsibility set out in § 1-1.1206 of this title, but only when the contracting officer, in the exercise of sound discretion, finds that substitution for this cause would be in the best interests of the Government (i.e., that it would not be prejudicial to the rights of other bidders and that the contractor or bidder has not attempted to circumvent the restraint on bid shopping by listing a nonresponsible subcontractor in order to gain an opportunity to bid shop prior to making the requested substitution).

[FR Doc.72-15630 Filed 9-13-72; 8:46 am]

**Chapter 101—Federal Property Management Regulations**

**SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE**

**PART 101-19—MANAGEMENT OF BUILDINGS AND GROUNDS**

**Conduct on Federal Property**

On December 15, 1971, notice of a proposed amendment to the Federal Property Management Regulations was published in the FEDERAL REGISTER (36 F.R. 23832) stating that the General Services Administration was considering revising several building rules and regulations to clarify responsibilities and eliminate ambiguities.

Interested persons were afforded an opportunity to comment. Comments were received from ACTION, the U.S. Civil Service Commission, the Department of Commerce, the Department of Health, Education, and Welfare, the Department of Justice, and two private attorneys. Most of the comments received questioned the advisability of prohibiting the distribution of handbills and

posting of materials on bulletin boards. Accordingly, the distribution of handbills or displaying of placards will be permitted only as part of authorized Government activities.

Comments recommending editorial changes to further clarify the language of the rules have been adopted. Section 101-19.313 is revised to apply the penalties for violation of the rules and regulations to all property under the charge and control of GSA, including leased space.

The table of contents for Part 101-19 is amended to read as follows:

Sec.  
101-19.303 Conformity with signs and directions.

**Subpart 101-19.3—Conduct on Federal Property**

1. Section 101-19.301 is revised to read as follows:

§ 101-19.301 Recording presence.

Except as otherwise ordered, property shall be closed to the public after normal working hours. During normal working hours property shall be closed to the public only in emergency situations when reasonably necessary to ensure the orderly conduct of Government business. The decision to close a property shall be made by the designated official under the Facilities Self-Protection Plan. The designated official is the highest ranking official of the primary occupant agency or an alternate high ranking official designated in advance by agreement of occupant agency officials. Admission to property during periods when such property is closed to the public will be limited to authorized individuals who may be required to sign the register and/or display identification documents when requested to do so by the guard, watchman, or other authorized individual.

2. Section 101-19.303 is revised to read as follows:

§ 101-19.303 Conformity with signs and directions.

Persons in and on property shall at all times comply with official signs of a prohibitory or directory nature and with the directions of law enforcement and other authorized officials.

3. Section 101-19.304 is revised to read as follows:

§ 101-19.304 Disturbances.

Conduct on property which creates loud or unusual noise; which unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots; which otherwise impedes or disrupts the performance of official duties by Government employees; or which prevents the general public from obtaining the administrative services provided on the property in a timely manner is prohibited. The designated official under the Facilities Self-Protection Plan shall be responsible for enforcing this rule.

4. Section 101-19.306 is revised to read as follows:



**§ 101-19.306 Alcoholic beverages and narcotics.**

Operating a motor vehicle on property by a person under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marihuana, barbiturates, or amphetamines is prohibited. Entering property under the influence of any narcotic drug, hallucinogen, marihuana, barbiturate, amphetamine or alcoholic beverage (unless prescribed by a physician) is prohibited. The use on property of any narcotic drug, hallucinogen, marihuana, barbiturate, or amphetamine (unless prescribed by a physician) is prohibited. The use of alcoholic beverages on property is prohibited except on occasions and on property upon which the Administrator of General Services has for appropriate official uses granted an exemption permit in writing.

5. Section 101-19.307 is revised to read as follows:

**§ 101-19.307 Soliciting, vending, and debt collection.**

Soliciting alms and contributions, commercial soliciting and vending of all kinds, displaying or distributing commercial advertising, or collecting private

debts in or on GSA-controlled property is prohibited. This rule does not apply to (1) national or local drives for funds for welfare, health, or other purposes as authorized by the "Manual on Fund Raising Within the Federal Service" issued by the Civil Service Commission under Executive Order 10927 of March 18, 1961, and sponsored or approved by the occupant agencies; (2) concessions or personal notices posted by employees on authorized bulletin boards; and (3) solicitation of labor organization membership or dues authorized by occupant agencies under Executive Order 11491 of October 29, 1969, as amended.

6. Section 101-19.307a is revised to read as follows:

**§ 101-19.307a Distribution of handbills.**

The distributing of materials such as pamphlets, handbills, and/or flyers, and the displaying of placards or posting of materials on bulletin boards or elsewhere on property is prohibited, except as authorized in § 101-19.307 or when such distributions or displays are conducted as part of authorized Government activities.

7. Section 101-19.313 is revised to read as follows:

**§ 101-19.313 Penalties and other laws.**

Whoever shall be found guilty of violating any rule or regulation in this Subpart 101-19.3 while on any property under the charge and control of GSA is subject to a fine of not more than \$50 or imprisonment of not more than 30 days, or both. (See 40 U.S.C. 318c.) Nothing contained in these rules and regulations shall be construed to abrogate any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); sec. 2, 62 Stat. 281; 40 U.S.C. 318)

*Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER (9-14-72).

Dated: September 7, 1972.

ARTHUR F. SAMPSON,  
Acting Administrator  
of General Services.

[FR Doc. 72-15574 Filed 9-11-72; 8:55 am]



# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

National Park Service

[ 36 CFR Part 7 ]

### WHISKEYTOWN UNIT, WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA, CALIF.

#### Water Sanitation

Notice is hereby given that pursuant to the authority contained in section 4 of the Act of November 8, 1965 (79 Stat. 1298, 16 U.S.C. 460q-3), section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), 245 DM1 (34 F.R. 13879), as amended, National Park Service Order No. 66 (36 F.R. 21218), and Director, Western Region Order No. 7 (37 F.R. 6326), it is proposed to amend Part 7 to add § 7.91(b) as set forth below.

The proposed amendment will prohibit the overnight occupancy of vessels on Whiskeytown Lake, thereby restricting overnight stays in the Whiskeytown unit to the designated campgrounds provided by the National Park Service. The purpose of the amendment is to prevent congestion on Whiskeytown Lake, increase boating safety, maximize opportunities relating to water recreation, and assure the availability of water of adequate quality for domestic users of the central valley project.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to the Superintendent, Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area, Post Office Box 188, Whiskeytown, CA 96095, within 30 days of the publication of this notice in the FEDERAL REGISTER.

It is hereby proposed that § 7.91 be amended to add paragraph (b) as follows:

#### § 7.91 Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area.

(b) Overnight occupancy of a vessel on the Whiskeytown Lake is prohibited.

L. J. MITCHELL,  
Superintendent, Whiskeytown  
Unit, Whiskeytown-Shasta-  
Trinity, National Recreation  
Area.

[FR Doc. 72-15629 Filed 9-13-72; 8:46 am]

## DEPARTMENT OF LABOR

Occupational Safety and Health  
Administration

[ 29 CFR Part 1910 ]

[S-72-3]

### POWERED INDUSTRIAL TRUCKS, CRANES, DERRICKS, AND PORTABLE POWERED TOOLS

#### Notice of Proposed Rule Making

1. *Powered industrial trucks.* Several petitions and inquiries have been received regarding the requirements for the approval of powered industrial trucks, in 29 CFR 1910.178. The petitions indicate that there is some confusion as to the scope and intent of the regulations with respect to the testing of powered industrial trucks by a nationally recognized testing laboratory.

Powered industrial trucks are required to be tested by a nationally recognized testing laboratory only for compliance with the NFPA 505-1961 fire safety requirements. The petitions have pointed out that there are no provisions for testing or approving powered industrial trucks for compliance with the manufacturer's specifications of ANSI B56.1-1969 by a nationally recognized testing laboratory.

In view of the petitions and the apparent misunderstanding of the approval requirement for powered industrial trucks, it is proposed to amend 29 CFR 1910.178(a)(7) to define more accurately the meaning and intent of the requirement. It is also proposed to clarify the scope of applicability of the standards, revoke the present provisions against theft, and to add additional information defining the conditions under which an industrial truck is deemed attended or unattended.

2. *Overhead and gantry cranes.* Revisions are proposed for overhead and gantry cranes standards to reflect the recent advances in the use of medium-range collision prevention devices. It is proposed to require that the operators of overhead and gantry cranes, crawler locomotive and truck cranes, and of derricks, be trained and authorized operators.

3. *Hand and portable powered tools.* Revisions are proposed for hand and portable powered tools. The proposal seeks to clarify the scope and provisions of the standard with respect to the guarding requirements for tools, such as circular saws, power lawn mowers and abrasive wheels. It is also proposed to specify the classes of tools that would have to be equipped with particular types of switches. Circular saws, chain saws

and percussion tools would have to be provided with constant pressure switches. Tools such as drills, grinders, belt sanders, and other similar operating powered tools would have to be equipped with momentary contact "on-off" controls, although these powered tools would be permitted to have lock-on controls provided that turn-off can be accomplished by a single motion of the same finger or fingers that turn the tool on. All other powered tools such as, but not limited to, platen sanders, would have to be equipped with only a positive "on-off" control.

4. *Other proposed changes.* It is proposed to revoke § 1910.177, concerning indoor general storage, because its provisions do not have in view the protection of employees. And it is proposed to make some other minor changes.

Pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655), Secretary of Labor's Order No. 12-71 (36 F.R. 8754), and 29 CFR Part 1911 (36 F.R. 17506), it is hereby proposed to amend Part 1910 of Title 29, Code of Federal Regulations, as set forth below.

Written data, views, and arguments concerning the proposal may be mailed to the Office of Standards, Room 500, 400 First Street NW., Washington, DC 20210, within 30 days after the publication of this notice in the FEDERAL REGISTER. The data, views, and arguments will be available for public inspection and copying at the Office of Standards.

Pursuant to 29 CFR 1911.11 (b) and (c), interested persons may, in addition to written comments, file objections to any part of the proposal and request an informal hearing with respect thereto, in accordance with the following conditions:

(1) The objections must include the name and address of the objector;

(2) The objections must be post-marked on or before the 30th day after the date of publication of this notice in the FEDERAL REGISTER;

(3) The objections must specify with particularity the provision of the proposal to which objection is made, and must state the grounds therefor;

(4) Each objection must be separately stated and numbered; and

(5) The objections must be accompanied by a summary of the evidence proposed to be adduced at the requested hearing.

1. Section 1910.177 is proposed to be revoked.

#### § 1910.177 [Revoked]

2. Section 1910.178 is proposed to be amended by revising paragraphs (a) (1), (a) (7), and (m) (5), and by revoking



paragraph (m)(13). So amended, § 1910.178 would read as follows:

**§ 1910.178 Powered industrial trucks.**

(a) *General requirements.* (1) This section contains safety requirements relating to fire protection, design, maintenance, and use of fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks powered by electric motors or internal combustion engines. This section does not apply to compressed air or non-flammable compressed gas-operated industrial trucks, nor to farm vehicles, nor to vehicles intended primarily for earth moving or over-the-road hauling.

(7) As used in this section, the term "approved truck" or "approved industrial truck" means a truck that is listed for fire safety purposes for the intended use by a nationally recognized testing laboratory, e.g., Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp.

**(m) Truck operations. \* \* \***

(5)(i) When a powered industrial truck is left unattended, load engaging means shall be fully lowered, controls shall be neutralized, power shut off, and brakes set. Wheels shall be blocked if the truck is parked on an incline.

(ii) A powered industrial truck is unattended when the operator is 50 feet or more from the vehicle which remains in his view, or whenever the operator leaves the vehicle and it is not in his view.

(iii) Whenever the operator of an industrial truck is within 50 feet of the truck still in his view, the load engaging means shall be fully lowered, controls shall be neutralized, and the brakes set to prevent movement.

(13) [Revoked]

3. Section 1910.179 is proposed to be amended by adding a new paragraph (b)(8) and by revising paragraphs (e)(2) and (3), to read as follows:

**§ 1910.179 Overhead and gantry cranes.**

**(b) General requirements. \* \* \***

(8) *Trained operators.* Only trained and authorized operators shall be permitted to operate a crane covered by this section.

**(e) Stops, bumpers, rail sweeps, and guards. \* \* \***

(2) *Bridge bumpers.* (1) A crane shall be provided with bumpers or other automatic means of equivalent effect capable of stopping the crane (not including the lifted load) at an average rate of deceleration not to exceed 3 feet per second, per second when traveling in either direction at 20 percent of the rated load speed.

(a) The bumper shall have sufficient energy absorbing capacity to stop the

crane when traveling at a speed of at least 40 percent of rated load speed.

(b) The bumper shall be so mounted that there is no direct shear on bolts.

(ii) Bumpers shall be so designed and installed as to minimize parts falling from the crane in case of breakage.

(3) *Trolley bumpers.* (i) A trolley shall be provided with bumpers or other automatic means of equivalent effect capable of stopping the trolley (not including the lifted load) at an average rate of deceleration not to exceed 4.7 feet per second, per second when traveling in either direction at one third of the rated load speed.

(ii) When more than one trolley is operated on the same bridge, each shall be equipped with bumpers or equivalent on their adjacent ends.

(iii) Bumpers or equivalent shall be designed and installed to minimize parts falling from the trolley in case of breakage.

4. Section 1910.180 is proposed to be amended by adding a new subparagraph (3) to paragraph (b), to read as follows:

**§ 1910.180 Crawler locomotive and truck cranes.**

**(b) General requirements. \* \* \***

(3) *Trained operators.* Only trained and authorized operators shall be permitted to operate a crane covered by this section.

5. Section 1910.181 is proposed to be amended by adding a new subparagraph (3) to paragraph (b), to read as follows:

**§ 1910.181 Derricks.**

**(b) General requirements. \* \* \***

(3) *Trained operators.* Only trained and authorized operators shall be permitted to operate a derrick covered by this section.

6. Section 1910.243 is proposed to be amended by revising paragraphs (a)(1), (2), and (5), to read as follows:

**§ 1910.243 Guarding of portable powered tools.**

(a) *Portable powered tools*—(1) *Portable circular saws.* All portable, power driven circular saws having a blade diameter greater than 2 inches shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to covering position.

(2) *Switches.* (1) All hand-held powered circular saws having a blade diameter greater than 2 inches, chain saws, and percussion tools shall be

equipped with a constant pressure switch that will shut off the power when the pressure is released.

(ii) All hand-held powered drills, tappers, fastener drivers, horizontal, vertical, and angle grinders with wheels greater than 2 inches in diameter, disc sanders with discs greater than 2 inches in diameter, belt sanders, reciprocating saws, saber, scroll, and jig saws with blade shanks greater than a nominal one-fourth inch, and other similarly operating powered tools shall be equipped with a momentary contact "on-off" control, and may have a lock-on control provided that turnoff can be accomplished by a single motion of the same finger or fingers that turn it on.

(iii) (a) All other hand-held powered tools, such as, but not limited to, platen sanders, grinders with wheels 2 inches in diameter or less, disc sanders with discs 2 inches in diameter or less, routers, planers, laminate trimmers, nibblers, shears, saber, scroll, and jig saws with blade shanks a nominal one-fourth of an inch wide or less, may be equipped with only a positive "on-off" control.

(b) Saber, scroll, and jig saws with nonstandard blade holders may use blades with shanks which are nonuniform in width, provided the narrowest portion of the blade shank is an integral part in mounting the blade.

(c) Blade shank width shall be measured at the narrowest portion of the blade shank when saber, scroll, and jig saws are nonstandard blade holders.

(d) "Nominal" in this subparagraph means  $\pm 0.05$  inch.

(iv) The operating control on hand-held power tools shall be so located as to minimize the possibility of its accidental operation.

(v) This subparagraph does not apply to concrete vibrators, concrete breakers, powered tampers, jackhammers, rock drills, garden appliances, household and kitchen appliances, personal care appliances, medical or dental equipment, or to fixed machinery.

(vi) The requirements of this subparagraph shall become effective 30 days from publication in the FEDERAL REGISTER.

(5) *Grounding.* Portable electric powered tools shall meet the electrical requirements of Subpart S of this part.

7. Section 1910.243 is proposed to be further amended by revising paragraphs (b)(1) and (c)(1)(i), to read as follows:

**§ 1910.243 Guarding of portable powered tools.**

(b) *Pneumatic powered tools and hose*—(1) *Tool retainer.* A tool retainer shall be installed on each piece of utilization equipment which, without such a retainer, may eject the tool.

(2) *Airhose.* Hose and hose connections used for conducting compressed air to utilization equipment shall be designed for the pressure and service to which they are subjected.

(c) *Portable abrasive wheels*—(1) *General requirements.* Abrasive wheels



shall be used only on machines provided with safety guards as defined in subparagraphs (1) through (4) of this paragraph.

(i) Exceptions. The requirements of this subparagraph (1) shall not apply to the following classes of wheels and conditions:

(a) Wheels used for internal work while within the work being ground;

(b) Mounted wheels used in portable operations (see definition § 1910.241(b)(1)), usually 2 inches and smaller in diameter; and

(c) Types 16, 17, 18, 18R, and 19 cones and plugs and threaded hole pot balls where the work offers protection.

(ii)(a) A safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard.

(b) Exception: Safety guards on all operations where the work provides a suitable measure of protection to the operator may be so constructed that the spindle end, nut and outer flange are exposed; and where the nature of the work is such as to entirely cover the side of the wheel, the side covers of the guard may be omitted.

(c) Exception: The spindle end, nut, and outer flange may be exposed on machines designed as portable saws.

8. Section 1910.243 is proposed to be further amended by revoking paragraph (e) (2) (vi), by adding a new paragraph (e) (3) (vii), and by revising paragraphs (e) (3) (iii) and (4) (vi), to read as follows:

§ 1910.243 Guarding of portable powered tools.

(e) Power lawnmowers. \* \* \*  
(2) Walk-behind and riding rotary mowers. \* \* \*  
(vi) [Revoked]

(3) Walk-behind rotary mowers. \* \* \*  
(iii) The highest point(s) of the front of the blade enclosure, except discharge openings, shall be such that any line extending a maximum of 15° downward from the horizontal toward the blade shaft axis (axes) shall not intersect the horizontal plane within the blade tip circle. The highest point(s) on the blade enclosure front, except discharge openings, shall not exceed 1¼ inches above the lowest cutting point of the blade in the lowest blade position. Mowers with a swing-over handle are to be considered as having no front in the blade enclosure and therefore shall comply with subparagraph (2) (1) of this paragraph.

(vii) Wheel drive disengaging controls, except dead-man controls, shall move opposite to the direction of the vehicle motion in order to disengage the drive. Dead-man controls shall comply

with § 1910.241(c) (11), and may operate in any direction to disengage the drive.

(4) Riding rotary mowers. \* \* \*

(vi) Hand-operated wheel drive disengaging controls shall move opposite to the direction of vehicle motion in order to disengage the drive. Foot-operated wheel drive disengaging controls shall be depressed to disengage the drive. Dead-man controls, both hand and foot operated, shall comply with § 1910.241(c) (ii) and may operate in any direction to disengage the drive.

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655; Secretary of Labor's Order No. 12-71, 36 F.R. 8754)

Signed at Washington, D.C. this 11th day of September 1972.

GEORGE C. GUENTHER,  
Assistant Secretary of Labor.

[FR Doc. 72-15693 Filed 9-13-72; 8:52 am]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Parts 141c, 146c, 150b ]

DEMECLOCYCLINE HYDROCHLORIDE  
AND DEMECLOCYCLINE

Proposed Requirements for Certification;  
Tests and Methods of Assay

The Commissioner of Food and Drugs proposes that 21 CFR Parts 141c and 146c be amended as they apply to both demeclocycline hydrochloride and demeclocycline and that a new Part 150b be added to Title 21. Part 150b would include all monographs in Parts 141c and 146c which currently provide for the certification of demeclocycline hydrochloride products and demeclocycline products, except §§ 141c.259, 141c.263, 141c.271, 146c.259, 146c.263, and 146c.271, which would remain in Parts 141c and 146c until further notice.

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 him (21 CFR 2.120), the Commissioner of Food and Drugs proposes that the antibiotic drug regulations be amended as follows:

PART 141c—CHLORTETRACYCLINE  
(OR TETRACYCLINE) AND CHLOR-  
TETRACYCLINE-) CONTAINING  
DRUGS; TESTS AND METHODS OF  
ASSAY

1. In Part 141c:

§ 141c.259 [Amended]

a. In § 141c.259 *Demeclocycline hydrochloride-nystatin capsules* by revising the first sentence in paragraph (a) (1) to read as follows: "Proceed as directed in § 150b.11(b) (1) of this chapter."

§ 141c.263 [Amended]

b. In § 141c.263 *Demeclocycline-nystatin for oral suspension* by deleting the first and second sentences of paragraph (a) (1) and substituting for them the following sentence: "Proceed as directed in § 150b.13(b) (1) of this chapter."

§ 141c.271 [Amended]

c. In § 141c.271 *Demeclocycline hydrochloride-nystatin tablets* by revising the first sentence in paragraph (a) (1) to read as follows: "Proceed as directed in § 150b.12(b) (1) of this chapter."

§§ 141c.251, 141c.252, 141c.253,  
141c.254, 141c.255, and 141c.256  
[Revoked]

d. By revoking § 141c.251 *Demeclocycline hydrochloride*, § 141c.252 *Capsules demeclocycline hydrochloride*, § 141c.253 *Demeclocycline*, § 141c.254 *Demeclocycline for oral suspension*, § 141c.255 *Demeclocycline syrup (demeclocycline oral drops)*, and § 141c.266 *Demeclocycline hydrochloride tablets*.

PART 146c—CERTIFICATION OF  
CHLORTETRACYCLINE (OR TETRA-  
CYCLINE) AND CHLORTETRACY-  
CLINE- (OR TETRACYCLINE-) CON-  
TAINING DRUGS

2. In Part 146c:

a. In § 146c.259 by revising the section introductory text and the first sentence of paragraph (d) to read as follows:

§ 146c.259 *Demeclocycline hydrochloride-nystatin capsules*.

Demeclocycline hydrochloride-nystatin capsules are capsules that conform to all requirements and are subject to all procedures prescribed by § 150b.11(a) of this chapter for demeclocycline hydrochloride capsules, except that:

(d) In addition to complying with the requirements of § 150b.11(a) (3) of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark and (unless they were previously submitted) the results and the date of the latest tests and assays of the nystatin used in making the batch for potency, toxicity, pH, moisture, and identity. \* \* \*

b. In § 146c.263, by revising the section introductory text and the first sentence of paragraph (c) to read as follows:

§ 146c.263 *Demeclocycline-nystatin for oral suspension*.

Demeclocycline-nystatin for oral suspension conforms to all requirements and procedures prescribed by § 150b.13(a) of this chapter for demeclocycline for oral suspension, except that:

(c) In addition to complying with the requirements of § 150b.13(a) (3) of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark and (unless they were previously submitted) the results and the date of



the latest tests and assays of the nystatin used in making the batch for potency, toxicity, pH, moisture, and identity. \* \* \*

§§ 146c.251, 146c.252, 146c.253, 146c.254, 146c.255, and 146c.266 [Revoked]

c. By revoking § 146c.251 *Demeclocycline hydrochloride*, § 146c.252 *Capsules demeclocycline hydrochloride*, § 146c.253 *Demeclocycline*, § 146c.254 *Demeclocycline for oral suspension*, § 146c.255 *Demeclocycline sirup (demeclocycline oral drops)*, and § 146c.266 *Demeclocycline hydrochloride tablets*.

### PART 150b—DEMECLOCYCLINE

3. By adding a new Part 150b consisting at this time of six sections, as follows:

|                |  |
|----------------|--|
| Sec.           |  |
| 150b.1         | Demeclocycline hydrochloride.          |
| 150b.2         | Demeclocycline.                        |
| 150b.3—150b.10 | [Reserved.]                            |
| 150b.11        | Demeclocycline hydrochloride capsules. |
| 150b.12        | Demeclocycline hydrochloride tablets.  |
| 150b.13        | Demeclocycline for oral suspension.    |
| 150b.14        | Demeclocycline oral suspension.        |

**AUTHORITY:** The provisions of this Part 150b issued under sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.

#### § 150b.1 Demeclocycline hydrochloride.

(a) *Requirements for certification—*  
(1) *Standards of identity, strength, quality, and purity.* Demeclocycline hydrochloride is the hydrochloride salt of a kind of demeclocycline. It is so purified and dried that:

(i) Its potency is not less than 900 micrograms per milligram on the anhydrous basis.

(ii) It passes the safety test.

(iii) Its loss on drying is not more than 2 percent.

(iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 2 and not more than 3.

(v) When calculated on the anhydrous basis, its absorptivity at 380 nanometers is  $100 \pm 4.2$  percent of that of the demeclocycline hydrochloride standard similarly treated.

(vi) It is crystalline.

(vii) It passes the identity test.

(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, loss on drying, pH, absorptivity, crystallinity, and identity.

(ii) Samples required: 10 packages, each containing approximately 250 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed sample in sufficient 0.1N hydrochloric acid to obtain a concentration of 1,000 micrograms of demeclocycline hy-

drochloride per milliliter (estimated). Further dilute an aliquot of the stock solution with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

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

(5) *Absorptivity.* Determine the percent absorptivity of the sample relative to that of the standard in the following manner: Dissolve an accurately weighed

portion of approximately 40 milligrams of the sample in 2 milliliters of 0.1N HCl dilute to exactly 250 milliliters with distilled water, and mix thoroughly. Transfer a 10 milliliter aliquot of this solution to a 100-milliliter volumetric flask. Add about 75 milliliters of distilled water and 5 milliliters of 5N NaOH, dilute to volume with distilled water, and mix thoroughly. Exactly 6 minutes after the addition of the NaOH, determine the absorbance of the solution at a wavelength of 380 nanometers, using a suitable spectrophotometer and distilled water as the blank. Treat a portion of the working standard in the same manner. Determine the percent relative absorptivity of the sample using the following calculation:

$$\text{Percent relative absorptivity} = \frac{\text{Absorbance of sample} \times \text{weight of standard in milligrams} \times \text{potency of standard in micrograms per milligram} \times 10}{\text{Absorbance of standard} \times \text{weight of sample in milligrams} \times (100-m)}$$

where:  $m$  = percent moisture in the sample.

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

(7) *Identity.* Accurately weigh 40 milligrams of the sample and place into a 200-milliliter volumetric flask. Add 100 milliliters of 0.1N HCl and place on a shaker until the sample is dissolved. Dilute to volume with 0.1N MCl and mix well. Transfer a 5-milliliter aliquot of the solution to each of two 50-milliliter volumetric flasks. To one flask add 10 milliliters of 6N HCl and to the other add 10 milliliters of 3N HCl. Place the

acid-treated flasks into a boiling water bath for 20 minutes. Remove the flasks and place in a cold water bath. When cool, dilute to volume with water and mix well. Treat a portion of the standard in the same manner. Using a suitable spectrophotometer, place the 6N HCl-treated sample into the reference cell and read against the 3N HCl-treated sample at a wavelength of 368 nanometers. Reverse the order of the cells in the cell holder and read at a wavelength of 430 nanometers.

$$\frac{(A_{368} + A_{430} \text{ sample}) (\text{milligrams of standard per milliliter}) (100)}{(A_{368} + A_{430} \text{ standard}) (\text{milligrams of sample per milliliter}) (100-m)} = 0.9 \text{ to } 1.1$$

where:  $m$  = percent moisture in the sample.

#### § 150b.2 Demeclocycline.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Demeclocycline is a hydrated compound of a kind of demeclocycline. It is so purified and dried that:

(i) Its potency is not less than 970 micrograms of demeclocycline hydrochloride equivalent per milligram on the anhydrous basis.

(ii) It passes the safety test.

(iii) Its moisture content is not less than 4.3 percent and not more than 6.7 percent.

(iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 4 and not more than 5.5.

(v) When calculated on the anhydrous basis, its absorptivity at 380 nanometers is  $107.4 \pm 3.88$  percent of that of the demeclocycline hydrochloride working standard similarly treated.

(vi) It is crystalline.

(vii) It passes the identity test.

(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, absorptivity, crystallinity, and identity.

(ii) Samples required: 10 packages, each containing approximately 250 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed sample in sufficient 0.1N hydrochloric acid to obtain a concentration of 1,000 micrograms of demeclocycline hydrochloride per milliliter (estimated). Further dilute an aliquot of the stock solution with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

(2) *Safety.* Proceed as directed in § 141.5 of this chapter, preparing the test dose solution by dissolving 40 milligrams (as the anhydrous compound) in 2 milliliters of 0.1N HCl and diluting with the required amount of water.

(3) *Moisture.* 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) *Absorptivity.* Determine the percent absorptivity of the sample relative to that of the standard in the following manner: Dissolve an accurately weighed portion of approximately 40 milligrams of the sample in 2 milliliters of 0.1N HCl, dilute to exactly 250 milliliters with distilled water, and mix thoroughly. Transfer a 10-milliliter aliquot of this solution to a 100-milliliter volumetric flask. Add about 75 milliliters of distilled water and 5 milliliters of 5N

NaOH, dilute to volume with distilled water, and mix thoroughly. Exactly 6 minutes after the addition of the NaOH, determine the absorbance of the solution at a wavelength of 380 nanometers, using a suitable spectrophotometer and distilled water as the blank. Treat a portion of the demeclocycline hydrochloride working standard in the same manner. Determine the percent relative absorptivity of the sample using the following calculation:

$$\text{Percent relative absorptivity} = \frac{\text{Absorbance of sample} \times \text{weight of standard in milligrams} \times \text{potency of standard in micrograms per milligram} \times 10}{\text{Absorbance of standard} \times \text{weight of sample in milligrams} \times (100-m)}$$

where: m = percent moisture in the sample.

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

(7) *Identity.* Proceed as directed in § 150b.1(b) (7). The value yielded by calculation ranges between 0.97 and 1.17.

§§ 150b.3-150b.10 [Reserved]

§ 150b.11 Demeclocycline hydrochloride capsules.

(a) *Requirements for certification—*  
 (1) *Standards of identity, strength, quality, and purity.* Demeclocycline hydrochloride capsules are composed of demeclocycline hydrochloride, with one or more suitable and harmless diluents and lubricants, enclosed in a gelatin capsule. Each capsule contains 75 milligrams, 150 milligrams, or 300 milligrams of demeclocycline hydrochloride. Its potency is satisfactory if it is not less than 90 percent and not more than 125 percent of the number of milligrams of demeclocycline hydrochloride that it is represented to contain. Its loss on drying is not more than 2 percent, except that if starch is used as a diluent the loss on drying is not more than 8 percent. The demeclocycline hydrochloride used conforms to the standards prescribed by § 150b.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 demeclocycline hydrochloride used in making the batch for potency, safety, loss on drying, pH, absorptivity, crystallinity, and identity.

(b) The batch for potency and loss on drying.

(ii) Samples required:  
 (a) The demeclocycline hydrochloride used in making the batch: 10 packages, each containing approximately 250 milligrams.

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

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Place a representative number of capsules into a high-speed glass blender jar containing sufficient 0.1N hydrochloric acid to give a stock so-

lution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

(2) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

§ 150b.12 Demeclocycline hydrochloride tablets.

(a) *Requirements for certification—*  
 (1) *Standards of identity, strength, quality, and purity.* Demeclocycline hydrochloride tablets are composed of demeclocycline hydrochloride with one or more suitable and harmless diluents, lubricants, binders, and flavorings. Each tablet contains 75 milligrams, 150 milligrams, or 300 milligrams of demeclocycline hydrochloride. Its potency is satisfactory if it is not less than 90 percent and not more than 125 percent of the number of milligrams of demeclocycline hydrochloride that it is represented to contain. Its loss on drying is not more than 2 percent. It shall disintegrate within 30 minutes. The demeclocycline hydrochloride used conforms to the standards prescribed by § 150b.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 demeclocycline hydrochloride used in making the batch for potency, safety, loss on drying, pH, absorptivity, crystallinity, and identity.

(b) The batch for potency, loss on drying, and disintegration time.

(ii) Samples required:  
 (a) The demeclocycline hydrochloride used in making the batch: 10 packages, each containing approximately 250 milligrams.

(b) The batch: A minimum of 36 tablets.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Place a representative number of tablets into a high-speed glass

blender jar containing sufficient 0.1N hydrochloric acid to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

(2) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(3) *Disintegration time.* Proceed as directed in § 141.540 of this chapter.

§ 150b.13 Demeclocycline for oral suspension.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Demeclocycline for oral suspension is composed of demeclocycline with or without one or more suitable and harmless buffer substances, preservatives, diluents, colorings, and flavorings. When reconstituted as directed in the labeling, each milliliter contains demeclocycline equivalent to 15 milligrams of demeclocycline hydrochloride. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of demeclocycline hydrochloride equivalent that it is represented to contain. Its moisture content is not more than 5 percent. The demeclocycline used conforms to the standards prescribed by § 150b.2(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 demeclocycline used in making the batch for potency, safety, moisture, pH, absorptivity, crystallinity, and identity.

(b) The batch for potency and moisture.

(ii) Samples required:  
 (a) The demeclocycline used in making the batch: 10 packages, each containing approximately 250 milligrams.

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

(b) *Tests and methods of assay—*  
 (1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Transfer an accurately measured representative portion of the sample to an appropriately sized volumetric flask, dilute to volume with 0.1N hydrochloric acid, and mix. Further dilute an aliquot with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

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

§ 150b.14 Demeclocycline oral suspension.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Demeclocycline oral



suspension is composed of demeclocycline with or without one or more suitable and harmless buffer substances, suspending and stabilizing agents, and preservatives suspended in a suitable and harmless vehicle. Each milliliter contains demeclocycline equivalent to either 15 milligrams or 60 milligrams of demeclocycline hydrochloride. Its potency is satisfactory if it is not less than 90 percent and not more than 125 percent of the number of milligrams of demeclocycline hydrochloride equivalent that it is represented to contain. The pH is not less than 4 and not more than 5.8. The demeclocycline used conforms to the standards prescribed by § 150b.2(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 demeclocycline used in making the batch for potency, safety, moisture, pH, absorptivity, crystallinity, and identity.

(b) The batch for potency and pH.

(ii) Samples required:

(a) The demeclocycline used in making the batch: 10 packages, each containing approximately 250 milligrams.

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

(b) *Tests and methods of assay—(1) Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Transfer an accurately measured representative portion of the sample to an appropriate-sized volumetric flask, dilute to volume with 0.1N hydrochloric acid, and mix. Further dilute an aliquot with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of demeclocycline hydrochloride per milliliter (estimated).

(2) *pH.* Proceed as directed in § 141.503 of this chapter, using the undiluted sample.

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

Dated: September 6, 1972.

MARY A. MCENIRY,  
Assistant to the Director for  
Regulatory Affairs, Bureau of  
Drugs.

[FR Doc.72-15568 Filed 9-13-72; 8:45 am]

## [ 21 CFR Part 191 ]

### STATE AND LOCAL HAZARDOUS LABELING REQUIREMENTS FOR HOUSEHOLD PRODUCTS

#### Federal Preemption

Action has been taken by several State and local jurisdictions in recent years to establish various labeling requirements for household products subject to the Federal Hazardous Substances Act. Substantial confusion has arisen about the status of existing and potential future State and local requirements of this type under the Federal preemption provisions contained in section 18(b) of the act. The Commissioner of Food and Drugs therefore concludes that a regulation should be established as proposed below to clarify the interpretation of section 18(b).

As enacted in 1960, the act contained no provision relating to Federal preemption. The House report stated, however, that the new law was intended to result in nationwide uniformity in the labeling of potentially hazardous household products:

The nationwide uniformity in the labeling of potentially hazardous chemicals would be advantageous to everybody. Such a labeling program would facilitate the education of the public in the cautionary use of these products. Informative, uniform labeling would enable physicians to administer antidotes immediately rather than waste precious time in determining the active ingredients of the product.

The committee hopes that this legislation will help toward the establishment of uniform, adequate, modern labeling requirements by the various States. Such uniformity now exists to a certain degree in some States which have labeling laws and regulations. In the absence of a Federal law, there is a possibility that diverse labeling regulations will be adopted by the States, leading to a multiplicity of requirements and creating unnecessary confusion in labeling, to the detriment of the public. (H. Rept. 1861, 86th Cong., 2d sess.)

The need for uniformity was emphasized by the House committee in this report because of concern that warnings against trivial or remote hazards could lead to public indifference to cautionary statements where a substantial hazard did exist:

The committee recognizes that virtually every substance used in or about the household is capable of causing some degree of illness or injury if accidentally or intentionally misused. If labeling were required to caution against the risk of even the most trifling indisposition, there would hardly be any substance going into the household which would not have to bear cautionary labeling, so that consumers would tend more and more to disregard label warnings, thus inviting indifference to cautionary statements on packages of substances presenting a real hazard of substantial injury or illness.

When Congress amended the act, by enacting the Child Protection Act of 1966, a specific Federal preemption provision (section 18(b)) was added as follows:

(b) It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and political subdivisions thereof insofar as they may now or hereafter provide for the precautionary labeling of any substance or article intended or suitable for household use (except for those substances defined in sections 2(f) (2) and (3) of this Act) which differs from the requirements or exemptions of this Act or the regulations or interpretations promulgated pursuant thereto. Any law, regulation, or ordinance purporting to establish such a labeling requirement shall be null and void.

The House report contained the following explanation:

In 1960 this committee and the Senate Committee emphasized the importance of uniform regulation of household products at which the act is aimed, which are sold nationally and across State lines. It is impractical, unnecessary, and undesirable for each such product to be labeled specifically for those States and cities which have developed their own standards for requiring warnings and their own special forms of warnings over the years during which there was no Federal law. The committee now recommends a limited preemption amendment which would encourage and permit States to adopt requirements identical with the Federal requirements for substances subject to the Federal act, and to enforce them to complement Federal enforcement, but at the same time would free marketers of products sold interstate from varying or added labeling requirements for such substances now existing or which States and cities might otherwise adopt in the future. This amendment also precludes State or local requirements for cautionary labeling of substances (distributed interstate or imported) where the alleged hazard is of the general character dealt with by the Federal act but is not of sufficient degree to require cautionary labeling as a hazardous substance under the Federal act \* \* \*. (H. Rept. 2166, 89th Cong., 2d sess.)

A letter from the Department of Health, Education, and Welfare, supporting Federal preemption, stated that section 18(b) cited above would permit States to require labeling that is uniform with labeling required under the Federal law, but would prohibit nonuniform labeling requirements even though such additional requirements were not necessarily incompatible with the Federal requirements.

A recent court decision, *Chemical Specialties Manufacturers Association Inc. v. Lowery*, 452 F. 2d 431 (2d Cir. 1971), has held that the Federal preemption provision in the act applies to a requirement that a city registration number be included on the label. This opinion concludes that "congressional concern for uniformity of regulation with respect to the labeling requirements for products with the FHSA is unambiguous." 452 F. 2d at 438.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (secs. 10(a), 18(b), 74 Stat. 378, 381, as amended 80 Stat. 1305; 15 U.S.C. 1269, note under 1261) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that the following new section be added to Part 191:



#### § 191.4 Federal preemption of State and local labeling requirements.

(a) Section 18(b) of the act provides that any law, regulation, or ordinance purporting to establish a precautionary labeling requirement for any substance or article intended or suitable for household use which differs from the requirements or exemptions of the act or the regulations or interpretations promulgated pursuant thereto shall be null and void. The legislative history reveals that Congress intended by this provision to prevent a proliferation of differing labeling requirements for household products.

(b) Federal preemption applies both to household substances and articles required to be labeled in accordance with the act, and to household substances and articles not required to be labeled in accordance with the act because they are not "hazardous substances" as defined in section 2(f) of the act or because they have been exempt from labeling pursuant to a regulation promulgated by the Commissioner. Federal preemption applies to any nonuniform labeling requirement, regardless of whether it conflicts with or is incompatible with the Federal requirement.

(c) Federal preemption applies to any labeling requirement that is intended to serve as or be a part of, or is in the nature of, precautionary labeling. Precautionary labeling includes such information as warnings, registration or identification numbers, disclosure of hazards, antidote information, ingredient statements, and other similar labeling requirements.

(d) Federal preemption does not apply to a State or local ban on a household product.

(e) Whenever a State or local jurisdiction has reason to believe that additional or different precautionary labeling should be required for household substances and articles, it should petition the Commissioner of Food and Drugs to promulgate an appropriate regulation. The Commissioner will expedite consideration of any such petition.

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 6-83, 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: September 7, 1972.

SHERWIN GARDNER,  
Deputy Commissioner  
of Food and Drugs.

[FR Doc.72-15541 Filed 9-13-72; 8:45 am]

### [ 21 CFR Part 295 ] ECONOMIC POISONS

#### Proposed Child Protection Packaging Standards

Through investigations by the Food and Drug Administration and from other

available information, the Commissioner of Food and Drugs has determined that the accidental ingestion of household substances that are economic poisons under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) is a significant cause of hospitalizations and fatalities of children under 5 years of age.

An economic poison under said act includes all preparations intended for use as insecticides, rodenticides, nematocides, fungicides, herbicides, amphibian and reptile poisons or repellants, bird poisons or repellants, fish poisons or repellants, mammal poisons or repellants, invertebrate animal poisons or repellants, plant regulators, plant defoliants and plant desiccants.

Many economic poisons are used in and around the household to keep homes and other buildings free of insects, rodents, and other pests and to protect domestic animals, crops, flowers, trees, and laws from damage by insects, rodents, weeds, and predators.

A number of economic poisons are considered to be toxic or highly toxic to man on the basis of human experience and of tests conducted on laboratory animals. These products may contain cholinesterase inhibitors (e.g., certain organic phosphates and carbamates), chlorinated hydrocarbon insecticides (e.g., aldrin, dieldrin, lindane, etc.), certain arsenicals, mercurials, fluorine and fluoride compounds, and phenolic compounds. The toxicity and adverse effects following ingestion, or in some instances following contact absorption, of these materials are well known and documented in the scientific literature. The ingestion of small amounts of toxic or highly toxic economic poisons by children can result in serious injury, illness, or death. Organic phosphate insecticides are among the most poisonous materials used for pest control. An oral dose of 2 milligrams of one organic phosphate has been reported in the literature as being fatal to children. Certain of the chlorinated hydrocarbon insecticides are also highly poisonous. The ingestion of approximately 30 milligrams per kilogram of body weight of one such insecticide was rapidly fatal to a child.

Data from the National Clearinghouse for Poison Control Centers on accidental ingestions of economic poisons by children under 5 years of age for the 3-year period 1968-70 indicate there were 5,462 ingestions and 395 hospitalizations attributed to insecticides, 2,772 ingestions and 171 hospitalizations attributed to rodenticides, and 368 ingestions and 17 hospitalizations attributed to herbicides. Data from death certificates for 1968-70 show more than 40 deaths of children under 5 years of age due to economic poisons.

After review of the above information and upon consultation, pursuant to section 3, with the Technical Advisory Committee convened in accordance with section 6 of the Poison Prevention Packaging Act of 1970, the Commissioner finds that the nature of the hazard to children posed by household substances that are economic poisons under the Federal Insecticide, Fungicide, and Rodenticide Act,

by reason of their availability and packaging, is such that special packaging is necessary to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting such products.

On the basis of reports and data from industry and other relevant information, and pursuant to section 3(a)(2) of the act, the Commissioner finds that the special packaging proposed herein is:

1. Technically feasible because technology exists to produce special packaging conforming to these standards. At least 20 different special packages have been tested in accordance with § 295.10 *Testing procedure for special packaging* (21 CFR 295.10; 36 F.R. 22151, 37 F.R. 741) that meet or exceed the effectiveness specifications of § 295.3(b).

2. Practicable in that it is susceptible to modern mass production and assembly line techniques. Reported production data indicate a capability adequate to meet the needs of affected industries.

3. Appropriate since such special packaging is not detrimental to the integrity of the substance and will not interfere with its storage or use.

The toxicity levels specified in the proposed regulation below are based upon the regulations (40 CFR Part 162) promulgated under the Federal Insecticide, Fungicide, and Rodenticide Act, and cover all economic poisons described therein as first and second general categories of toxicity. The first category includes all economic poisons found to be highly toxic by human experience (§ 162.8(d)) and those having an acute oral LD-50 in rats of 50 milligrams or less per kilogram of body weight (§ 162.8(a)(1)). The second category encompasses those economic poisons having an acute oral LD-50 of between 50 and 500 milligrams per kilogram of body weight (§ 162.116(b)(1)).

In determining the package size limitations proposed below, the Commissioner considered the following factors. Many household commonly include small backyard gardens and/or orchards which, along with the lawns, flowers, and shrubbery, occasion the use of significant quantities of various economic poisons. Such household usage, however, falls far below the commercial agricultural scale. Although in commercial agricultural usage such economic poisons are customarily stored about the farm household in barns, storage sheds, or garages, the commercial farmer is aware of the hazards of these products and better able to exercise necessary care in their storage and use. Furthermore, the larger packages necessitated by full scale farming are difficult for children under 5 years of age to handle. In view of the above and the difficult distinction between household and industrial use in the case of economic poisons, the proposed packaging regulation should include specific size maximums. The sizes of less than 1 gallon in the case of liquids and 5 pounds and less in the case of solids have been selected in conjunction with the Environmental Protection Agency as including those package sizes most likely to be used and stored in and about the noncommercial household. Also, we are unaware



of data to support a finding that special packaging is technically feasible, practicable, or appropriate for packages larger than the proposed package size maximums at the present time.

Accordingly, pursuant to provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, 84 Stat. 1670-72; 15 U.S.C. 1471(4), 1472, 1474) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new subparagraph (11) be added to § 295.2(a) as follows (for informational purposes, applicable portions of existing §§ 295.2 and 295.3 are included herein):

**§ 295.2 Substances requiring "special packaging."**

(a) *Substances.* The Commissioner of Food and Drugs has determined that the degree or nature of the hazard to children in the availability of the following substances, by reason of their packaging, is such that special packaging is required to protect children from serious personal injury or illness resulting from handling, using, or ingesting such substances, and that the special packaging herein required is technically feasible, practicable, and appropriate for these substances:

(11) *Economic poisons.* Household substances that are economic poisons under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.), that are packaged in liquid forms in less than 1-gallon containers or in nonliquid forms in packages of 5 pounds or less, and that have been found to be highly toxic by human experience, as provided for in § 162.8(d) of the regulations under said act (40 CFR 162.8(d)), or to have an acute oral LD-50 in rats of 500 milligrams or less per kilogram of body weight, shall be packaged in accordance with § 295.3 (a) and (b).

(b) *Sample packages.* (1) The manufacturer or packer of any of the substances listed under paragraph (a) of this section as substances requiring special packaging shall provide the Commissioner with a sample of each type of special packaging, as well as the labeling for each size product that will be packaged in special packaging and the labeling for any noncomplying package. Sample packages and labeling should be sent to the Food and Drug Administration, Attention: Bureau of Product Safety, 5600 Fishers Lane, Rockville, Md. 20852.

(2) Sample packages should be submitted without contents when such contents are unnecessary for demonstrating the effectiveness of the packaging.

(3) Any sample packages containing drugs listed under paragraph (a) of this section shall be sent by registered mail.

(4) As used in subparagraph (1) of this paragraph, the term "manufacturer or packer" does not include pharmacists and other individuals who dispense, at the retail or user level, drugs listed under paragraph (a) of this section as requiring special packaging.

(c) *Applicability.* Special packaging standards for drugs listed under paragraph (a) of this section shall be in addition to any packaging requirements

of the Federal Food, Drug, and Cosmetic Act or regulations promulgated thereunder or of any official compendia recognized by that act.

**§ 295.3 Poison prevention packaging standards.**

To protect children from serious personal injury or serious illness resulting from handling, using or ingesting household substances, the Commissioner has determined that packaging designed and constructed to meet the following standards shall be regarded as "special packaging" within the meaning of section 2 (4) of the act. Specific application of these standards to substances requiring special packaging is in accordance with § 295.2.

(a) *General requirements.* The special packaging must continue to function with the effectiveness specifications set forth in paragraph (b) of this section when in actual contact with the substance contained therein. This requirement may be satisfied by appropriate scientific evaluation of the compatibility of the substance with the special packaging to determine that the chemical and physical characteristics of the substance will not compromise or interfere with the proper functioning of the special packaging. The special packaging must also continue to function with the effectiveness specifications set forth in paragraph (b) of this section for the number of openings and closings customary for its size and contents. This requirement may be satisfied by appropriate technical evaluation based on physical wear and stress factors, force required for activation, and other such relevant factors which establish that, for the duration of normal use, the effectiveness specifications of the packaging would not be expected to lessen.

(b) *Effectiveness specifications.* Special packaging which when tested by the method described in § 295.10, meets the following specifications:

(1) Child-resistant effectiveness of not less than 85 percent without a demonstration and not less than 80 percent after a demonstration of the proper means of opening such special packaging. In the case of unit packaging, child-resistant effectiveness of not less than 80 percent.

(2) Adult-use effectiveness not less than 90 percent.

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: September 7, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.72-15569 Filed 9-13-72;8:45 am]

## FARM CREDIT ADMINISTRATION

[ 12 CFR Part 615 ]

### FARM CREDIT SECURITIES

#### Book Entry Issuance

Notice is hereby given that the Farm Credit Administration, by its Federal Farm Credit Board, has under consideration a proposed amendment of its regulations as set forth below in tentative form. Prior to final adoption of such amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (10 copies) not later than 30 days after the date this notice is published in the FEDERAL REGISTER to E. A. Jaenke, Governor, Farm Credit Administration, Washington, D.C. 20578. Copies of all communications received will be available for examination by interested persons in the Office of Director of Information, Farm Credit Administration.

Part 615 of Chapter VI of the Code of Federal Regulations is amended by adding a new Subpart O—Book Entry Issuance of Farm Credit Securities, containing §§ 615.5450-615.5480, to read as follows:

#### Subpart O—Book Entry Issuance of Farm Credit Securities

| Sec.     |  |
|----------|--|
| 615.5450 | Definition of terms.   |
| 615.5455 | Authority of reserve banks.  |
| 615.5460 | Scope and effect of book-entry procedure.  |
| 615.5465 | Transfer or pledge.  |
| 615.5470 | Withdrawal of farm credit securities.  |
| 615.5475 | Delivery of farm credit securities.  |
| 615.5480 | Servicing book-entry farm credit securities; payment of interest, payment at maturity upon call. |

AUTHORITY: The provisions of this Subpart O issued under sec. 5.9, 5.18, 5.26, 85 Stat. 619, 621, 624.

#### Subpart O—Book Entry Issuance of Farm Credit Securities

##### § 615.5450 Definition of terms.

In this subpart, unless the context otherwise requires or indicates:

(a) "Reserve Bank" means the Federal Reserve Bank of New York and any other Federal Reserve Bank which agrees to issue farm credit securities in book-entry form acting as fiscal agent for the banks of the Farm Credit System and, when indicated, acting in its individual capacity.

(b) "Banks of the Farm Credit System" means the 12 Federal Land Banks, the 12 Federal Intermediate Credit Banks, the 13 Banks for Cooperatives, or all of them.

(c) "Farm credit securities" means consolidated notes, bonds, debentures, or other similar obligations of the 12 Federal Land Banks, the 12 Federal Intermediate Credit Banks, or the 13 Banks for Cooperatives, and systemwide notes, bonds, debentures, or similar obligations of the banks of the Farm Credit System, issued under the Farm Credit Act of 1971, the completion and delivery of which is undertaken by a reserve bank as fiscal agent of the banks of the Farm Credit System.



(d) "Definitive farm credit security" means a transferable farm credit security issued in engraved or printed form by the Federal Reserve Bank of New York as fiscal agent of the banks of the Farm Credit System.

(e) "Book-entry farm credit security" means a transferable farm credit security issued in the form of an entry made as prescribed in this subpart on the records of a reserve bank.

(f) "Pledge" includes a pledge of, or any other security interest in, farm credit securities as collateral for loans or advances or to secure deposits of public monies or the performance of an obligation.

(g) "Date of call" is the date fixed in the authorizing resolution of the Finance Committee of the Farm Credit System on which the obligor will make payment of the security before maturity in accordance with its terms.

(h) "Member bank" means any national bank, State bank, or bank or trust company which is a member of a Reserve Bank.

#### § 615.5455 Authority of reserve banks.

Each reserve bank is hereby authorized in accordance with the provisions of this subpart to (a) issue book-entry farm credit securities by means of entries on its records which shall include the name of the depositor, the amount, the securities title (or series) and maturity date; (b) effect conversions between book-entry farm credit securities and definitive farm credit securities; (c) otherwise service and maintain book-entry farm credit securities; and (d) issue confirmations of transactions in the form of written advices (serially numbered or otherwise) which specify the amount and description of any such securities (that is, the securities title (or series) and the maturity date), sold or transferred and the date of the transaction.

#### § 615.5460 Scope and effect of book-entry procedure.

(a) A reserve bank as fiscal agent for the banks of the Farm Credit System may apply the book-entry procedure provided for in this subpart to any farm credit securities which have been or are hereafter deposited for any purpose in accounts with it in its individual capacity under terms and conditions which indicate that the reserve bank will continue to maintain such deposit accounts in its individual capacity notwithstanding application of the book-entry procedure to such securities.

(1) This paragraph shall be applicable but not limited to farm credit securities deposited (i) as collateral pledge to a reserve bank (in its individual capacity) for advances by it, (ii) by a member bank for its sole account, (iii) by a member bank held for the account of its customers, (iv) in connection with deposits in a member bank of funds of States, municipalities, or other political subdivisions, or (v) in connection with the performance of an obligation or duty under Federal, State, municipal, or local law, or judgments or decrees of courts.

(2) The application of the book-entry procedure under this paragraph shall not derogate from or adversely affect the relationship that would otherwise exist between a reserve bank in its individual capacity and its depositors concerning any deposit under this paragraph. Whenever the book-entry procedure is applied to such farm credit securities, the reserve bank is authorized to take all action necessary in respect of the book-entry procedure to enable such reserve bank in its individual capacity to perform its obligation as depository with respect to such farm credit securities.

(b) A reserve bank as fiscal agent of the banks of the Farm Credit System may apply the book-entry procedure to farm credit securities deposited as collateral pledged to the United States under Treasury Department Circulars Nos. 92 and 176, both as revised and amended, and may apply the book-entry procedure, with the approval of the Secretary of the Treasury, to any other farm credit securities deposited with a reserve bank as fiscal agent of the United States.

(c) Any person having an interest in farm credit securities which are delivered by or deposited with a reserve bank (in either its individual capacity or as fiscal agent for the banks of the Farm Credit System) for any purpose shall be deemed to have consented to their conversion to book-entry farm credit securities pursuant to the provisions of this subpart and in the manner and under procedures prescribed by the reserve bank.

(d) No deposit shall be accepted under this section on or after the date of maturity or call of the farm credit securities.

#### § 615.5465 Transfer or pledge.

(a) A transfer or pledge of book-entry farm credit securities to a reserve bank (in its individual capacity or as fiscal agent for the banks of the Farm Credit System), or to the United States, or to any transferee or pledgee eligible to maintain an appropriate book-entry account in its name with a reserve bank under this subpart is effected and perfected, notwithstanding any provision of law to the contrary, by a reserve bank making an appropriate entry in its records of the security transferred or pledged. The making of such an entry in the records of a reserve bank shall (1) have the effect of a delivery in bearer form of definitive farm credit securities; (2) have the effect of the taking of delivery by the transferee or pledgee; (3) constitute the transferee or pledgee a holder; and (4) if a pledge, effect a perfected security interest therein in favor of the pledgee. A transfer or pledge of book-entry farm credit securities effected under this paragraph shall have priority over any other transfer, pledge, or other interest, theretofore or thereafter effected or perfected under paragraph (b) of this section or in any other manner.

(b) A transfer or pledge of transferable farm credit securities, or any interest therein, which is maintained by reserve bank (in its individual capacity or as fiscal agent for the banks of the Farm

Credit System) in a book-entry account under this subpart, including securities in book-entry under § 615.5460 (a) (3), is effected, and pledge is perfected, by any means that would be effective under applicable law to effect a transfer or to effect and perfect a pledge of farm credit securities, or any interest therein, if the securities were maintained by the reserve bank in bearer definitive form. For the purpose of transfer or pledge hereunder, book-entry farm credit securities maintained by a reserve bank shall, notwithstanding any provision of law to the contrary, be deemed to be maintained in bearer definitive form. A reserve bank maintaining book-entry farm credit securities, either in its individual capacity or as fiscal agent for the banks of the Farm Credit System, is not a bailee for the purposes of notification of pledges of those securities under this paragraph, or a third person in possession for the purposes of acknowledgment of transfers thereof under this paragraph. A reserve bank will not accept notice or advice of a transfer or pledge effected or perfected under this paragraph, and any such notice or advice shall have no effect. A reserve bank may continue to deal with its depositors in accordance with the provisions of this subpart, notwithstanding any transfer or pledge effected or perfected under this paragraph.

(c) No filing or recording with a public recording office or officer shall be necessary or effective with respect to any transfer or pledge of book-entry farm credit securities or any interest therein.

(d) A reserve bank shall, upon receipt of appropriate instructions, convert book-entry farm credit securities into definitive farm credit securities and deliver them in accordance with such instructions. No such conversion shall affect existing interests in such farm credit securities.

(e) A transfer of book-entry farm credit securities within a Federal Reserve Bank shall be made in accordance with the procedure established by the bank not inconsistent with this subpart. The transfer of book-entry farm credit securities by a Federal Reserve Bank may be made through a telegraphic transfer procedure.

(f) All requests for transfer or withdrawal must be made prior to the maturity or date of call of the security.

#### § 615.5470 Withdrawal of farm credit securities.

(a) A depositor of book-entry farm credit securities may withdraw them from a reserve bank by requesting delivery of like definitive farm credit securities to itself or on its order to a transferee.

(b) Farm credit securities which are actually to be delivered upon withdrawal will be issued in bearer form only.

#### § 615.5475 Delivery of farm credit securities.

A reserve bank which has received farm credit securities and effected pledges, made entries regarding them, or



transferred or delivered them according to the instructions of its depositor is not liable for conversion or for participation in breach of fiduciary duty even though the depositor had no right to dispose of or take other action in respect of the securities. A reserve bank shall be fully discharged of its obligations under this subpart by the delivery of farm credit securities in definitive form to its depositor or upon the order of such depositor. Customers of a member bank or other depository (other than a reserve bank) may obtain farm credit securities in definitive form only by causing the depositor of the reserve bank to order the withdrawal thereof from the reserve bank.

§ 615.5480 Servicing book-entry farm credit securities; payment of interest, payment at maturity or upon call.

Interest becoming due on book-entry farm credit securities shall be charged to the general account of the Treasurer of the United States on the interest-due date and remitted or credited in accordance with the instructions from the book-entry depositor. Book-entry farm credit securities shall be redeemed and charged to the general account of the Treasurer of the United States in accordance with the fiscal agency agreements between the banks of the Farm Credit System and the reserve bank and the redemption proceeds, principal, and interest shall be disposed of in accordance with the depositor's instructions.

DONALD B. ROARK,  
Acting Governor,  
Farm Credit Administration.

[FR Doc.72-15641 Filed 9-13-72;8:51 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Parts 1, 73 ]

[Docket No. 19530]

### INTERNATIONAL BROADCAST STATIONS

#### Frequency-hour Schedules; Order Ex- tending Time for Filing Comments and Reply Comments

In the matter of amendment of § 1.574 and Part 73, Subpart F, of the Commission's rules and regulations relating to International Broadcasting Stations, Docket No. 19530.

1. The notice of proposed rule making in the above-entitled proceeding was adopted on June 21, 1972, and published in the FEDERAL REGISTER on June 30, 1972, 37 F.R. 12969. The dates for filing comments and reply comments are September 5 and September 18, 1972, respectively.

2. On September 5, 1972, a request for an extension of time for the filing of comments and reply comments was filed by the attorneys for Mr. Lowell G. Perry. Counsel requests an extension to and including September 12, 1972, for the fil-

ing of comments. In support thereof it is stated the additional time, necessitated by press of other business, is needed to provide an opportunity to file full and complete comments.

3. We are of the view that the requested time is warranted and would serve the public interest: *Accordingly, it is ordered.* That the time for filing comments in the above docket is extended to and including September 12, and for the filing of reply comments to and including September 26, 1972.

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules and regulations.

Adopted: September 6, 1972.

Released: September 8, 1972.

[SEAL] WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[FR Doc.72-15650 Filed 9-13-72;8:47 am]

## FEDERAL POWER COMMISSION

[ 18 CFR Parts 41, 141, 158, 260 ]

[Docket No. R-453]

### ACCOUNTS, RECORDS, MEMORANDA AND ANNUAL REPORTS

#### Notice of Proposed Rule Making

SEPTEMBER 8, 1972.

Pursuant to 5 U.S.C. 553, sections 301, 304, and 309 of the Federal Power Act (49 Stat. 854, 855-856, 858-859; 16 U.S.C. 825, 825c, 825h) and sections 8, 10, and 16 of the Natural Gas Act (52 Stat. 825-826, 830; 15 U.S.C. 717g, 717i, 717o), the Commission gives notice it proposes to revise for the reporting year 1972:

A. Certain regulations prescribed by §§ 41.10 and 41.12 in Part 41 of Subchapter B, regulations under the Federal Power Act, Chapter I, Title 18, CFR.

B. Certain schedules of FPC Form No. 1 Annual Report for Electric Utilities and Licensees and Others (Class A and Class B) prescribed by § 141.1, Chapter I, Title 18, CFR.

C. Certain regulations prescribed by §§ 158.10 and 158.12 in Part 158 of Subchapter E, regulations under the Natural Gas Act, Chapter I, Title 18, CFR.

D. Certain schedules of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B) prescribed by § 260.1, Chapter I, Title 18, CFR.

The purpose of this proposed rulemaking is twofold: (1) To propose new requirements for public accountants certifying the Commission Annual Report Form schedules and conducting annual audits, and (2) to propose other minor schedule page changes to the Commission's Annual Report Forms No. 1 and No. 2.

The Commission's regulations, §§ 41.10 and 41.12 in Part 41 of subchapter B, regulations under the Federal Power Act, and 41.12 in Part 41 of Subchapter B, regulations under the Natural Gas Act, per-

taining to certification of compliance with accounting regulations are being recommended for amendment so that only independent certified accountants, or independent licensed public accountants who were licensed on or before December 31, 1970, will be authorized to certify certain schedules of the Commission's Annual Report Forms No. 1 and No. 2 and to conduct annual audits of companies regulated by the Federal Government after December 31, 1975.

This proposal will cause revisions to page i of FPC Annual Report Form No. 1 for Electric Utilities and Licensees and Others (Class A and Class B) and FPC Annual Report Form No. 2 for Natural Gas Companies (Class A and Class B), as set out in Attachments A and B. This proposal is essentially in harmony with a recent recommendation from the Comptroller General of the United States.<sup>1</sup>

An additional instruction is being proposed to schedule page 101A of FPC Annual Report Forms No. 1 and No. 2 requiring the name and address of the respondent's independent certified public accountants, or independent licensed public accountants who were licensed on or before December 31, 1970 (or registered public accountants through December 31, 1975), and date such accountants was engaged. Also, included in the instructions is the provision that, if one of the above accountants has been engaged as the principal accountant to audit the respondent's financial statements who was not the principal accountant was engaged. Also, included certified financial statements, the respondents state the date when such independent accountant was engaged.

Additionally, the Commission proposes to amend a number of schedule pages contained in its Annual Report Form No. 1 for Electric Utilities and Licensees and Others (Class A and Class B) and Annual Report Form No. 2 for Natural Gas Companies (Class A and Class B), for the reporting year 1972 as referred to below. These proposed revisions should cause only a slight increase in the reporting burden.

Schedule page 110, entitled Comparative Balance Sheet—Assets and Other Debits, of both Annual Report Forms No. 1 and No. 2 would be amended by separating Account 107, Construction Work in Progress, from the utility plant classification so that electric and gas plant in service can be readily determined.

Schedule page 118, entitled Source and Application of Funds for the Year, of both Annual Report Forms No. 1 and No. 2 would be amended to conform with the Accounting Principles Board Opinion No. 19 by changing the title of the schedules to Statement of Changes in Financial Position.

<sup>1</sup> Per Comptroller General of the United States letters dated May 12, 1970, and September 15, 1970. Subject: Qualifications of public accountants making audits of federally chartered, financed, or regulated private organizations. GAO File Nos. B-148144 and No. B-148114.



Schedule page 519, entitled Field and Main Line Industrial Sales of Natural Gas, of Annual Report Form No. 2 would be amended to provide information on deliveries made by the pipeline companies in the system peak day to firm and interruptible direct industrial customers. This information could then be compared to similar information now being reported on page 521 with respect to individual sales for resale and would be extremely useful in future curtailment, allocation and service compliant proceedings to determine how the pipelines are treating their direct and resale customers.

In view of the general gas shortage and the prospect that such shortage will continue indefinitely, it is believed the peak day delivery information should be reported in annual report Form No. 2 for the purposes cited above, particularly since it is expected that curtailment, allocation, and service compliant proceeding will increase in the future, as the curtailment schedules become operative.

Schedule page 560, entitled Underground Storage, of Annual Report Form No. 2 would be amended by making five minor changes to existing items primarily for clarification and classification purposes.

The revisions to the Commission's regulations under the Federal Power Act and to FPC Form No. 1, Annual Report would be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 301, 304, and 309 (49 Stat. 838, 854-855, 858, 16 U.S.C. sections 825, 825c, 825h).

The revisions to the Commission's regulations under the Natural Gas Act and to FPC Form No. 2 would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly sections 8, 10, and 16 therein (52 Stat. 825-826, 830; 15 U.S.C. sections 717g, 717i, and 717o).

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than October 23, 1972, data, views, comments, or suggestions in writing concerning all or part of the proposed amendments to the Uniforms Systems of Accounts and the proposed revised report forms. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the proposed revisions in the report forms pursuant to 44 U.S.C. 3501-3511 may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Statistical Policy Division, Office of Management and Budget, Washington, D.C. 20503. Submittals to the Commission should indicate the name, title, mailing address, and telephone number

of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed revisions. The staff, in its discretion, may grant or deny requests for conference.

(A) It is proposed to amend §§ 41.10 and 41.12, Chapter I, Title 18 of the Code of Federal Regulations by deleting references to independent licensed public accountants.

As so amended, this portion of §§ 41.10 and 41.12 will read:

CERTIFICATION OF COMPLIANCE WITH  
ACCOUNTING REGULATIONS

§ 41.10 Examination of accounts.

(a) All Class A and Class B public utilities and licensees shall secure, for the year 1968 and each year thereafter until December 31, 1975, the services of an independent certified public accountant, or independent licensed public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States, to test compliance in all material respects of those schedules as are indicated in the General Instructions set out in the Annual Report, Form No. 1, with the Commission's applicable Uniform System of Accounts and published accounting releases. The Commission expects that identification of questionable matters by the independent accountant will facilitate their early resolution and that the independent accountant will seek advisory rulings by the Commission on such items. This examination shall be deemed supplementary to periodic Commission examinations of compliance.

(b) Beginning January 1, 1976, and each year thereafter, only independent certified public accountants, or independent licensed public accountants who were licensed on or before December 31, 1970, will be authorized to conduct annual audits and to certify to compliance in all material respects, of those schedules as are indicated in the General Instructions set out in the Annual Report, Form No. 1, with the Commission's applicable Uniform System of Accounts, published accounting releases and all other regulatory matters.

§ 41.12 Qualifications of accountants.

The Commission will not recognize any certified public accountant or public accountant through December 31, 1975, who is not in fact independent. Beginning January 1, 1976, and each year thereafter, the Commission will recognize only independent certified public accountants, or independent licensed public accountants who were licensed on or before December 31, 1970, who are in fact independent. For example, an accountant will not be considered independent with respect to any person or any of its parents or subsidiaries in whom he has, or had during the period of report, any direct financial interest. The Commission will determine the fact of independence by considering all the relevant circumstances including evidence bearing on the

relationships between the accountant and that person or any affiliate thereof.

(B) Effective for the reporting year 1972, it is proposed to revise certain schedule pages of FPC Form No. 1, Annual Report for Electric Utilities, Licensees, and Others (Class A and Class B), prescribed by § 141.4, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment A.<sup>2</sup>

(C) It is proposed to amend §§ 158.10 and 158.12, Chapter I, Title 18 of the Code of Federal Regulations by deleting references to independent licensed public accountants.

As so amended, this portion of §§ 158.10 and 158.12 will read:

CERTIFICATION OF COMPLIANCE WITH  
ACCOUNTING REGULATIONS

§ 158.10 Examination of accounts.

(a) All Class A and Class B natural gas companies shall secure for the year 1968 and each year thereafter until December 31, 1975, the services of an independent certified public accountant, or independent licensed public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States, to test compliance in all material respects of those schedules as are indicated in the General Instructions set out in the Annual Report, Form No. 2, with the Commission's applicable Uniform System of Accounts and published accounting releases. The Commission expects that identification of questionable matters by the independent accountant will facilitate their early resolution and that the independent accountant will seek advisory rulings by the Commission on such items. This examination shall be deemed supplementary to periodic Commission examinations of compliance.

(b) Beginning January 1, 1976, and each year thereafter, only independent certified public accountants, or independent licensed public accountants who were licensed on or before December 31, 1970, will be authorized to conduct annual audits and to certify to compliance in all material respects, of those schedules as are indicated in the General Instructions set out in the Annual Report, Form No. 2, with the Commission's applicable Uniform System of Accounts, published accounting releases and all other regulatory matters.

§ 158.12 Qualifications of accountants.

The Commission will not recognize any certified public accountant or public accountant through December 31, 1975, who is not in fact independent. Beginning January 1, 1976, and each year thereafter, the Commission will recognize only independent certified public accountants, or independent licensed public accountants who were licensed on or before December 31, 1970, who are in fact independent. For example, an accountant will not be considered independent with respect to any person or any of its parents or subsidiaries in who he has, or had

<sup>2</sup> Filed as part of the original document.



during the period of report, any direct financial interest. The Commission will determine the fact of independence by considering all the relevant circumstances including evidence bearing on the relationships between the accountant and that person or any affiliate thereof.

(D) Effective for the reporting year 1972, it is proposed to revise certain schedule pages of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B), prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment B.<sup>2</sup>

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.72-15675 Filed 9-13-72;8:49 am]

## VETERANS ADMINISTRATION

[ 38 CFR Part 36 ]

### GUARANTEED AND INSURED HOME LOANS

#### Charges and Fees; Extension of Time for Filing Written Comments

On August 26, 1972, the Veterans Administration published notices of proposed regulatory development in the FEDERAL REGISTER at 37 F.R. 17424 and 17425. These notices proposed to amend Title 38 of the Code of Federal Regulations by amending § 36.4312. Interested persons were given the opportunity to submit written comments regarding the proposed amendment until September 26, 1972.

On July 4, 1972, the Department of Housing and Urban Development published proposed amendments at 37 F.R. 13185 and 13186 governing the amounts of settlement costs allowance in connection with mutual mortgage insurance and insured home improvement loans. Interested persons were given the opportunity to submit written comments until July 31, 1972, which date was extended to August 31, 1972, pursuant to a notice published in the FEDERAL REGISTER, August 1, 1972 (37 F.R. 15383). The date for submission of written comments was further extended to October 15, 1972, by notice published in the FEDERAL REGISTER of September 1, 1972 (37 F.R. 17855).

In view of the extension made by the Department of Housing and Urban Development and in order to insure that all interested persons have an opportunity to comment on the proposed amendments, the date for submission of written comments is hereby extended to October 15, 1972.

Approved: September 8, 1972.

By direction of the Administrator.

[SEAL] FRED B. RHODES,  
Deputy Administrator.

[FR Doc.72-15669 Filed 9-13-72;8:51 am]

<sup>2</sup> Filed as part of the original document.

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[ 33 CFR Part 117 ]

[CGD 72-178P]

### DEBBIES CREEK, MANASQUAN, N.J.

#### Proposed Drawbridge Operation Regulations

The Coast Guard is considering amending the regulations for the Monmouth County drawbridge across Debbies Creek at Brielle Road, Manasquan, N.J., to permit closed periods from Memorial Day through Labor Day from 7 a.m. to 8 p.m. The draw would open on the hour and half-hour during this period for any vessels waiting to pass. Present regulations require that the draw open on signal. This change is being considered because of an increase in vehicular traffic.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Third Coast Guard District, Governors Island, New York, N.Y. 10004. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

The Commander, Third Coast Guard District, will forward any comments received before October 24, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.215 by adding a new

subparagraph (5) to paragraph (j) to read as follows:

§ 117.215 Navigable streams flowing into Raritan Bay (except Raritan River and Arthur Kill), the Shrewsbury River and its tributaries, and all inlets on the Atlantic Ocean including their tributaries and canals between Sandy Hook and Bay Head, N.J.; bridges.

(j) \* \* \*

(5) *Debbies Creek, Manasquan, N.J.* The draw shall open on signal except that from Memorial Day through Labor Day from 7 a.m. to 8 p.m. the draw need open only on the hour and half hour if any vessels are waiting to pass.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 30 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1 (c) (4).)

Dated: September 7, 1972.

W. M. BENKERT,  
Rear Admiral, U.S. Coast Guard,  
Chief, Office of Marine Environment and Systems.

[FR Doc.72-15667 Filed 9-13-72;8:49 am]

## Federal Railroad Administration

[ 49 CFR Part 213 ]

[Docket No. RST-1A; Notice 1]

### TRACK SAFETY STANDARDS

#### Notice of Proposed Rule Making and Public Hearing

##### Correction

In F.R. Doc. 72-15262, appearing at page 18397, in the issue of Saturday, September 9, 1972, the following changes should be made:

- Under the first drawing on page 18399, insert the heading, "Supported Joint", and under the second drawing, insert the heading, "Suspended Joint".
- The table in § 213.113(a) (2), is changed to read as follows:

| Defect                     | Length of defect (inch)  |                   | Percent of railhead cross-sectional area weakened by defect |                   | If defective rail is not replaced, take the remedial action prescribed in note— |
|----------------------------|--------------------------|-------------------|---|-------------------|---|
|                            | More than                | But not more than | Less than   | But not less than |   |
| Transverse fissure.....    |                          |                   | 20  | 100               | A or B.   |
|                            |                          |                   | 100   | 100               | A.  |
|                            |                          |                   | 20  | 100               | B.  |
| Compound fissure.....      |                          |                   | 100   | 100               | A.  |
|                            |                          |                   | 20  | 100               | A.  |
| Detail fracture.....       |                          |                   | 20  | 100               | C.  |
| Engine burn fracture.....  |                          |                   | 100   | 100               | D.  |
| Defective weld.....        |                          |                   |   | 100               | A, or E and H.  |
| Horizontal split head..... | 0                        | 1/2               |   |                   | F and H.  |
| Vertical split head.....   | 0                        | 3                 |   |                   | I and G.  |
| Split web.....             | 3                        |                   |   |                   | B.  |
| Piped rail.....            |                          |                   |   |                   | A.  |
|                            | (Break out in rail-head) |                   |   |                   |   |
| Head web separation.....   | 0                        | 1/2               |   |                   | H and F.  |
|                            | 1/2                      | 1 1/2             |   |                   | I and G.  |
| Bolt hole crack.....       | 1 1/2                    |                   |   |                   | A.  |
|                            | 0                        | 6                 |   |                   | E and I.  |
| Broken base.....           | 6                        |                   |   |                   | Replace rail.   |
| Ordinary break.....        |                          |                   |   |                   | A or E.   |
| Damaged rail.....          |                          |                   |   |                   | C.  |



| Note   | Remedial action   |
|--------|---|
| A..... | Assign person designated under § 213.7 to personally supervise each operation over defective rail.  |
| B..... | Limit operating speed to 10 m.p.h. over defective rail.   |
| C..... | Apply angle bars bolted only through the outermost holes to defect within 20 days after it is determined to continue the track in use. In the case of classes 3 through 6 track, limit operating speed over defective rail to 30 m.p.h. until angle bars are applied; thereafter, limit speed to 60 m.p.h. or the maximum allowable speed under § 213.9 for the class of track concerned, whichever is lower. |
| D..... | Apply angle bars bolted only through the outermost holes to defect within 10 days after it is determined to continue the track in use. Limit operating speed over defective rail to 10 m.p.h. until angle bars are applied; thereafter, limit speed to 50 m.p.h. or the maximum allowable speed under § 213.9 for the class of track concerned, whichever is lower.   |
| E..... | Apply joint bars to defect and bolt in accordance with § 213.121 (d) and (e).   |
| F..... | Inspect rail 90 days after it is determined to continue the track in use.   |
| G..... | Inspect rail 30 days after it is determined to continue the track in use.   |
| H..... | Limit operating speed over defective rail to 50 m.p.h. or the maximum allowable speed under § 213.9 for the class of track concerned, whichever is lower.   |
| I..... | Limit operating speed over defective rail to 30 m.p.h. or the maximum allowable speed under § 213.9 for the class of track concerned, whichever is lower.   |



# Notices

## DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and  
Firearms

### NOTICE OF GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C. 925(c) the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding 1 year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Averett, Sanders, 2209 North 26th Street, Richmond, VA, convicted on May 7, 1931, in the Hastings Court, Richmond, VA.

Baker, Marcus, 706 Hudson Avenue, South Lebanon, OH, convicted on January 23, 1969, in the U.S. District Court for the Southern District of Ohio, Western Division.

Bendrick, Albert A., 7065 Seven Hills Boulevard, Seven Hills, OH, convicted on November 14, 1956, in the U.S. District Court, Northern District of Ohio.

Blankenship, Jonah L., Star Route 1, Argo, Ky., convicted on October 13, 1965, in the U.S. District Court for the Eastern District of Kentucky.

Brahm, Lester R., 1764 Olympic Street, Modesto, CA, convicted on May 11, 1970, in the Superior Court for Stanislaus County, Modesto, Calif.

Brinkman, James L., 626 Dawson Street, Waterloo, IA, convicted on February 12, 1960, in the District Court of Iowa, in and for Black Hawk County.

Burton, Earl Wesley, 5611 68th Street SE., Caledonia, MI, convicted on October 28, 1958, in the Circuit Court for Missaukee County, Mich.

Charters, Thomas W., 1202 Bradfield Street, Bay City, MI, convicted on May 6, 1958, in the Municipal Court for Bay City, Mich.

Chumley, Robert E., 3525 Milan Drive, Montgomery, AL, convicted on May 29, 1951, in the Circuit Court, Montgomery, Ala.

Cook, Judson Vernon, Jr., 5414 Woodpecker Road, Petersburg, VA, convicted on April 17, 1957, October 29, 1959, and July 25, 1962, in the Henrico County, VA, Circuit Court; and on July 23, 1962, and January 20, 1960, in the Richmond, VA, Hastings Court, Part I; and on November 16, 1959, in the Richmond, Va., Hastings Court, Part II.

Culver, Terry C., Route 2, Box 296, Sylacauga, AL, convicted on May 19, 1969, in the U.S. District Court for the Middle District of Alabama.

David, Richard P., 250 West Avenue, Harahan, LA, convicted on March 16, 1966, in the U.S. District Court for the Eastern District of Louisiana.

Evans, Lewis J. II, Post Office Box 727, Pine-  
dale, WY, convicted on October 31, 1966, in  
the Superior Court of the State of California  
for the County of Lake.

Fellers, Sherman L., Junction 47 and H High-  
ways, Box 128, Richwoods, MO, convicted  
on February 21, 1942, in the Superior Court,  
County of Cochise, Bisbee, Ariz.

Hardin, Homer H., 3068 West Bartlett Avenue,  
Milwaukee, WI, convicted on July 22, 1952,  
in the Municipal Court, City and County  
of Milwaukee.

Heard, Lonnie, 456 Chalmers Street, Detroit,  
MI, convicted on April 12, 1963, in the Re-  
corder's Court for the City of Detroit, Mich.

Hubert, John G., 43-27 247th Street, Little  
Neck, NY, convicted on June 6, 1952, in  
the Supreme Court, Queens County, N.Y.

Jones, Marshall, 4592 Pacific Street, Detroit,  
MI, convicted on February 6, 1959, in the  
U.S. District Court for the Eastern District  
of Michigan.

Kimbro, James C., 6073 Georgia Drive, North  
Highlands, CA, convicted on or about May  
22, 1968, in the U.S. District Court for the  
Eastern District of California.

Larson, William D., 1925 Edgewater Terrace,  
Topeka, KS, convicted on December 9, 1952,  
in the Superior Court of the State of Wash-  
ington in and for Snohomish County; De-  
cember 6, 1957, in the Municipal Court, Los  
Angeles County, Calif.; and on November  
12, 1969, in the District Court of Rawlins  
County, Kans.

Laster, Harvey D., 1335 17th Avenue South,  
Seattle, WA, convicted on February 20, 1946,  
in the Western District of the United  
States in Seattle, Wash.

Mahan, Thomas R., 30306 Seventh Avenue,  
SW., Federal Way, WA, convicted on Sep-  
tember 8, 1961, in the King County Super-  
ior Court, State of Washington.

Marlowe, Clifton W., Route 1, Box 119A, Cal-  
lands, VA, convicted on July 20, 1966, in  
the Circuit Court for the County of Henry  
at Martinsville, Va.

Millray, Edward P., 19061 Kipahula Lane,  
Huntington Beach, CA, convicted on Janu-  
ary 3, 1969, in the Superior Court, San  
Bernardino County, Calif.

Montgomery, David L., 10120 34th Avenue,  
SW., Seattle, WA, convicted on March 20,  
1952, in the Superior Court of the State of  
Washington for Snohomish County.

Morey, Jack T., 411 Reed Street, Kalamazoo,  
MI, convicted on December 17, 1962, in the  
Circuit Court for the County of Kalamazoo,  
Mich.

Mussich, Frank A., 375 Center Street, Auburn,  
ME, convicted on November 30, 1964, and  
September 30, 1966, in the 13th Circuit  
Court of the State of Connecticut, Enfield,  
Conn.

Patterson, George S., 1 Woodland Road, Med-  
way, MA, convicted on June 1, 1959, in the  
Essex County Court, Newark, NJ.

Rice, William A., Rural Delivery 1, Box 170,  
Lewes, DE, convicted on February 18, 1972,  
and March 16, 1972, in the Family Court  
for Sussex County, Del.

Rift, Richard D., 1625 N Street SW., Cedar  
Rapids, IA, convicted on December 15, 1956,  
in the Linn County District Court, Cedar  
Rapids, Iowa.

Simpson, Curtis M., 1265A Federal Drive,  
Montgomery, AL, convicted on May 25, 1970,  
in the Montgomery County, Ala., Circuit  
Court.

Talley, Carroll B., 19310 Richmond Beach  
Drive NW., Seattle, WA, convicted on Janu-  
ary 15, 1951, in the District Court for Polk  
County, Iowa.

Triesh, John Emmert, Box 343, Mont Alto, PA,  
convicted on August 4, 1971, Franklin  
County Court of Quarter Sessions at Cham-  
bersburg, Pa.

Underwood, Shirley B., Route No. 3, Ferrum,  
Va., convicted on January 10, 1947, and  
November 12, 1951, in the U.S. District  
Court for the Western Judicial District of  
Virginia.

White, Amelio A., Sr., 953 East Fisher Street,  
Pensacola, FL, convicted on May 16, 1969,  
in the U.S. District Court for the Northern  
District of Florida.

Whitebread, Chester M., Jr., 2630 Maverick  
Lane, Lawrence, KS, convicted on March  
4, 1957, in the District Court of Shawnee  
County, Kans.

Wyrembelski, Anthony J., 8980 Fifteen Mile  
Road, Sterling Heights, MI, convicted on or  
about June 3, 1936, in the Macomb County  
Circuit Court, Mount Clemens, Mich.; and  
on July 18, 1945, in the Circuit Court of St.  
Clair County, Port Huron, Mich.

Signed at Washington, D.C., this 6th  
day of September 1972.

[SEAL]

REX D. DAVIS,

Acting Director, Bureau of  
Alcohol, Tobacco and Firearms.

[FR Doc.72-15701 Filed 9-13-72;8:51 am]

## DEPARTMENT OF DEFENSE

Office of the Secretary

### DEFENSE CIVIL PREPAREDNESS AGENCY

The Deputy Secretary of Defense ap-  
proved the following on July 14, 1972:

Refs: (a) Federal Civil Defense Act of  
1950, as amended, 50 U.S.C. App. 2251 et  
seq.

(b) Executive Order 10952, "Assigning  
Civil Defense Responsibilities to the Sec-  
retary of Defense and Others," July 20,  
1961.

(c) Executive Order 11575, "Providing  
for the Administration of the Disaster  
Relief Act of 1970," (Public Law 91-606),  
December 31, 1970.

(d) Executive Order 11051, "Prescrib-  
ing Responsibilities of the Office of  
Emergency Preparedness in the Execu-  
tive Office of the President," September  
27, 1962.

(e) Executive Order 11490, "Assigning  
Emergency Preparedness Functions to  
Federal Departments and Agencies,"  
October 28, 1969, as amended.

(f) through (i) are listed in Enclosure  
2.



## I. GENERAL

Pursuant to authority vested in the Secretary of Defense under the provisions of 10 U.S.C. the Defense Civil Preparedness Agency (DCPA) is hereby established as an Agency of the Department of Defense under the direction, authority, and control of the Secretary of Defense and subject to DOD policies, directives, and instructions.

## II. MISSION AND SCOPE

## A. The DCPA mission is to:

1. Discharge and perform the civil defense functions delegated to the Secretary of Defense pursuant to section 1, Executive Order 10952 (reference (b));
2. Discharge and perform the disaster warning function delegated to the Secretary of Defense pursuant to section 1(c), Executive Order 11575 (reference (c));
3. Provide natural disaster preparedness planning assistance to State and local governments in accordance with agreements between the Director, DCPA, acting on behalf of the Secretary of Defense, and the Director, Office of Emergency Preparedness (OEP) and other Government departments and agencies and in consonance with policy guidance provided by the Director, OEP pursuant to Executive Orders 11575 and 11051 (references (c) and (d)).

B. The efforts and operations of DCPA will be designed to provide an effective and viable National Civil Defense Program in accordance with references (a) and (b). DCPA will, in addition, provide planning guidance and assistance to State and local governments in natural disaster preparedness in consonance with I.A.3 above.

C. DCPA operations will be conducted within the United States and U.S. territories and possessions and the Commonwealth of Puerto Rico.

D. As used in this directive, DOD components shall refer to the Office of the Secretary of Defense, Organization of the Joint Chiefs of Staff, the Military Departments, and the Defense Agencies.

E. This directive does not derogate the authorities and responsibilities set forth in DOD Directives 3025.1,<sup>1</sup> 3025.10, 5105.22, and 5100.30 (references (g), (h), (i), and (j)).

## III. ORGANIZATION

## A. DCPA shall consist of:

1. A Director, a Deputy Director, a headquarters establishment, regional offices and such subordinate facilities and activities as are herein or hereafter specifically assigned to the Agency by the Secretary of Defense.

2. Such subordinate activities as may be established by the Director, DCPA, for the accomplishment of DCPA's mission.

B. The chain of command shall run from the Secretary of Defense to the Director, DCPA.

<sup>1</sup> Filed as part of original. Copies are available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120, Attention: Code 300.

## IV. RESPONSIBILITIES

The Director, DCPA, in coordination with Federal, State, and local governments, shall be responsible for the development and execution of:

A. *Civil defense preparedness.* 1. A shelter program including evacuation and movement to shelter;

2. A chemical, biological, and radiological warfare defense program;

3. Steps necessary to warn or alert Federal military and civilian authorities, State officials and the civilian population of enemy attack upon the United States. (Responsibility for developing, deploying, and operating military surveillance and warning systems remains with the appropriate military department);

4. Civil defense communications, including an appropriate warning network, communications between authorities, and communications procedures for reporting on radiological monitoring and instructions to shelters;

5. Emergency assistance to State and local governments in a postattack period;

6. Protection and emergency operational capability of State and local government agencies in keeping with plans for the continuity of government;

7. Programs for making financial contributions for civil defense purposes to the States;

8. Plans and the operation of systems to undertake a nationwide postattack assessment of the nature and extent of the damage resulting from enemy attack and the surviving resources, including systems to monitor and report specific hazards resulting from the detonation or use of special weapons. (Such assessment should address civilian resources, whereas the military departments retain primary responsibility for assessing damage to military resources);

9. Necessary arrangements for the donation of Federal surplus property in accordance with section 203(j)(4) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(j)(4)); and

10. The establishment and administration of a Civil Defense Advisory Committee to advise the Secretary of Defense.

B. *Natural disaster preparedness.* 1. A program to utilize and make available the civil defense communications system for the purpose of disaster warnings.

2. Programs to provide planning assistance to State and local governments in their development of natural disaster preparedness plans and capabilities in accordance with II. A. 3.

## V. FUNCTIONS

Under its Director, DCPA, will perform the following functions:

A. *Civil defense preparedness—1. Emergency management assistance.* a. Provide financial assistance to State and local governments for necessary and essential civil defense personnel and administrative expenses and other authorized programs in accordance with reference (a).

b. Provide guidance and assistance to State and local government for comprehensive civil defense preparedness.

2. *National shelter system.* a. In consonance with Presidential or Secretary of Defense policy guidance, develop national program objectives and requirements for implementation for the National Shelter System against the effects of enemy attack.

b. Establish protection standards.

c. Perform shelter survey and marking using as appropriate the capability of the Department of Army Corps of Engineers and the Department of Navy Facilities and Engineering Command, including shelter surveys on military installations upon request of the installation commander or furnish technical support for survey work by installation personnel. DCPA will furnish technical guidance and materiel for marking of shelters on installations and shelter supplies as available and as requested by installation commanders.

d. Develop (1) guidance and provide technical assistance to State and local governments on survey design, construction, preparation, equipping, and maintenance of shelters, and (2) methods of providing protection against enemy attack effects for use by State and local governments.

e. Develop techniques for the incorporation of protection into structures and encourage incorporation of protective features and vulnerability reduction into new and existing Federal, federally assisted and military facilities as well as other new and existing facilities in accordance with references (e) and (f).

f. Provide guidance to the Defense Supply Agency for the procurement, storage, distribution, maintenance and disposal of DCPA supplies and equipment.

g. Develop plans for implementation during periods of international crises of an evacuation program and an expedient shelter program.

h. Maintain inventory data on shelter facilities.

i. Provide guidance, information materials, training, and support to State and local governments relating to the development of shelters and shelter utilization plans.

3. *Civil defense warning and communications system.* a. In cooperation with the Department of the Army and in coordination with the Assistant Secretary of Defense (Telecommunications) assure the establishment, operation, management, and maintenance of emergency communications for civil defense purposes between the Federal Government and the States and correlate the civil defense communications system with other DOD communications systems.

b. Provide technical assistance to State and local governments in establishing communications systems to support civil defense operations.

c. Develop programs to utilize the skills and equipment of radio amateurs.

d. Maintain liaison within the North American Air Defense Command



(NORAD) Combat Operations Center for timely dissemination of attack warning data.

e. In cooperation with the Department of the Army and in correlation with DOD communications systems, establish, operate, and maintain a national civil defense warning system for the transmission of enemy attack warning information to all levels of government and to the public.

f. Disseminate appropriate information on civil defense posture.

g. Provide to the Department of the Army current forecasts of the resource support requirements for DCPA communications and civil defense warning systems for which the Department of the Army is assigned responsibilities.

4. *Radiological monitoring and reporting.* a. Procure, stockpile, grant, or loan radiological defense equipment to Federal departments and agencies and State and local governments, and provide a system to store, distribute, replace, maintain, and calibrate such equipment.

b. Provide criteria and guidance materials to assist Federal departments and agencies, State and local governments in developing, implementing, and operating radiological monitoring and reporting systems.

c. Develop and distribute guidance materials to assure standardization of procedures on use of radiological defense equipment.

d. Establish a system and procedures for reporting, analyzing, and evaluating radiological hazards resulting from an enemy attack.

e. Provide appropriate financial assistance to State and local governments for the maintenance of their radiological monitoring and reporting systems.

f. Plot the radiological information in an enemy attack situation and evaluate and analyze the broadscale hazards from radiological effects and make such information available to representatives of Federal departments and agencies, the military departments, DCPA regions and the States.

g. Provide guidance and assistance to State and local governments in preparing for and dealing with radiological accidents in accordance with agreements with other Federal departments and agencies.

5. *Emergency public information.* In consonance with the policy guidance of the Assistant Secretary of Defense (Public Affairs):

a. Provide prepositioned information and materials to be used in enemy attack situations.

b. Provide policy guidance for broadcasting emergency public information on civil defense.

c. Provide survival instructions and other emergency information on civil defense to the public by press, radio, and TV directly or through State and local governments as appropriate.

6. *Emergency assistance to State and local governments (Postattack Period).*

a. Advise on measures to strengthen existing organizations and assure optimum effectiveness in utilization of resources for civil defense purposes.

b. Develop plans to provide Federal support and assistance to State and local governments for civil defense emergency operations.

c. Provide technical guidance and assistance to State and local governments to enable them to undertake civil defense emergency operations rapidly, and encourage industry, labor organizations, professional groups, and civic organizations to develop technical information and furnish assistance in developing emergency operations plans.

d. Determine quantities of supplies and equipment required to be stockpiled for civil defense purposes and coordinate the establishment of stockpile programs and deployment in an emergency, as appropriate.

7. *Damage assessment.* a. Determine requirements and develop systems for estimating casualties and damage to civilian resources resulting from enemy attack; advise and assist Federal departments and agencies and State and local governments in establishing damage estimation systems, and application of techniques and procedures.

b. Maintain a data base of resources and services necessary for preattack planning of civil defense emergency operations, vulnerability reduction, damage estimation, and program evaluation.

c. Develop and provide technical weapons effects information, maps, and instructions related to estimating damage and for use in emergency operations.

d. Provide information to civil government on detonations resulting from enemy attack (Nuclear Detonation Reporting System); process, analyze, and evaluate enemy attack damage and situation information.

8. *Emergency Operation Centers (EOC's).* a. Develop and establish design criteria for EOC's; establish and operate DCPA EOC's.

b. Provide appropriate financial assistance to State and local governments for planning, constructing, and equipping EOC's.

c. Develop and establish criteria and provide guidance on location of State and local EOC's and provide guidance on equipping such centers.

9. *Training and education.* a. Develop and establish programs to provide training for civil defense emergency planning and operations personnel requiring specialized training.

b. Support State and local civil defense and disaster preparedness training programs through instruction of potential State and local instructors. (Training programs in natural disaster preparedness will be conducted in consonance with policy guidance of the Director, OEP.)

c. Establish, operate, and maintain the Civil Preparedness Staff College and training centers; develop and conduct courses to familiarize officials of government, industry, and the military with the knowledge, skills, and techniques required by the civil defense preparedness program.

d. Provide appropriate financial assistance to State and local governments for civil defense training purposes.

e. Collaborate and maintain liaison with other Federal departments and agencies to utilize their training and education resources for civil defense preparedness purposes.

f. Provide technical guidance and assistance to nongovernment groups, associations, and organizations which conduct and sponsor civil defense preparedness training.

g. Establish general public education programs including the use of established school systems.

h. Prepare, publish, and maintain necessary and essential training materials for Federal, State, and local government use.

i. Formulate overall civil defense test and exercise programs:

(1) Direct, conduct, and participate in national exercises to determine adequacy, feasibility, and effectiveness of civil defense emergency operations, plans, activities, and systems.

(2) Coordinate with and provide Federal departments and agencies and State and local governments with assumptions, guidelines, aid, and situational material necessary for participating in national, State, or local civil defense exercises.

j. Provide technical guidance and assistance to specialized professional groups, such as architects, engineers, and urban designers, whose expertise is related to shelter development.

k. Establish specialized education programs for professional persons, whose expertise is related to shelter development, including faculty of professional schools in selected universities.

10. *Public information.* In consonance with policy guidance of the Assistant Secretary of Defense (Public Affairs) and in accordance with the statutory authority (50 U.S.C. App. 2281(f)) to publicly disseminate civil defense information:

a. Develop a comprehensive national public information program (to include preparation and distribution of information materials) on the programs of the DCPA.

b. Advise and assist Federal, State, and local authorities and agencies, as well as information media, businesses and industries, labor, and national organizations and civic groups in the preparation and conduct of activities in support of the national information program.

c. Prepare and distribute emergency information materials dealing with measures and actions useful to individuals, families, and community groups at the time of a disaster caused by enemy attack.

11. *Federal assistance.* a. Assist State and local governments with Federal funds and, working through the Department of Health, Education, and Welfare, with Federal surplus property for civil defense purposes.

b. In coordination with the Director, Defense Supply Agency, participate in the DOD property utilization program for authorized purposes.

12. *Research and development.* a. In coordination with the Director of Defense Research and Engineering, develop, establish, and administer research



and development projects designed to meet existing and projected needs for civil defense planning and operations.

b. Compile, review, analyze, and evaluate available research and data from research sources to determine applicability for civil defense purposes and to assure utilization by civil defense organizations.

13. *International activities.* a. In cooperation with the Department of State and in coordination with the Assistant Secretary of Defense (Installations and Logistics) maintain liaison with and assist friendly foreign nations and international organizations in developing and improving civil defense programs.

(1) Represent the U.S. in NATO civil defense committee meetings, and in other international conferences, and develop and coordinate the U.S. position with respect to all phases of civil defense planning.

(2) Maintain a program for the exchange of public, technical, and research information on civil defense with friendly foreign nations and international organizations.

b. Consult and cooperate with Canadian officials on civil emergency planning in order to achieve maximum degree of compatibility feasible between emergency plans and systems of the two countries in accordance with reference (1).

14. *Civil Defense Advisory Committee.* a. The Civil Defense Advisory Committee is hereby established to advise the Secretary of Defense on the Civil Defense Program for which the Secretary of Defense is responsible pursuant to Executive Order 10952 (reference (b)). The Committee Chairman will be the Director, DCPA. Members will include:

Representatives of the secretaries of the military departments.

Representative of the Assistant Secretary of Defense (Comptroller).

Representative of the Assistant Secretary of Defense (Installations and Logistics).

Representative of the Assistant Secretary of Defense (Systems Analysis).

Representative of the Chairman, Joint Chiefs of Staff.

Representative State and local government civil defense officials.

b. State and local government civil defense members of the Committee shall be nominated by the Director, DCPA, and appointed and requested to serve at the pleasure of the Secretary of Defense.

c. The Director, DCPA, as Chairman will:

(1) Develop parameters and functions of the Committee consistent with 14.a. above.

(2) Coordinate, schedule, and prepare agenda for meetings of the Committee and provide administration and reporting requirements therefor.

B. *Natural disaster preparedness assistance.* 1. In accordance with agreements between the Director, DCPA, acting on behalf of the Secretary of Defense and the Director, OEP, and subject to the policy guidance of the Director, OEP, DCPA shall:

a. Advise and assist State and local governments in their development of

dual purpose disaster preparedness plans (enemy attack and natural disaster).

b. Provide detailed assessment of the status of local government emergency preparedness to respond to major disasters and other local emergencies.

c. Assist State and local governments in their training of State and local officials for disaster emergency operations.

2. Make available and utilize the civil defense communications system for the purpose of natural disaster warning pursuant to Executive Order 11575 (reference (c)).

3. Assist State and local governments in times of emergency through loan of DCPA stockpiled supplies and equipment.

#### VI. AUTHORITIES

A delegation of the administrative authorities required by the Director, DCPA, to administer and direct the operations of the Agency is contained in Enclosure 1 of this directive. In the performance of assigned responsibilities and functions of the Agency, the Director, DCPA, is specifically delegated authority to:

A. Operate and control the activities and facilities assigned to DCPA.

B. Have free and direct access to and communication with DOD components and other executive departments and agencies as necessary in the performance of DCPA functions.

C. As authorized and directed by the Secretary of Defense, prescribe DOD-wide procedures, standards, and practices governing the execution of assigned responsibilities and functions.

D. Obtain from any DOD component information which is necessary for the performance of DCPA functions.

E. Direct the consolidation, centralization, or elimination of DCPA facilities, operations, and functions in order to achieve maximum efficiency, economy, and effectiveness.

F. Submit annually through the Secretary of Defense a written report to the President and the Congress covering expenditures, contributions, work, and accomplishments accompanied by such recommendations as deemed appropriate pursuant to section 2258, 50 U.S.C. App. (reference (a)) and section 5, reference (b).

G. Prepare and submit the annual civil defense budget in accordance with the policies and procedures prescribed by the Assistant Secretary of Defense (Comptroller).

H. Provide membership on the Joint United States/Canada Civil Emergency Planning Committee (JCEPC).

#### VII. COROLLARY RESPONSIBILITIES

A. The Secretary of the Army will provide communications support to the Director, DCPA, to carry out the assigned communications and warning responsibilities and functions of the Agency. Such support will include budgeting, funding, procurement, field (user) level of operation and maintenance. The Department of the Army will provide depot level maintenance support in accordance with the annual memorandum of instruction

delineated in VII.C. below. This support includes:

1. Direct support of DCPA's national, State, and local communications and warning programs.

2. Planning, programing, detailed engineering, procurement, transportation, installation, testing, acceptance, manning, activation, operation, maintenance, training, logistics of assigned DCPA communications and warning systems (excludes investment funding and deployment for the Decision Information Distribution System (DIDS-CD)). Programing of major telecommunications<sup>1</sup> requirements will be in accordance with DOD Directive 4630.1 (reference (k)).

3. Developing communications subsystem/project plans.

4. Maintenance of the DCPA Radiological Defense Instrumentation Test Facility (RADITF).

5. Providing priority to DCPA communications and warning systems.

6. Advising the Director, DCPA, of shortages of funds, personnel, or facilities which would prevent effective operation and maintenance of existing systems or prevent or delay scheduled implementation of new facilities; coordinating with the Director, DCPA, on adjustments in approved program funds, personnel, or facilities that would affect the schedule or scope of new projects or the fulfillment of ongoing projects.

B. The Secretaries of the Army and the Navy will provide, as available assets permit, engineering support to the Director, DCPA, to carry out the shelter survey and marking program and Emergency Operations Center (EOC) responsibilities and functions of the Agency. When such services do not interfere with primary military missions, engineering support will include shelter survey and community shelter planning activities, as requested by DCPA to support State and local governments in carrying out civil defense responsibilities; construction services, including planning, design, and supervision of construction, and other technical support and services as requested by DCPA.

C. The Director, DCPA, will furnish annual memoranda of instruction, or their equivalent, within the DCPA 5-year program projection, to the Secretary of the Army describing program areas and types of support required. These memoranda will establish program details based on available funds for a particular fiscal year, together with suitable work orders and necessary funds to accomplish the work directed. (Manpower requirements necessary to perform assigned engineering support of DCPA missions will be prepared in coordination with the Assistant Secretary of Defense (Manpower and Reserve Affairs) and will be considered in the establishment of the Department of the Army civilian manpower ceilings.)

<sup>1</sup> Filed as part of original. Copies are available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120, Attention: Code 300.



D. The Secretary of the Army will provide administrative support to the Director, DCPA, in accordance with agreements between the Secretary of the Army and the Director, DCPA.

E. DOD real property facilities used by DCPA shall be under the jurisdiction of the Department of the Army and permitted for use by DCPA.

F. The Director, Defense Supply Agency, will, on a reimbursable basis, provide logistics support to the Director, Defense Civil Preparedness Agency, for civil defense supplies and equipment. (Logistics support will encompass transportation services and all elements of supply management to include cataloging, procurement, sale, quality control, storage, distribution, inventory control, reporting, maintenance, inspection, surveillance of supplies in public fallout shelters and disposal service.)

#### VIII. RELATIONSHIPS

A. In the performance of his functions, the Director, DCPA, shall:

1. Maintain appropriate liaison with other components of the DOD and other agencies of the executive branch of the exchange of information on programs in the field of assigned responsibilities.
2. Maintain close working relationship with the Department of the Army to insure integration of effort with respect to military support of civil defense and military support in natural disasters.
3. Make full use of established facilities in the Office of the Secretary of Defense, other DOD components, and other Government agencies rather than unnecessarily duplicating such facilities.
4. Insure that appropriate DOD components are kept fully informed concerning DCPA activities of substantive concern to them.
5. Coordinate with the Joint Chiefs of Staff and the military departments, as appropriate, on actions that would require the employment of military forces or the use of military department resources.

B. The Assistant Secretary of Defense (Comptroller) will exercise primary staff supervision over DCPA on behalf of the Secretary of Defense. He shall prescribe principles and policies to be followed in connection with organizational and administrative matters related to the DCPA mission.

#### IX. ADMINISTRATION

A. The Director shall be a civilian appointed by the Secretary of Defense.

B. The assignment to the Agency and its subordinate activities of other personnel will be in accordance with staffing plans approved by the Secretary of Defense.

C. Programing, budgeting, funding, auditing, and accounting activities of DCPA will be in accordance with policy and procedures established by the Assistant Secretary of Defense (Comptroller).

#### X. IMPLEMENTATION

A. Specific assignments in further implementation of responsibilities and functions described herein will be issued

by means of the DOD Directive System.

B. Assumption of assigned responsibilities and functions not already being performed by DCPA will be in accordance with phased schedules approved by the Secretary of Defense.

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

#### DELEGATIONS OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, the Director, DCPA, or, in the absence of the Director, the person acting for him is hereby delegated, subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD policies, directives, and instructions, and pertinent OSD regulations, authority as required in the administration and operation of DCPA to:

1. Exercise the powers vested in the Secretary of Defense by section 3101 of title 5, U.S.C. and section 302 of title 5, U.S.C. pertaining to the employment, direction and general administration of DCPA civilian personnel.

2. Fix rates of pay for wage board employees exempted from the Classification Act by 5 U.S.C. 5102(c)(7) on the basis of rates established under the Coordinated Federal Wage System. DCPA, in fixing such rates, shall follow the wage schedules established by DOD Wage Fixing Authority.

3. Establish such advisory committees and employ such part-time advisers as approved by the Secretary of Defense for the performance of DCPA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109(b), and the Agreement between the DoD and the Civil Service Commission on employment of experts and consultants, dated July 23, 1959. This shall include the establishment of a Civil Defense Advisory Committee; State and local government civil defense members of the Committee shall be nominated by the Director, DCPA but appointed and serve at the pleasure of the Secretary of Defense.

4. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with the provisions of the Act of June 26, 1943, as amended, 5 U.S.C. 2903(b) and designate in writing, as may be necessary, officers and employees of DCPA to perform this function.

5. Establish a DCPA Incentive Awards Board and pay cash awards to and incur necessary expenses for the honorary recognition of civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect DCPA or its subordinate activities in accordance with the provisions of the Act of September 1, 1954, as amended, 5 U.S.C. 4503 and Civil Service Regulations.

6. Perform the following in accordance with the provisions of the Act of August 26, 1950, as amended (5 U.S.C. 7532); Executive Order 10450, dated April 27, 1953, as amended; and DOD Directive 5210.7, dated September 2, 1966 (as revised) (32 CFR 156):

a. Designate any appropriate position in DCPA as a "sensitive" position;

b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in the Agency for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed; and

c. Authorize the suspension, but not to terminate the services of an employee in the

interest of national security in positions within DCPA.

7. Clear DCPA personnel and such other individuals as may be appropriate for access to classified Defense material and information in accordance with the provisions of DOD Directive 5210.8,<sup>1</sup> dated February 15, 1962 (as revised), "Policy on Investigation and Clearance of Department of Defense Personnel for Access to Classified Defense Information" and of Executive Order 11652, dated March 8, 1972.

8. Act as agent for the collection and payment of employment taxes imposed by Chapter 21 of the Internal Revenue Code of 1954, and, as such agent, make all determinations and certifications required or provided for under section 3122 of the Internal Revenue Code of 1954, 26 U.S.C. 3122, and section 205 (p) (1) and (2) of the Social Security Act, as amended (42 U.S.C. 405(p) (1) and (2)) with respect to DCPA employees.

9. Authorize and approve overtime work for DCPA civilian officers and employees in accordance with the provisions of section 550.111 of the Civil Service Regulations.

10. Authorize and approve:

a. Travel for DCPA civilian officers and employees in accordance with Joint Travel Regulations, Volume 2, Department of Defense Civilian Personnel, dated July 1, 1965, as amended.

b. Temporary duty travel only for military personnel assigned or detailed to DCPA in accordance with Joint Travel Regulations, Volume 1, for Members of the Uniformed Services, dated November 1969, as amended.

c. Invitational travel to persons serving without compensation whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to or in connection with DCPA activities, pursuant to the provisions of Section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 5703).

11. Approve the expenditure of funds available for travel by military personnel assigned or detailed to DCPA for expenses incident to attendance at meetings of technical, scientific, professional or other similar organizations in such instances where the approval of the Secretary of Defense or his designee is required by law (37 U.S.C. 412). This authority cannot be redelegated.

12. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to the provisions of section 506(b) of the Federal Records Act of 1950 (44 U.S.C. 3102).

13. Establish and use Imprest Funds for making small purchases of material and services other than personal for DCPA when it is determined more advantageous and consistent with the best interests of the Government, in accordance with the provisions of DoD Instruction 7280.1,<sup>1</sup> dated August 24, 1970, and the Joint Regulation of the General Services Administration—Treasury Department—General Accounting Office, entitled "For Small Purchases Utilizing Imprest Funds."

14. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of DCPA (44 U.S.C. 3702).

15. a. Establish and maintain appropriate Property Accounts for DCPA.

b. Appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DCPA property contained in the authorized Property Accounts

<sup>1</sup> Filed as part of original. Copies are available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 300.



that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

16. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DCPA, pursuant to paragraph III.A. and V.B. of DOD Directive 5200.8, dated August 20, 1954 (19 FR 5446).

17. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DOD Directive 5025.1,<sup>1</sup> dated March 7, 1961.

18. Enter into support and service agreements with DOD components or other Government agencies as required for the effective performance of responsibilities and functions assigned to DCPA.

19. Exercise the authority delegated to the Secretary of Defense by the Administrator of General Services Administration with respect to the disposal of surplus personal property.

20. Issue appropriate implementing documents and establish internal procedures to assure that the selection and acquisition of ADP resources are conducted within the policies contained in DOD Directive 4105.55,<sup>1</sup> dated May 19, 1972, the Federal Property Management Regulations and Armed Services Procurement Regulations.

21. Enter into and administer contracts, directly or through a military department, a DOD contract administration services component, or other Government department or agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the DCPA. Enter into contracts for supplies, equipment, and services for civil defense purposes and, subject to the limitation contained in section 2311, Chapter 137, 10 U.S.C., to make the necessary determinations and findings required under that chapter.

The Director, DCPA, may redelegate these authorities as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

Refs.: (f) Military Construction Authorization Act of 1967, as amended (Public Law 89-568; Public Law 90-110), 50 U.S.C. App. 2287.

(g) DOD Directive 3025.1, "Employment of Military Resources in Natural Disaster Emergencies Within the United States, Its Territories and Possessions," August 30, 1971.<sup>1</sup>

(h) DOD Directive 3025.10, "Military Support of Civil Defense," March 29, 1965 (32 CFR Part 185).

(i) DOD Directive 5105.22, "Defense Supply Agency (DSA)," December 9, 1965 (31 FR 4246).

(j) DOD Directive 5100.30, "World-Wide Military Command and Control System (WWMCCS)," December 2, 1971 (37 FR 3998).

(k) DOD Directive 4630.1, "Programming of Major Telecommunications Requirements," April 24, 1968.<sup>1</sup>

(l) Civil Emergency Planning Agreement Between the United States of America and Canada Effected by Exchange of Notes signed at Ottawa August 8, 1967. (Treaties and other International Acts Series 6325.)<sup>2</sup>

[FR Doc.72-15636 Filed 9-13-72;8:51 am]

<sup>1</sup>Filed as part of the original document.

## DEPARTMENT OF AGRICULTURE

### Rural Electrification Administration

#### TRISTATE GENERATION AND TRANSMISSION ASSOCIATION, INC.

#### Availability of Final Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a final environmental statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan to Tristate Generation and Transmission Association, Inc., Post Office Box 29198, Denver, CO 80229. This loan includes financing for approximately eighty (80) miles of 230 kv. transmission line between Midway and Limon, Colo. and a 230/115 kv. stepdown substation at Limon, Colo.

Additional information may be secured on request, submitted to Mr. James N. Myers, Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The final environmental statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4322 or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 8th day of September 1972.

E. C. WEITZELL,  
Acting Administrator,  
Rural Electrification Administration.  
[FR Doc.72-15698 Filed 9-13-72;8:51 am]

## DEPARTMENT OF COMMERCE

### Maritime Administration

[Docket No. S-292]

### AMERICAN STEAMSHIP CO.

#### Notice of Application

Notice is hereby given that American Steamship Co. has filed an application to amend the description of the service area of its 2-year operating-differential subsidy agreement, contract No. MA/MSB-137 to read as follows:

I-2 Description of Subsidized Essential Service(s) (a) Each calendar year during the period of this agreement, the operator shall operate the vessels described in Article I-3 hereof not more than 260 calendar days in

dry bulk cargo carrying service in the U.S. foreign commerce between any and all U.S. ports on the Great Lakes, connecting rivers and St. Lawrence River and Canadian ports on the Great Lakes, connecting rivers, St. Lawrence River and Gulf of St. Lawrence.

Any party having an interest in such application and who would contest a finding of the Board that the service now provided by vessels of U.S. registry in the carriage of dry bulk cargo tonnage moving in the foreign commerce of the United States in the above described areas is inadequate, must, on or before September 22, 1972, notify the Secretary in writing of his interest and of his position and file a petition for leave to intervene in accordance with the Board's rules of practice and procedure (46 CFR Part 201). Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Act, and with as much specificity as possible the facts that the intervenor would undertake to prove at such hearing.

In the event that a section 605(c) hearing is ordered to be held, the purpose of such hearing will be to receive evidence relevant to whether the service already provided by vessels of U.S. registry for the transportation of dry bulk cargo tonnage in the above described areas in the foreign commerce of the United States is inadequate and whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

By Order of the Maritime Subsidy Board/Maritime Administration.

Dated: September 12, 1972.

JAMES S. DAWSON, JR.,  
Secretary.

[FR Doc.72-15765 Filed 9-13-72;8:53 am]

## FIRST NATIONAL BANK OF CHICAGO

### Notice of Approval of Applicant as Trustee

Notice is hereby given that The First National Bank of Chicago, with offices at 1 First National Plaza, Chicago, Ill., has been approved as trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: September 8, 1972.

BURT KYLE,  
Chief,  
Office of Domestic Shipping,

[FR Doc.72-15766 Filed 9-13-72;8:53 am]



**Social and Economic Statistics  
Administration**

**CENSUS ADVISORY COMMITTEE ON  
PRIVACY AND CONFIDENTIALITY**

**Notice of Public Meeting**

The Census Advisory Committee on Privacy and Confidentiality will convene on September 25, 1972, at 9:30 a.m. The Committee will meet in Room 2113, Federal Building 3, at the Bureau of the Census in Suitland, Md.

The Census Advisory Committee on Privacy and Confidentiality was established on October 7, 1971, to advise the Director, Bureau of the Census, on policy and procedure concerning the purpose and scope of census inquiries and on all aspects of privacy and confidentiality as they relate to the statistical work of the Bureau.

The Committee is composed of 10 members appointed by the Secretary of Commerce.

The agenda for the meeting includes: (1) A review of current legislation on privacy and confidentiality as it relates to data collected from households, industry, business, and other establishments, (2) electronic data processing and confidentiality of data, and (3) issues in connection with privacy and confidentiality.

A limited number of seats—approximately 15—will be available to the public. A brief period will be set aside for

public comment. Questions or extended statements must be submitted in writing to the committee guidance and control officer at least 3 days prior to the meeting.

Persons wishing additional information concerning this meeting should contact the committee guidance and control officer, Mr. Mathew E. Erickson, Legal Adviser, Bureau of the Census, Room 3686, Federal Building 3, Suitland, Md. (Mail address: Washington, D.C. 20233) Telephone 301—763-5529.

HAROLD C. PASSER,  
*Administrator, Social and Economic Statistics Administration.*

[FR Doc.72-15709 Filed 9-13-72;8:46 am]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

**National Institutes of Health  
BUREAU OF HEALTH MANPOWER  
EDUCATION**

**Notice of Meeting**

Pursuant to Executive Order 11671, notice is hereby given of meeting of the following committee and the executive secretary from whom summaries of meetings may be obtained.

| Committee   | Date              | Time   | Location of meeting             |
|---|-------------------|--------|---------------------------------|
| Allied Health Professions Review Committee, Merrill B. DeLong, O.D., Executive Secretary. | Sept. 19-20, 1972 | 9 a.m. | Building 31, Conference Room 4. |

This meeting shall be closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination in order to review, discuss, and evaluate and/or rank grant applications.

ROBERT Q. MARSTON,  
*Director,*  
*National Institutes of Health.*

SEPTEMBER 7, 1972.

[FR Doc.72-15623 Filed 9-13-72;8:46 am]

**BUREAU OF HEALTH MANPOWER  
EDUCATION, DIVISION OF NURSING**

**Notice of Meeting**

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the Nursing Research and Education Advisory Committee, September 18-19, 1972, at 9 a.m. to 5 p.m., September 18, 1972, and 9 a.m. to 12 m. (noon), September 19, 1972, National Institutes of Health, Building 31, Conference Room 2. This meeting will be open to the public from 9 to 9:45 a.m., September 18, 1972, and closed to the public 9:45 a.m. to 5 p.m., September 18, 1972, and 9 a.m. to 12 m. (noon), September 19, 1972, to review, discuss and evaluate and/or rank grant applications in accordance with section

13(d) of Executive Order 11671 and the Secretary's determination.

Name of the person from whom rosters of Nursing Research and Education Advisory Committee members and/or summary of the meeting may be obtained: Doris Bloch, Dr. P.H., Executive Secretary, Nursing Research and Education Advisory Committee.

ROBERT Q. MARSTON,  
*Director,*  
*National Institutes of Health.*

SEPTEMBER 7, 1972.

[FR Doc.72-15624 Filed 9-13-72;8:46 am]

**DEPARTMENT OF  
TRANSPORTATION**

**Coast Guard**

[CGD 72-177N]

**EQUIPMENT, CONSTRUCTION, AND  
MATERIALS**

**Approval Notice**

1. Certain laws and regulations (46 CFR Ch. I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and ma-

terials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the Outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from July 17, 1972, to July 21, 1972 (List No. 21-72). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

**KITS, FIRST AID, FOR MERCHANT VESSELS**

Approval No. 160.041/2/0, First Aid Kit, Model No. 73650-01, dwg. No. 73650, Rev. A dated April 26, 1972, manufactured by Scott Aviation Division of A.T.O., Inc., 225 Erie Street, Lancaster, NY 14086, formerly Davis Emergency Equipment Co., Inc., effective July 19, 1972. (It supersedes Approval No. 160.041/2/0 dated April 7, 1967, to show change of name and address of manufacturer.)

**KITS, FIRST AID, FOR INFLATABLE  
LIFERAFTS**

Approval No. 160.054/3/1, Model 70500 first aid kit for inflatable liferafts, dwg. No. 70500, Rev. A dated May 1, 1972, manufactured by Scott Aviation Division of A.T.O., Inc., 225 Erie Street, Lancaster, NY 14086, formerly Davis Emergency Equipment Co., Inc., effective July 19, 1972. (It supersedes Approval No. 160.054/3/1 dated August 17, 1967, to show change of name and address of manufacturer.)

**TELEPHONE SYSTEMS, SOUND-POWERED**

Approval No. 161.005/55/0, sound-powered telephone station, selective ringing, common talking, 19 stations maximum, bulkhead mounting, with attached 4" bell, Model SWT4, dwg. No. 55, Alt. 0 dated May 1957, manufactured by Hose-McCann Telephone Co., Inc., 524 West 23d Street, New York, NY 10011, effective July 17, 1972. (It is an extension of Approval No. 161.005/55/0 dated August 22, 1967.)



## SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/91/2, Series No. 200 steel body pop safety valve, enclosed spring, expanded outlet, maximum pressure 600 p.s.i., maximum temperature 450° F., dwg. No. P-20119-B, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/91/2 dated June 12, 1967.)

Approval No. 162.001/92/2, Series No. 200-E steel body pop safety valve, exposed spring, expanded outlet, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. P-20120-B, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/92/2 dated June 12, 1967.)

Approval No. 162.001/94/2, Series No. 210 steel body pop safety valve, enclosed spring, standard outlet, maximum pressure 600 p.s.i., maximum temperature 450° F., dwg. No. P-20119-B, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/94/2 dated June 12, 1967.)

Approval No. 162.001/95/2, Series No. 210-E steel body pop safety valve, exposed spring, standard outlet, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. P-20120-B, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/95/2 dated June 12, 1967.)

Approval No. 162.001/98/2, Series No. 5-102, bronze body pop safety valve, enclosed spring, maximum pressure 300 p.s.i., maximum temperature 450° F., dwg. No. 5-102, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", and 3", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/98/2 dated June 12, 1967.)

Approval No. 162.001/99/2, Series No. 5-101, bronze body pop safety valve, enclosed spring, maximum pressure 150 p.s.i., maximum temperature 366° F., dwg. No. 5-101, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", and 3", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/99/2 dated June 12, 1967.)

Approval No. 162.001/177/1, Series 100-E cast steel body safety valve, 600 p.s.i. maximum pressure, 650° F. maximum temperature, dwg. No. D-100-E, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufac-

tured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/177/1 dated June 12, 1967.)

Approval No. 162.001/178/1, Series 110-E cast steel body safety valve, 600 p.s.i. maximum pressure 650° F. maximum temperature, dwg. No. D-100-E, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/178/1 dated June 12, 1967.)

Approval No. 162.001/179/1, Series 110-E cast steel body safety valve, 600 p.s.i. maximum pressure, 750° F. maximum temperature, dwg. No. D-100-HT, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/179/1 dated June 12, 1967.)

Approval No. 162.001/180/1, Series 110-HT cast steel body safety valve, 600 p.s.i. maximum pressure, 750° F. maximum temperature, dwg. No. D-100-HT, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/180/1 dated June 12, 1967.)

Approval No. 162.001/181/1, Series 100 cast steel body safety valve, 600 p.s.i. maximum pressure, 450° F. maximum temperature, dwg. No. D-100, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/181/1 dated June 12, 1967.)

Approval No. 162.001/182/1, Series 110 cast steel body safety valve, 600 p.s.i. maximum pressure, 450° F. maximum temperature, dwg. No. D-100, Rev. B dated June 14, 1972, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Mipco Division of Clark-Reliance Corp., 15901 Industrial Parkway, Cleveland, OH 44135, effective July 17, 1972. (It supersedes Approval No. 162.001/182/1 dated June 12, 1967.)

Approval No. 162.001/257/1, Style HCB-MS-77 drum pilot actuated safety valve, nozzle type, alloy steel body, exposed spring fitted with spring cover, 2,000 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 1,050 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange, dwg. No. HV-55-MS revised June 21, 1972, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective July 20, 1972. (It supersedes Approval No. 162.001/257/1 dated August 29, 1967.)

Approval No. 162.001/258/1, Style HCB-MS-78 drum pilot actuated safety

valve, nozzle type, alloy steel body, exposed spring fitted with spring cover, 1,655 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with standard inlet flange; 595 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with optional inlet flange, dwg. No. HV-55-MS revised June 21, 1972, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective July 20, 1972. (It supersedes Approval No. 162.001/258/1 dated August 29, 1967.)

Approval No. 162.001/259/1, Style HNP-MS-75 carbon steel body drum safety valve, nozzle type, exposed spring fitted with spring cover, 2,000 p.s.i. primary service pressure rating, 650° F. maximum temperature, dwg. No. D-50917, revised June 21, 1972, approved for size 2", orifice G, fitted for discharge of pilot actuating steam, manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective July 20, 1972. It supersedes Approval No. 162.001/259/1 dated August 29, 1967.)

Approval No. 162.001/260/1, Style HNP-MS-76 carbon steel body drum safety valve, nozzle type, exposed spring fitted with spring cover, 2,000 p.s.i. primary service pressure rating, 750° F. maximum temperature, dwg. No. D-50917 revised June 21, 1972, approved for size 2", orifice G, fitted for discharge of pilot actuating steam, manufactured by Crosby Valve & Gage Co., Wrentham, Mass. 02093, effective July 20, 1972. (It supersedes Approval No. 162.001/260/1 dated August 29, 1967.)

## GAGING DEVICES, LIQUID LEVEL, LIQUEFIED COMPRESSED GAS

Approval No. 162.019/2/5, MGM Model Nos. 62B (Modification W4) and 62B (Modification W4)/SS (all parts in contact with the liquid are stainless steel) for liquefied compressed gas service, note MGM letter of July 2, 1971, to Commandant (MMT-2) regarding materials, manufactured by Metal Goods Manufacturing Co., 309 West Hensley Boulevard, Bartlesville, OK 74003, effective July 21, 1972. (It supersedes Approval No. 162.019/2/5 dated August 12, 1971, to show change of address of manufacturer.)

Approval No. 162.019/7/2, MGM Model Nos. 60D and 60D/SS (all parts in contact with the liquid are stainless steel) for liquefied compressed gas service, note MGM letter of July 2, 1971, to Commandant (MMT-2) regarding materials, manufactured by Metal Goods Manufacturing Co., 309 West Hensley Boulevard, Bartlesville, OK 74003, effective July 21, 1972. (It supersedes Approval No. 162.019/7/2 dated August 12, 1971, to show change of address of manufacturer.)

Approval No. 162.019/26/3, MGM Model Nos. 175 and 175/SS (all parts in contact with the liquid are stainless steel) for liquefied compressed gas service, note MGM letter of July 2, 1971, to Commandant (MMT-2) regarding materials, manufactured by Metal Goods Manufacturing Co., 309 West Hensley



Boulevard, Bartlesville, OK 74003, effective July 21, 1972. (It supersedes Approval No. 162.019/26/3 dated August 12, 1971, to show change of address of manufacturer.)

#### APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/101/1, Model No. 44-40H range for liquefied petroleum gas service approved by the American Gas Association, Inc. under Certificate No. 11-113-1.101, manufactured by Welbilt Corp., Garland Division, Welbilt Square, Maspeth, N.Y. 11378, effective July 19, 1972. (It is an extension of Approval No. 162.020/101/1 dated August 1, 1967.)

Approval No. 162.020/102/1, Model No. 45-40H range for liquefied petroleum gas service approved by the American Gas Association, Inc. under Certificate No. 11-(75-1.8 and 113-1.0).001, manufactured by Welbilt Corp., Garland Division, Welbilt Square, Maspeth, N.Y. 11378, effective July 19, 1972. (It is an extension of Approval No. 162.020/102/1 dated August 1, 1967.)

Approval No. 162.020/103/1, Model No. 46-40H range for liquefied petroleum gas service approved by the American Gas Association, Inc. under Certificate No. 11-75-1.901, manufactured by Welbilt Corp., Garland Division, Welbilt Square, Maspeth, N.Y. 11378, effective July 19, 1972. (It is an extension of Approval No. 162.020/103/1 dated August 1, 1967.)

Approval No. 162.020/104/1, Model No. 47-40H range for liquefied petroleum gas service approved by the American Gas Association, Inc. under Certificate No. 11-75-1.901, manufactured by Welbilt Corp., Garland Division, Welbilt Square, Maspeth, N.Y. 11378, effective July 19, 1972. (It is an extension of Approval No. 162.020/104/1 dated August 1, 1967.)

#### BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/147/0, Barbron backfire flame arrester, part No. 3818B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (3818A), opening in base is 1 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/148/0, Barbron backfire flame arrester, part No. 3819B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (3819A), opening in base is 1.875 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/149/0, Barbron backfire flame arrester, part No. 38110B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38110A), opening in base is 1.50 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/150/0, Barbron backfire flame arrester, part No. 38112B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38112A), opening in base is 1 inch in diameter, manufactured by Bar-

bron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/151/0, Barbron backfire flame arrester, part No. 38158B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38158A), opening in base is 1 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/152/0, Barbron backfire flame arrester, part No. 38159B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38159A), opening in base is 1.875 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/153/0, Barbron backfire flame arrester, part No. 381510B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (381510A), opening in base is 1.50 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/154/0, Barbron backfire flame arrester, part No. 381512B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (381512A), opening in base is 1 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/155/0, Barbron backfire flame arrester, part No. 3828B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (3828A), opening in base is 1 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/156/0, Barbron backfire flame arrester, part No. 3829B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (3829A), opening in base is 1.875 inches in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/157/0, Barbron backfire flame arrester, part No. 38210B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38210A), opening in base is 1.50 inches in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/158/0, Barbron backfire flame arrester, part No. 38211B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38211A), opening in base is 1.187 inches in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

Approval No. 162.041/159/0, Barbron backfire flame arrester, part No. 38212B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38212A), opening in base is 1 inch in diameter, manufactured by Barbron Corp., 14580 Lesure Avenue, Detroit, MI 48227, effective July 18, 1972.

#### STRUCTURAL INSULATIONS FOR MERCHANT VESSELS

Approval No. 164.007/38/0, "BX-Spintex Type 643" mineral wool type

structural insulation identical to that described in Underwriters Laboratories Report R6797-1, 71NK5638 dated July 6, 1972, bats and blankets approved for use without other insulating material to meet A-60 Class requirements in a 3-inch (75 mm.) thickness at 6 pounds per cubic foot (96KG per cubic meter) density, manufactured by Roclairne S.A., 7, Rue Du Cirque, Paris—VIII, France, effective July 20, 1972.

Approval No. 164.007/43/0, "BX-Spintex Type 693" mineral wool type structural insulation identical to that described in Underwriters Laboratories Report R6797-1, 71NK5638 dated July 6, 1972, bats and blankets approved for use without other insulating material to meet A-60 Class requirements in a 3-inch (75 mm.) thickness at 3.2 pounds per cubic foot (52KG per cubic meter) density, manufactured by Roclairne S.A., 7, Rue Du Cirque, Paris—VIII, France, effective July 20, 1972.

Approval No. 164.007/44/0, "BX-Spintex Type 693" mineral wool type structural insulation identical to that described in Underwriters Laboratories Report R6797-1, 71NK5638 dated July 6, 1972, bats and blankets approved for use without other insulating material to meet A-60 Class requirements in a 4-inch (102 mm.) thickness at 3.2 pounds per cubic foot (52KG per cubic meter) density, manufactured by Roclairne S.A., 7, Rue Du Cirque, Paris—VIII, France, effective July 20, 1972.

#### INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/77/0, "Pabco Precision Molded Super Caltemp Type NA" asbestos-hydrous calcium silicate type, identical to that described in Fibreboard Paper Products Corp. letter dated October 15, 1963, approved in densities from 11.5 to 12.5 pounds per cubic foot, manufactured by Fibreboard Corp., Industrial Products Division, 55 Francisco Street, San Francisco, CA 94133, effective July 20, 1972. (It supersedes Approval No. 164.009/77/0 dated July 22, 1968 to show change of name of product and change of address of manufacturer.)

Dated: August 29, 1972.

G. H. READ,  
Captain, U.S. Coast Guard, Acting  
Chief, Office of Merchant  
Marine Safety.

[FR Doc.72-15668 Filed 9-13-72;8:51 am]

## ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-348, 50-364]

### ALABAMA POWER CO.

#### Notice of Appointment of Alternate Appeal Board Chairman

In the matter of Alabama Power Co. (Joseph M. Farley Nuclear Plant Units 1 and 2).

The Commission has delegated its authority and review function in this proceeding to the Atomic Safety and Licensing Appeal Board, consisting of the



then Chairman and the present Vice-Chairman of the Appeal Board (Algie A. Wells, Esq., and Dr. John H. Buck) and a third member (Dr. Lawrence R. Quarles) designated by the Commission.

In accordance with § 2.787(a) of the rules of practice, 10 CFR Part 2, the Commission has designated William C. Parler, Esq., as Chairman of the Appeal Board for this proceeding, vice Algie A. Wells, who retired from his position as Appeal Board Chairman.

It is so ordered.

By the Commission.

Dated: September 8, 1972.

W. B. McCool,  
Secretary of the Commission.

[FR Doc.72-15646 Filed 9-13-72;8:47 am]

[Docket No. 50-247]

### CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

#### Notice of Appointment of Alternate Appeal Board Chairman

In the matter of Consolidated Edison Co. of New York, Inc. (Indian Point, Unit 2), Docket No. 50-247.

The Commission has delegated its authority and review function in this proceeding to the Atomic Safety and Licensing Appeal Board, consisting of the then Chairman and the present Vice-Chairman of the Appeal Board (Algie A. Wells, Esq., and Dr. John H. Buck) and a third member (Dr. Lawrence R. Quarles) designated by the Commission.

In accordance with § 2.787(a) of the rules of practice, 10 CFR Part 2, the Commission has designated Sidney G. Kingsley, Esq., as Chairman of the Appeal Board for this proceeding, vice Algie A. Wells, who retired from his position as Appeal Board Chairman.

It is so ordered.

Dated: September 8, 1972.

By the Commission.

W. B. McCool,  
Secretary of the Commission.

[FR Doc.72-15648 Filed 9-13-72;8:47 am]

[Docket No. 50-255]

### CONSUMERS POWER CO.

#### Notice of Appointment of Alternate Appeal Board Chairman

In the matter of Consumers Power Co. (Palisades Plant).

The Commission has delegated its authority and review function in this proceeding to the Atomic Safety and Licensing Appeal Board, consisting of the then Chairman and the present Vice-Chairman of the Appeal Board (Algie A. Wells, Esq., and Dr. John H. Buck) and a third member (Dr. Lawrence R. Quarles) designated by the Commission.

In accordance with § 2.787(a) of the rules of practice, 10 CFR Part 2, the Commission has designated William C. Parler, Esq., as Chairman of the Appeal

Board for this proceeding, vice Algie A. Wells, who retired from his position as Appeal Board Chairman.

It is so ordered.

By the Commission.

Dated: September 8, 1972.

W. B. McCool,  
Secretary of the Commission.

[FR Doc.72-15647 Filed 9-13-72;8:47 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 23333; Order 72-9-21]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Specific Commodity Rates

Issued under delegated authority September 7, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated August 17, 1972, has been assigned the above-designated CAB agreement number.

The agreement encompasses three additional specific commodity rates and the cancellation of an existing rate, as set forth in the attachment.<sup>1</sup>

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the condition hereinafter ordered.

Accordingly, it is ordered, That:

Agreement CAB 23267, R-1 through R-4, be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

<sup>1</sup> Attachment filed as part of the original document.

This order will be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[FR Doc.72-15683 Filed 9-13-72;8:50 am]

[Docket No. 24601; Order 72-9-29]

### TRANS WORLD AIRLINES, INC.

#### Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of September 1972.

Application of Trans World Airlines, Inc., for amendment of its certificate of public convenience and necessity for route 2 so as to delete segment 8 (Islip-Chicago) therefrom.

By Order 72-3-45, March 15, 1972, the Board authorized Trans World Airlines, Inc. (TWA), to postpone its inauguration of service at Islip, N.Y., until October 8, 1972. That postponement was the fourth which has been granted since TWA was authorized to provide Islip-Chicago service in 1969.<sup>1</sup> The most recent postponements have been approved because the Board did not desire to require TWA to incur the substantial start-up costs and the likely operating losses during the developmental period required to allow Islip to achieve its proper status as a reliever airport for the New York metropolitan area at a time when the carrier was experiencing large system losses.

In granting the fourth postponement, however, the Board noted that TWA's financial prospects had improved substantially. The Board then went on to observe that it had certificated TWA and American to serve the Islip-Chicago market.

On the basis of a record which established that Islip had sufficient traffic potential to support competitive service and that the service authorized would convenience thousands of passengers who would otherwise be forced to use the overtaxed facilities at Kennedy and La Guardia. American's limited experience and service in the Islip-Chicago market is not adequate to permit a thorough analysis and assessment of the market's traffic generating potential, or of the full measure of travel convenience for the passengers now using the service and those who will use the service, or the extent to which a full pattern of service will actually reduce demands on facilities at other airports. The Board fully expects to have the benefit of meaningful experience on such critical decisional factors as actual traffic response, passenger convenience and reduction of congestion when the temporary awards to TWA and American terminate. This can be accomplished only if the market receives responsive air service which is actively promoted and advertised. (Order 72-3-45)

Accordingly, the Board concluded, TWA should be prepared to commence service in the fall of 1972, unless its "overall financial condition changes substantially

<sup>1</sup> Orders 69-8-28, Aug. 5, 1969, and 69-10-14, Oct. 3, 1969. Previous postponements were authorized by Orders 70-1-2, Jan. 2, 1970, 70-5-134, May 27, 1970, and 71-3-49, Mar. 8, 1971.



during the period of delay." In the event that TWA's financial condition had worsened, we counseled the carrier to consider the possibility of seeking abandonment of the route as opposed to continued postponements.

On July 10, 1972, TWA filed an application seeking the amendment of its certificate for route 2 so as to delete therefrom segment 8 (the Islip-Chicago route) together with a motion requesting action on its application by show cause procedure or, alternatively, through expedited hearing procedures. The carrier does not contend that its financial condition has worsened since the issuance of Order 72-3-45. Indeed, quite to the contrary, TWA continues to show financial improvement. Rather, TWA argues that the experience of American Airlines, the only one of the three carriers originally certificated in the Islip-Chicago market which has actually instituted service, demonstrates that the market is not large enough for competitive operations. TWA forecasts that if it institutes service with a single daily 727 round trip in competition with American's daily flight, it would be required to operate at a load factor of less than 20 percent with annual losses in excess of \$2 million. The carrier contends that it should not be required to sustain losses of this magnitude in attempting to develop a market which the carrier believes cannot support competitive service.

An answer in support of TWA's application and motion has been filed by American. The Islip parties have filed an answer which does not oppose TWA's request, on the strength of assurances by American that it would take certain specific steps requested by the community for improving its services.<sup>2</sup>

Upon consideration of the pleadings and all the relevant facts, we have decided to issue an order to show cause proposing to amend TWA's certificate as requested. However, in reaching our decision we are not required to accept TWA's contention that the potential of the Islip-Chicago market was substantially overestimated by the Board in its 1969 decision to authorize competitive service.<sup>3</sup> While it is true that the traffic thus far developed in the Islip-Chicago market has fallen far short of our expectations, it is equally true that the market's potential has yet to be fully exploited. Accordingly, we tentatively remain of the opinion that with proper development Islip will become a reliever airport and that a level of service at Islip sufficient to accomplish that goal can be provided on an economic basis. Hence, we are granting TWA's application only because we now believe that the developmental effort recently undertaken by

American will permit a fair test of Islip's potential during the brief time remaining before the expiration of both carriers' temporary authority in 1974, at which time the matter will once again be before the Board and we can reassess the needs of the market on the basis of actual experience.

Accordingly, we tentatively find and conclude that the public convenience and necessity require the amendment of TWA's certificate for route 2 so as to delete segment 8 therefrom. In support of the foregoing, we further tentatively find and conclude as follows: That the institution of service by a second carrier in the Islip-Chicago market at the present time would entail substantial start-up costs and would be likely to result in the carrier's incurring operating losses during a lengthy developmental period; and that TWA should not be required to incur such costs since the market's potential can receive a fair test with vigorous promotion by a single carrier.<sup>4</sup>

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. General, vague, or unsupported objections will not be entertained.<sup>5</sup>

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order (a) making final the tentative findings and conclusions stated herein, (b) amending the certificate of public convenience and necessity of Trans World Airlines, Inc. for route 2 so as to delete segment 8 therefrom, and (c) reissuing the certificate in the form attached hereto;

2. Any interested persons having objection to the issuance of the proposed order described in paragraph "1," supra, shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons listed in paragraph "5," infra, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues

<sup>4</sup> We find that TWA is fit, willing and able properly to perform the air transportation authorized by the certificate proposed to be issued herein and to conform to the provisions of the act and the Board's rules, regulations, and requirements thereunder.

<sup>5</sup> If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing.

raised by the objections before further action is taken by the Board; <sup>6</sup>

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. A copy of this order shall be served upon the Town of Islip; Airport Manager, Islip MacArthur Airport; State of New York; city of Chicago; State of Illinois; Postmaster General; Trans World Airlines, Inc.; Allegheny Airlines, Inc.; and American Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[SPECIMEN CERTIFICATE]

UNITED STATES OF AMERICA  
CIVIL AERONAUTICS BOARD

Washington, D.C.

CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSARY

(as amended)

for Route 2

TRANS WORLD AIRLINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of Title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail, as follows:

1. Between the terminal point San Francisco-San Jose, Calif., the intermediate points Oakland and Los Angeles-Ontario, Calif., Las Vegas and Boulder City, Nev., Phoenix and Tucson, Ariz., Albuquerque, N. Mex., Amarillo, Tex., Oklahoma City and Tulsa, Okla., Wichita, Kans., Kansas City and St. Louis, Mo., Louisville, Ky., and Cincinnati and Dayton, Ohio, and (a) beyond Dayton, the intermediate point Columbus, Ohio, and the terminal point Detroit, Mich., and (b) beyond Dayton, the intermediate point Cleveland, Ohio, and the coterminal points New York, N.Y., and Newark, N.J., and (c) beyond Dayton, the intermediate points Columbus, Ohio, Washington, D.C., Baltimore, Md., Philadelphia, Pa., New York, N.Y., Newark, N.J., and Hartford, Conn.-Springfield, Mass., and the terminal point Boston, Mass., and (d) beyond Dayton, the intermediate points Columbus, Ohio, Pittsburgh, Harrisburg, and Lancaster, Pa., Wilmington, Del., Philadelphia, Pa., New York, N.Y., Newark, N.J., and Hartford, Conn.-Springfield, Mass., and the terminal point Boston, Mass.;

2. Between the terminal point San Francisco-San Jose, Calif., the intermediate points Oakland and Los Angeles-Ontario, Calif., Las Vegas and Boulder City, Nev., Phoenix and Tucson, Ariz., Albuquerque, N. Mex., Amarillo, Tex., Oklahoma City and Tulsa, Okla., Wichita, Kans., Kansas City and St. Louis, Mo., Indianapolis, Ind., and Cincinnati and Dayton, Ohio, and beyond Dayton, as in segment 1 (a), (b), (c), and (d) above:

<sup>6</sup> All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further motions, requests, or petitions for reconsideration of this order will be entertained.

<sup>2</sup> Specifically, Islip had received assurance that American will add a second daily round trip (which the carrier has now done), that it will undertake to improve its identity in the area and at the airport, and that it will undertake an advertising program in behalf of the Chicago-Islip service.

<sup>3</sup> Orders 69-8-28 and 69-10-14.



3. Between the terminal point San Francisco-San Jose, Calif., the intermediate points Oakland and Los Angeles-Ontario, Calif., Las Vegas and Boulder City, Nev., Phoenix and Tucson, Ariz., Albuquerque, N. Mex., Amarillo, Tex., Wichita, Kans., and Kansas City, Mo., and (a) beyond Kansas City, the intermediate points Hannibal, Mo.-Quincy, Ill., Chicago, Ill., and Detroit, Mich., and the coterminal points New York, N.Y., and Newark, N.J., and (b) beyond Kansas City, the intermediate points Hannibal, Mo.-Quincy, Ill., and Chicago, Ill., and the terminal point Pittsburgh, Pa.;

4. Between the terminal point Chicago, Ill., the intermediate points Dayton and Columbus, Ohio, and (a) beyond Columbus, the intermediate points Washington, D.C., Baltimore, Md., Philadelphia, Pa., New York, N.Y., Newark, N.J., and Hartford, Conn.-Springfield, Mass., and the terminal point Boston, Mass., and (b) beyond Columbus, the intermediate points Pittsburgh, Harrisburg, and Lancaster, Pa., Wilmington, Del., Philadelphia, Pa., New York, N.Y., Newark, N.J., and Hartford, Conn.-Springfield, Mass., and the terminal point Boston, Mass.;

5. Between the terminal point San Francisco-San Jose, Calif., the intermediate points Oakland and Los Angeles-Ontario, Calif., Denver, Colo., and Kansas City, Mo., and beyond Kansas City, as in segments 1, 2, and 3 above (with restrictions applicable thereto);

6. Between the terminal point St. Louis, Mo., the intermediate points Nashville, Tenn., Atlanta, Ga., and Tampa-St. Petersburg-Clearwater, Fla., and the coterminal points Fort Lauderdale and Miami, Fla.;

7. Between the terminal point Los Angeles-Ontario-Long Beach, Calif., and the intermediate points Hilo and Honolulu, Hawaii;

8. Between the terminal point Atlanta, Ga., and the terminal point Kansas City, Mo.;

The service herein authorized is subject to the following terms, conditions, and limitations:

(1) The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board; and may begin or terminate, or begin and terminate, trips at points short of terminal points.

(2) The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate; and may continue to maintain regularly scheduled nonstop service between any two points not consecutively named herein if nonstop service was regularly scheduled by the holder between such points prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto, and render scheduled nonstop service between any two points not consecutively named herein between which service is authorized hereby.

(3) The holder shall not serve Chicago, Ill., on flights serving Cleveland, Ohio.

(4) The holder shall serve Las Vegas, Nev., and Los Angeles-Ontario, Calif., on the same flights only when such flights originate or terminate at Albuquerque, N. Mex., or points east thereof.

(5) The holder shall not render scheduled nonstop service between Louisville, Ky., and Cleveland, Ohio.

(6) Nonstop flights between Chicago, Ill., and Boston, Mass., or Washington, D.C., shall originate or terminate at Kansas City, Mo., or a point west thereof.

(7) Flights serving Louisville, Ky., and Washington, D.C., shall also serve Columbus or Dayton, Ohio.

(8) Flights serving Louisville, Ky., on the one hand, and Wilmington, Del., Philadelphia, Pa., or Boston, Mass., on the other hand, shall also serve Cincinnati, Dayton, or Columbus, Ohio, or Pittsburgh, Pa.

(9) Flights serving Louisville, Ky., and Baltimore, Md., shall also serve Cincinnati, Dayton, or Columbus, Ohio.

(10) Flights serving Louisville, Ky., on the one hand, and Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., or Phoenix, Ariz., on the other hand, shall also serve St. Louis or Kansas City, Mo.

(11) Flights on segments 1 and 2 serving Detroit, Mich., on the one hand, and Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., or Phoenix, Ariz., on the other hand, shall also serve one of the following points: Columbus, Dayton, or Cincinnati, Ohio, St. Louis or Kansas City, Mo.

(12) Flights serving Indianapolis, Ind., and Detroit, Mich., shall also serve Dayton or Columbus, Ohio.

(13) The holder shall not engage in local air transportation between Phoenix, Ariz., on the one hand, and Boulder City or Las Vegas, Nev., on the other hand, during the period between the date upon which Bonanza Air Lines, Inc., inaugurates service over the Las Vegas-Phoenix portion of the route awarded it by Order E-3596, dated November 22, 1949, and the date (a) upon which the Chairman of the Board certifies to the holder hereof that Bonanza Air Lines, Inc., or any assignee of Bonanza Air Lines, Inc., no longer holds an effective certificate issued by the Board for the aforesaid service, or (b) upon which the Board, acting pursuant to its order in the Bonanza Air Lines, Inc.-Transcontinental & Western Air, Inc., Route Authorization Transfer Case, Docket 4053 (Order E-3547, dated November 10, 1949), otherwise directs that such service may be resumed, whichever shall first occur.

(14) The holder's authority to serve Lancaster, Pa., and Wilmington, Del., is suspended as to each such point for the period during which Allegheny Airlines, Inc., is authorized to serve such point.

(15) The holder's authority to serve Hannibal, Mo.-Quincy, Ill., is suspended for the period during which Ozark Air Lines, Inc., is authorized to serve such point.

(16) The holder may serve Detroit, Mich., on segment 3(a) on flights originating at Kansas City, Mo., or a point west thereof, and terminating at New York, N.Y., or Newark, N.J., or originating at New York or Newark, and terminating at Kansas City or a point west thereof; *Provided*, That the holder may originate or terminate at Detroit nonstop flights over segment 3(a) between Detroit, on the one hand, and Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., on the other hand.

(17) Flights on segment 2 serving Detroit, Mich., on the one hand, and points west of Chicago, Ill., on the other hand, shall also serve Chicago; *Provided*, That the holder may schedule nonstop flights over segment 3 between Detroit, on the one hand, and Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., on the other hand.

(18) Flights serving Cleveland, Ohio, on the one hand, and New York, N.Y., or Newark, N.J., on the other hand, shall originate or terminate at St. Louis, Mo., or a point west thereof; *Provided*, That flights may originate or terminate at Cleveland if they are also scheduled to serve a point in Europe, Africa, or Asia.

(19) The holder shall not serve Denver, Colo., on flights serving Kansas City, Mo.

(20) The holder shall serve Denver, Colo., and St. Louis, Mo., on the same flights only when such flights originate or terminate at points east of St. Louis.

(21) Flights serving Denver, Colo., on the one hand, and Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., on the other hand, shall originate or terminate at Chicago, Ill., or points east thereof (or east of St. Louis, Mo.).

(22) The holder shall render service between Baltimore, Md., or Washington, D.C., on the one hand, and Philadelphia, Pa., New York, N.Y., or Newark, N.J., on the other hand, only (a) on flights which also serve Tulsa or Oklahoma City, Okla., or (b) on flights which originate or terminate at Dayton, Ohio, or a point west thereof.

(23) The holder shall not serve either Tulsa or Oklahoma City, Okla., on flights which also serve Wichita, Kans., or Kansas City, Mo.

(24) The holder shall not engage in air transportation between Albuquerque, N. Mex., and Tucson, Ariz., except on flights which originate at a point east of Chicago, Ill., and terminate at a point in California, or which originate at a point in California and terminate at a point east of Chicago.

(25) Flights serving Boston, Mass., or Hartford, Conn.-Springfield, Mass., on the one hand, and New York, N.Y., Newark, N.J., Philadelphia, Pa., Baltimore, Md., or Washington, D.C., on the other hand, shall originate or terminate at Dayton, Ohio, or a point west thereof.

(26) Indianapolis, Ind., and Cincinnati, Ohio, shall be served on the same flight only if such flight also serves St. Louis, Mo., or a point west thereof, or Pittsburgh, Pa., or a point east thereof.

(27) The holder shall schedule service between Atlanta, Ga., and Miami, Fla., between Atlanta and Tampa-St. Petersburg-Clearwater, Fla., or between Miami and Tampa-St. Petersburg-Clearwater only on flights originating or terminating at Nashville, Tenn., or a point west thereof.

(28) The holder shall not engage in air transportation with respect to persons and property between Fort Lauderdale and Miami, Fla.

(29) The holder shall not engage in single-plane air transportation between points on segment 6, other than St. Louis, Mo., on the one hand, and any point west of Kansas City, Mo., on the other hand, except between Atlanta, Ga., and Wichita, Kans., via segment 8; *Provided*, That on flights serving Hong Kong, the holder may engage in single-plane air transportation between Miami and Fort Lauderdale, Fla., and Atlanta, Ga., on the one hand, and Hilo, Hawaii, and points west thereof, on the other hand.

(30) The holder shall not engage in air transportation between Detroit, Mich., and Columbus, Dayton, or Cincinnati, Ohio.

(31) On flights serving Detroit, Mich., the holder shall not engage in air transportation between (a) Columbus and Dayton, Ohio, (b) Columbus and Cincinnati, Ohio, or (c) Dayton and Cincinnati.

(32) The holder shall not provide single-plane service between Denver, Colo., on the one hand, and Atlanta, Ga., Miami, Fort Lauderdale, or Tampa-St. Petersburg-Clearwater, Fla., on the other hand.

(33) Flights serving St. Louis, Mo., and Indianapolis, Ind., shall also serve a point west of St. Louis or east of Indianapolis.

(34) The holder shall not schedule single-plane service through the San Jose airport between San Francisco-San Jose, Calif., on the one hand, and Las Vegas, Nev., on the other hand.

(35) The holder shall serve Tucson, Ariz., and Las Vegas and Boulder City, Nev., on



the same flight only when such flight originates at Los Angeles-Ontario, San Francisco-San Jose, or Oakland, Calif., and terminates at Albuquerque, N. Mex., or a point east thereof or originates at Albuquerque or a point east thereof and terminates at Los Angeles-Ontario, San Francisco-San Jose, or Oakland.

(36) The holder shall not schedule single-plant service through the Ontario airport between Los Angeles-Ontario, Calif., and the following points: Oakland and San Francisco-San Jose, Calif., Las Vegas, Nev., Phoenix and Tucson, Ariz., Washington, D.C., Baltimore, Md., New York, N.Y., and Newark, N.J.

(37) Flights on segment 7 shall originate or terminate at a point west of Honolulu, Hawaii.

(38) On flights serving both Honolulu and Hilo, Hawaii, the holder shall not deplane at one of said points persons, property, or mail enplaned at the other.

(39) The holder's authority to serve Hilo, Hawaii, shall be contingent upon its filing and keeping on file with the Board tariffs providing for common fares for persons and their accompanied baggage to and from all points in the State of Hawaii receiving service from a certificated air carrier, for all classes of service which the holder offers, and further providing for stopovers without charge or at nominal charge at the points of entry into and departure from the State of Hawaii and at intermediate points between such points of entry and departure and the ultimate point of origin or destination in the State of Hawaii, subject to such terms, conditions, and limitations as may be agreed upon by and between the holder and the certificated air carriers serving points in the State of Hawaii other than Honolulu and Hilo and are approved by the Board: *Provided, however*, That in the event of a disagreement between the holder and such carriers as to the terms, conditions, and limitations applicable to such common fares (including the divisions thereof), this condition shall be deemed to be satisfied if the holder offers to enter into an agreement concerning such common fares which the Board determines to be reasonable.

(40) Flights on segment 8 shall not serve Miami or Tampa-St. Petersburg-Clearwater, Fla.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This certificate shall be effective on -----: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to § 389.21(b) of the regulations.

In witness whereof, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on this

[SEAL]

Secretary.

[FR Doc.72-15684 Filed 9-13-72;8:50 am]

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN HONG KONG

#### Entry or Withdrawal From Warehouse for Consumption

SEPTEMBER 11, 1972.

On May 3, 1972, there was published in the FEDERAL REGISTER (37 F.R. 8961) a letter dated May 2, 1972, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs directing that effective May 5, 1972, at midnight, e.d.s.t., and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 211, produced or manufactured in Hong Kong and exported to the United States during the period beginning October 1, 1971, and extending through September 30, 1972, be prohibited. The letter of May 2, 1972, was subsequently amended by a letter of June 5, 1972, which limited the product coverage established in the directive of May 2, 1972, for Category 211.

The FEDERAL REGISTER notice of May 2, 1972, stated that consultations concerning these textile products would be held with the Government of Hong Kong and that, as a result of these consultations, the provisions of the notice might be terminated or revised. The consultations have been held and a mutually agreeable solution was reached.

Accordingly, the letter published below cancels the aforesaid letter of May 2, 1972, as amended June 5, 1972, effective as soon as possible.

STANLEY NEHMER,

*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.*

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20226.

SEPTEMBER 11, 1972.

DEAR MR. COMMISSIONER: On May 2, 1972, you were directed to prohibit, effective May 5, 1972, at midnight e.d.s.t. and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of manmade fiber textile products in Category 211, produced or manufactured in Hong Kong and which have been exported to the United States during the period beginning October 1, 1971, and extending through September 30, 1972. This directive was subsequently amended by a letter of June 5, 1972, which limited the product coverage established in the directive of May 2, 1972, for Category 211.

Under the provisions of the bilateral Wool and Manmade Fiber Textile Agreement of January 6, 1972, between the Governments of the United States and Hong Kong, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the aforesaid directive of May 2, 1972, as amended, is hereby canceled effective as soon as possible.

The actions taken with respect to the Government of Hong Kong and with respect to imports of manmade fiber textile products from Hong Kong have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. This letter will be published in the FEDERAL REGISTER.

Sincerely,

STANLEY NEHMER,  
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.*

[FR Doc.72-15745 Filed 9-13-72;8:52 am]

## ENVIRONMENTAL PROTECTION AGENCY

### ENVIRONMENTAL IMPACT STATEMENTS

#### Availability of Agency Comments

Appendix I contains a listing of draft environmental impact statements which the Environmental Protection Agency (EPA) has reviewed and commented upon in writing during the period from August 16, 1972, to August 31, 1972, as required by section 102(2)(C) of the National Environmental Policy Act of 1969 and section 309 of the Clean Air Act, as amended. The listing includes the Federal agency responsible for the statement, the number assigned by EPA to the statement, the title of the statement, the classification of the nature of EPA's comments, and the source for copies of the comments.

Appendix II contains definitions of the four classifications of EPA's comments. Copies of EPA's comments on these draft environmental impact statements are available to the public from the EPA offices noted.

Appendix III contains a listing of the addresses of the sources for copies of EPA comments listed in Appendix I.

Copies of the draft environmental impact statements are available from the Federal department or agency which prepared the draft statement or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151.

Dated: September 7, 1972.

SHELDON MEYERS,  
*Director,*  
*Office of Federal Activities.*



| Responsible Federal agency      | Title and Identifying Number   | General nature of comments | Source for copies of comments |
|---------------------------------|--|----------------------------|-------------------------------|
| Atomic Energy Commission        | D-AEC-00059-11: Three Mile Island Units 1 and 2, Penna.  |                            | 2 A                           |
| Do.                             | D-AEC-00064-18: McGuire Nuclear Station Units 1 and 2, N.C.  |                            | 2 A                           |
| Do.                             | D-OEE-00071-65: Loss of fluid test facility, Idaho.  |                            | 2 A                           |
| Cops of Engineers               | D-OEE-35027-07: Port Chester Harbor Maintenance Dredging, N.Y.   |                            | 1 B                           |
| Do.                             | D-OEE-06898-05: Coke Works Generating Plant, New Haven, Conn.  |                            | 3 B                           |
| Do.                             | D-OEE-43235-24: Greenville Harbor Expansion, Miss.   |                            | 2 E                           |
| Do.                             | D-OEE-89098-42: Operation and Maintenance Lewis and Clark Lake Project, S. Dak.                                |                            | 2 H                           |
| Department of Agriculture       | D-DOA-35030-11: Grunderville sanitary land fill Allegheny Warren, Pa.  |                            | 2 D                           |
| Do.                             | D-DOA-61076-23: Hiwassee Unit Cherokee National Forest, Tenn.  |                            | 2 E                           |
| Do.                             | D-DOA-38141-27: Mendoza Watershed La Salle and Bureau Counties, Ill.   |                            | 2 F                           |
| Do.                             | D-DOA-38152-00: Middle Walnut Watershed SCS.   |                            | 2 D                           |
| Department of Defense           | D-DOD-00693-45: Mixed Co., Colo.   |                            | 2 A                           |
| Do.                             | D-DOD-10921-21: Continued use of Pinecastle Electronic Warfare Range Complex-N. Central Fla.                   |                            | 2 E                           |
| Department of Transportation    | D-DOT-54011-00: Proposed Federal Aid and Mass Transportation Act.  |                            | 2 A                           |
| Do.                             | D-DOT-41380-05: I-84 Section 2 Windham to Sterling, Conn.  |                            | 3 B                           |
| Do.                             | D-DOT-41424-08: R.P. I-85, FR I-95 Bucks County, Pa., to Burlington County, N.J.                               |                            | 3 C                           |
| Do.                             | D-DOT-41423-11: LA 187 and R443 (Topics project), Allentown, Pa.   |                            | 1 D                           |
| Do.                             | D-DOT-50104-21: Estacada Rd., Mid-Island Bridge Winkler Road ext., Fla.  |                            | 3 E                           |
| Do.                             | D-DOT-41417-18: N.C.-24 Cumberlandville to Duplin Counties, N.C.   |                            | 2 E                           |
| Do.                             | D-DOT-50106-21: Proposed bridge across intracoastal waterway at Daytona Beach, Fla.                            |                            | 1 E                           |
| Do.                             | D-DOT-41421-21: State Road 8A, Escambia County, Fla.   |                            | 2 E                           |
| Do.                             | D-DOT-41414-29: SR61, Crawford County, Ohio.   |                            | 2 F                           |
| Do.                             | D-DOT-41412-29: State RT 13 and 97, Knox and Richland Counties, Ohio.  |                            | 2 F                           |
| Do.                             | D-DOT-41270-47: FAP 410, Jackson, Perry, Randolph, Monroe and St. Clair Counties, Ill.                         |                            | 1 F                           |
| Do.                             | D-DOT-51883-26: STH 42-57, Door County, Wis.   |                            | 2 F                           |
| Do.                             | D-DOT-41415-34: Interstate Highway 27, 0.2 mile north-east of Hale CTR., north to Randall County Line, Tex.    |                            | 2 G                           |
| Do.                             | D-DOT-41378-41: Highway Project F-3-013, 190 Walpeton Bypass, N. Dak.  |                            | 1 I                           |
| Do.                             | D-DOT-41383-44: Highway F-015-1(7) McGuire Canyon to Strawberry Valley, Utah.                                  |                            | 1 I                           |
| Federal Power Commission        | D-FPC-07062-07: Removal of Fort Edward Development of Project No. 2482 Hudson River, N.Y.                      |                            | 2 C                           |
| Do.                             | D-FPC-07065-00: FPC-6-201 Swinging bridge project.   |                            | 1 C                           |
| Do.                             | D-FPC-07064-00: FPC-5-200 Rio project.   |                            | 1 C                           |
| Do.                             | D-FPC-07069-00: FPC-4-199 Monagan Project.   |                            | 1 C                           |
| General Services Administration | D-GSA-00065-27: Argonne land disposal, Du Page County, Ill.  |                            | 2 F                           |
| Veterans Administration         | D-VA-81098-19: New 400' Bed VA Administration Hospital and Modernization of existing buildings, Columbia, S.C. |                            | 2 E                           |

APPENDIX II  
DEFINITION OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

- (1) *General agreement/lack of objections.* The Agency generally:  
(a) Has no objections to the proposed action as described in the draft impact statement;  
(b) Suggests only minor changes in the proposed action or the draft impact statement; or  
(c) Has no comments on the draft impact statement or the proposed action.  
(2) *Inadequate information.* The Agency feels that the draft impact statement does not contain adequate information to assess fully the environmental impact of the proposed action. The Agency's comments call for more information about the potential environmental hazards addressed in the statement, or ask that a potential environmental hazard be addressed since it was not addressed in the draft statement.  
(3) *Major changes necessary.* The Agency believes that the proposed action, as described in the draft impact statement, needs major revisions or major additional safeguards to adequately protect the environment.  
(4) *Unsatisfactory.* The Agency believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the safeguards which might be utilized may not adequately protect the environment from the hazards arising from this action. The Agency therefore recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

APPENDIX III

SOURCES FOR COPIES OF EPA COMMENTS

- A. Director, Office of Public Affairs, Environmental Protection Agency, 401 M Street SW, Washington, DC 20460  
B. Director of Public Affairs, Region I, Environmental Protection Agency, Room 2303, John F. Kennedy Federal Building, Boston, Mass. 02203.  
C. Director of Public Affairs, Region II, Environmental Protection Agency, Room 847, 26 Federal Plaza, New York, NY 10007.  
D. Director of Public Affairs, Region III, Environmental Protection Agency, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pa. 19106.  
E. Director of Public Affairs, Region IV, Environmental Protection Agency, Suite 300, 1421 Peachtree Street NE, Atlanta, GA 30309.  
F. Director of Public Affairs, Region V, Environmental Protection Agency, 1 North Wacker Drive, Chicago, IL 60606.

- G. Director of Public Affairs, Region VI, Environmental Protection Agency, 1600 Patterson Street, Dallas, TX 75201.  
H. Director of Public Affairs, Region VII, Environmental Protection Agency, 1735 Baltimore Street, Kansas City, MO 64108.  
I. Director of Public Affairs, Region VIII, Environmental Protection Agency, Lincoln Tower, Room 916, 1860 Lincoln Street, Denver, CO 80203.  
J. Director of Public Affairs, Region IX, Environmental Protection Agency, 100 California Street, San Francisco, CA 94102.  
K. Director of Public Affairs, Region X, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101.

[FR Doc. 72-15613 Filed 9-13-72; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 19577-19579; FCC 72-764]  
BILLY D. PIRTLE ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of Billy D. Pirtle, Cleveland, Tex., Requests: 1410 kHz, 500 W, DA-2, U, Docket No. 19577, File No. BP-19126; Texan Broadcasting Co., Inc., Cleveland, Tex., Requests: 1410 kHz, 500 W, DA-2, U, Docket No. 19578, File No. BP-19138; Jessie C. Howard, Cleveland, Tex., Requests: 1410 kHz, 500 W, DA-2, U, Docket No. 19579, File No. BP-19154; for construction permits.

1. The Commission has before it for consideration (i) the above-captioned mutually exclusive applications requesting the deleted facilities of station KVLB, Cleveland, Tex.; (ii) an application (File No. BPI-30) for interim operating

In a decision released Dec. 1, 1971, the Commission directed the licensee of station KVLB to forward his license for cancellation. Steven Van Sadler, 32 FCC 2d 801, 23 RR 2d 291 (1971). The station ceased operation, however, on or about Aug. 11, 1971, as indicated by a telegram from the licensee advising the Commission that "KVLB is off the air now and will remain off until which time the FCC grants a license to another broadcaster." The application for renewal was subsequently dismissed on Nov. 24, 1971, and the call letters were deleted on Dec. 6, 1971.



authority of the deleted KVLB facilities filed by Texan Broadcasting Co., Inc.; (iii) a request for a conditional grant of the KVLB facilities pursuant to § 1.592 (a) of the rules by Billy D. Pirtle; and (iv) a request for a joint interim operation of the deleted KVLB facilities by a partnership of Texan Broadcasting Co., Inc., and Jessie C. Howard.

2. The applicants have submitted three proposals for interim operating authority of the deleted facilities of KVLB, Cleveland, Tex., and recite the need for the resumption of local radio service.<sup>3</sup> KVLB was the only aural service licensed to Cleveland. Billy Pirtle requests a conditional grant of its application pursuant to § 1.592(a) of the Commission rules. Texan Broadcasting also proposes an interim operation which amounts to a conditional grant. Finally, Jessie C. Howard and Texan Broadcasting have created a partnership to operate the interim operation, and have informed the Commission that although Pirtle has not chosen to join in the operation, they will permit him to join in the operation anytime before the Commission grant of an interim operation. The partnership agreement does not, however, provide for this eventuality or describe the terms by which Pirtle will be permitted to join.

3. Interim authority is an extraordinary procedure which the Commission will authorize only after it finds the grant would be in the public interest. This finding requires a balancing of the public benefits against the detriments, disadvantages, and prejudices which may be caused. The Commission has been especially concerned about the prejudicial effect the interim authorization would have upon the nonparticipating applicants in a subsequent proceeding held to determine which applicant should receive permanent authority to operate the facility. "Pike-Mo Broadcasting Co.," 1 FCC 2d 790, 6 RR 2d 69 (1965). In this case, none of the proposals include all the applicants for permanent authority in the interim operation, and thus are subject to scrutiny. The requests submitted by Pirtle and Texan Broadcasting directly conflict with established Commission policy not to grant an individual request for interim operating authority when there are several competing applicants. "Community Broadcasting Co. v. FCC," 274 F.2d 753 (1960); "Sandern of Iowa, Inc.," 20 FCC 2d 546 (1969); and "Clifton Forge Radio," 24 RR 2d 212 (1972). Accordingly, they will be dismissed. The joint interim proposal is, moreover, defective. It is not open-ended, and we are not convinced that it affords Pirtle a reasonable opportunity to participate in an interim operation. We also do not find compelling countervailing public benefit considerations. KVLB has not been operating for more than a year, and since Cleveland is located within the

<sup>3</sup>The Commission has also received and considered petitions signed by Cleveland area residents requesting the immediate resumption of a radio station for Cleveland.

Houston, Tex., Standard Metropolitan Statistical Area, we are confident it receives service from numerous aural facilities in the area. Accordingly, the request for interim operating authority will also be dismissed. The dismissal will be without prejudice to the parties, however, in the event they can reach agreement in the future.

4. An examination of the financial section of the Texan Broadcasting application reveals that the applicant has not provided an adequate basis upon which to establish its financial qualifications. Since the proposal is for deleted facilities, only the estimated first 3 months' construction and operating expenses need be substantiated. Texan estimates that it will cost \$38,500, as follows: equipment, \$21,500; buildings, \$1,000; miscellaneous, \$2,500; and working capital, \$13,500. To meet these expenses, it has shown the availability of \$3,600 cash. The bank loan relied upon for the balance of the amount, however, does not properly describe the collateral required. Thus, we cannot accept the bank letter, and an issue will be included as to Texan Broadcasting's financial qualifications.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to the application of Texan Broadcasting Co., Inc.:

(a) Whether the Cleveland Bank and Trust Co., or any other lending institution, is willing to loan the applicant the amount it proposes to use for the first 3 months' construction and operating costs.

(b) Whether in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

2. To determine which of the proposals would, on a comparative basis, best serve the public interest.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which, if any, of the applications should be granted.

7. It is further ordered, That, the application (File No. BPI-30) of Texan Broadcasting Co., Inc., the conditional grant request of Billy D. Pirtle, and the joint interim request of Texan Broadcasting Co., Inc., and Jessie C. Howard are dismissed.

8. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file

with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

9. It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: August 29, 1972.

Released: September 7, 1972.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>3</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-15651 Filed 9-13-72; 8:47 am]

[Docket No. 19575; FCC 72-755]

RUSSELL E. JANTZEN

### Order Designating Applications for Hearing on Stated Issues

In regard application of Russell E. Jantzen, 12888 Civic Center, Garden Grove, CA 92640, Docket No. 19575, for amateur radio station and technician class operator license.

The Commission has under consideration the above-entitled application for an amateur radio station license and amateur radio operator (technician class) license filed by Russell E. Jantzen.

He previously held general class amateur operator license W5VBR and amateur radio station licenses W5VBR and W6TBN.

The applicant has had an extensive history of rule violations beginning as early as 1966. Jantzen's operator license was first suspended, effective on or about March 12, 1968, for the balance of its term (July 1, 1968), for willfully and maliciously interfering with or causing interference to radio communication or signals of other radio stations earlier that year. Thereafter, upon his assurances that he would operate in strict accordance with the Commission's rules, he was granted renewals of general class amateur radio operator license W5VBR and amateur radio station licenses W5VBR and W6TBN on August 8, 1968.

Despite applicant's assurances, his subsequent violative operations made necessary the initiation of proceedings looking toward suspension of his amateur operator license and revocation of his amateur radio station licenses on January 22, 1971. In those proceedings, it was alleged, inter alia, that, on numerous dates in August

<sup>3</sup>Commissioners H. Rex Lee and Reid absent; Commissioner Hooks not participating.



and September 1970, the applicant repeatedly and willfully transmitted obscene, profane or indecent words, language or meaning; that he had a history of rule violations beginning as early as 1966; that he had repeatedly and willfully transmitted language derogatory of certain races; that he had repeatedly and willfully transmitted threats of bodily harm to other persons; and that he willfully and repeatedly transmitted unidentifiable noises and sound effects for extended periods of time.

The applicant requested a hearing, and one was scheduled to be held on the foregoing charge in Los Angeles, Calif., beginning on July 8, 1971 (Docket No. 19147). Just prior to the hearing, on May 10, 1971, Jantzen voluntarily surrendered his licenses for cancellation. In view of this, the proceedings were terminated by order issued by the Hearing Examiner on June 9, 1971.

The above matters raise serious questions as to whether applicant possesses the requisite qualifications to be a licensee and whether a grant of his application would serve public interest, convenience, or necessity.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's rules, that the captioned application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the nature and extent of applicant's history of rule violations prior to 1970.
2. To determine whether the applicant committed rule violations in August and September 1970 as set forth above.
3. To determine whether applicant, on August 7 and 14 and September 28, 1970, repeatedly and willfully transmitted language derogatory of certain races.
4. To determine whether applicant, on September 30, 1970, repeatedly and willfully transmitted threats of bodily harm to other persons.
5. To determine whether applicant misrepresented material facts to the Commission in two letters dated November 4, 1970, and one letter dated October 8, 1970.
6. To determine whether applicant withheld material facts from the Commission and was lacking in candor in two letters dated October 11, 1970.
7. To determine whether applicant withheld material facts from the Commission in his letter dated October 10, 1970.
8. To determine, based upon the evidence adduced pursuant to the foregoing issues, whether the applicant can be relied upon to operate a station in the Amateur Radio Service in accordance with the terms of his license and the rules and regulations of the Commission.
9. To determine, in light of the evidence adduced pursuant to issues 1 through 8, whether the applicant possesses the qualifications to be a licensee of the Commission.
10. To determine whether, in light of the evidence adduced in respect to the foregoing issues, the grant of the subject

application for amateur radio station and operator (technician) licenses would serve the public interest, convenience, and necessity.

It is further ordered, That, to avail himself of the opportunity to be heard, the applicant herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intent to appear on the date fixed for hearing and to present evidence on the issues specified in this order.

Adopted: August 29, 1972.

Released: September 7, 1972.

FEDERAL COMMUNICATIONS  
COMMISSION<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-15652 Filed 9-13-72; 8:47 am.]

[Report 612]

### COMMON CARRIER SERVICES INFORMATION<sup>2</sup>

#### Domestic Public Radio Services Applications Accepted for Filing<sup>3</sup>

SEPTEMBER 5, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an ap-

<sup>1</sup> Commissioners H. Rex Lee and Reid absent; Commissioner Hooks not participating.

<sup>2</sup> 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.

<sup>3</sup> 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).

plication, in order to be considered with any domestic public radio services application appearing on the attached 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 below 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.

#### APPENDIX

##### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 0030-C2-P-(2)-73—Answerite Professional Telephone Service (KFL873) (Resubmitted), for additional facilities to operate on 454.275 and 454.325 MHz located at 418 West 13th Street, Sanford, FL.
- 1104-C2-AL-73—Mobile Radio Dispatch Service, Inc. Consent to assignment of license from Mobile Radio Dispatch Service, Inc., Assignor, to Radiofone Corporation of New Jersey, Assignee. Station: KEA256 East Brunswick, N.J.
- 1171-C2-TC-73—Road Runner Radio Paging Service, Inc. Consent to the transfer of control from E. W. Mahone, Jr., H. A. Bridge, Jr., and Billy W. Brower, Transferors to Middle-South Communication Systems, Inc., Transferee. Station: KRH650 Marshall, Tex.
- 1172-C2-P-(2)-73—Racine Private Police, Inc. (New), for a new one-way station to operate on 158.700 MHz at location No. 1: Route K, 1.9 miles west of Kenosha, Wis., and location No. 2: Washington Avenue and Highway No. 41, Racine, Wis.
- 1173-C2-P-73—Continental Telephone Company of California (KMM681), to increase height to tip of antenna and correct coordinates and ground elevation for facilities operating on 152.600 MHz located at 6.5 miles southwest of Willow Creek, Calif.
- 1193-C2-P-(3)-73—Caprock Radio Dispatch (KKO353), for additional facilities to operate on 152.210 MHz base and 75.78 MHz repeater at location No. 6: 3.5 miles southwest of Caprock, N. Mex., and add control facilities on 72.32 MHz at location No. 7: 601 North Grimes Street, Hobbs, NM.
- 1194-C2-AL-73—K & M Management Co., consent to assignment of license from K & M Management Co., assignor, to Airtel International of Philadelphia, Pa., Inc., assignee. Station: KGA804 Philadelphia, Pa.
- 1195-C2-AL-(2)-73—Contact, consent to assignment of license from Telephone Message Bureau, Inc., trading as Contact, assignor, to Airtel International of Philadelphia, Pa., Inc., assignee. Stations: KGC223 (1-way) and KGC596 Philadelphia, Pa.



## POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

- 1234-C1-P-73—Same (WL769), Madison Repeater, Wis., latitude 43°03'09" N., longitude 89°28'42" W. C.P. to change azimuth toward Madison (WHA), Wisconsin to 70°32' on frequency 10,775 MHz.
- 1235-C1-P-73—Same (New), Wabasha, Minn., 3.2 miles southwest of Wabasha at latitude 44°21'25" N., longitude 92°05'29" W. C.P. to add frequencies 6004.5H, 6063.9H, and 6123.1H MHz toward Rochester Repeater, Minn.
- 1236-C1-P-73—Same (New), Rochester Repeater, 2.2 miles northeast of Rochester, Minn., at latitude 44°02'46" N., longitude 92°23'57" W. C.P. for a new station on frequencies 6226.9H, 6286.2H, and 6404.8H MHz toward Dexter, Minn.; frequencies 6286.2V and 6404.8V MHz via power split toward Rochester KROC-TV, Minn.
- 1237-C1-P-73—Same (New), Dexter, 1.1 mile south-southeast of Dexter, Minn., at latitude 43°42'33" N., longitude 92°41'15" W. C.P. for a new station on frequencies 5974.8H and 6152.8H toward Elma, Iowa; 6034.2V and 6152.8V MHz toward Austin KAUS-TV, Minn. (Frequency 6152.8 MHz via power split.)
- 1238-C1-P-73—Same (New), Elma, 6.1 miles west of Elma, Iowa at latitude 43°14'35" N., longitude 92°33'50" W. C.P. for a new station on frequencies 6226.9H and 6404.8H MHz toward Bremer, Iowa.
- 1239-C1-P-73—Midwestern Relay Co. (New), Bremer, 0.8 mile west of Bremer, Iowa at latitude 42°46'15" N., longitude 92°22'42" W. C.P. for a new station on frequencies 6004.5H and 6123.1H MHz toward Waterloo KWVL, Iowa.
- 1241-C1-P-73—General Telephone Company of the Northwest, Inc. (KZS57), 2115 Government Way, Coeur D'Alene, Idaho. Latitude 47°41'52" N., longitude 116°47'17" W. C.P. to add frequencies 11,285H and 11,445H MHz toward Mica Peak, Idaho.
- 1242-C1-P-73—Same (KOT58), 7 miles south-southwest of Post Falls, Mica Peak, Idaho. Latitude 47°37'23" N., longitude 116°59'13" W. C.P. to change frequencies 5982.3V and 6100.9V MHz to 10,755V and 10,915V MHz toward Coeur D'Alene, Idaho.
- 1243-C1-P-73—American Telephone & Telegraph Co. (KSB66), 240 North Meridian Street, Indianapolis, IN. Latitude 39°46'16" N., longitude 86°09'29" W. C.P. to add frequencies 6197.2H, 6256.5H, 6375.2H, and 6198H MHz toward Morgantown, Ind.
- 1244-C1-P-73—Same (KSP23), 2.3 miles north-northeast of Morgantown, Ind. Latitude 39°24'15" N., longitude 86°15'03" W. C.P. to add frequencies 5945.2H, 6004.5H, 6123.1H, and 6190H MHz toward Indianapolis, Ind.
- 1245-C1-P-73—General Telephone Company of the Northwest, Inc. (KPF69), approximately 11.9 miles south-southwest of Coos Bay, Ore. Latitude 43°12'22" N., longitude 124°18'06" W. C.P. to add frequency 5952.6H MHz toward Stone Butte, Ore.; frequency 2112.0H MHz toward Powers, Ore. via passive reflector.
- 1246-C1-P-73—Same (New), corner of Alder Street and Highway 242, Powers, Ore. Latitude 42°53'25" N., longitude 124°04'23" W. C.P. for a new station on frequency 2172.0H MHz toward Beaver Lookout, Ore. via Passive Reflector.
- 1247-C1-P-73—Same (New), 3.8 miles south of Langlois, Stone Butte, Ore. Latitude 42°52'20" N., longitude 124°26'08" W. C.P. for a new station on frequencies 6204.7H MHz toward Beaver Lookout, Ore.; 6382.6V MHz toward Grizzly Mountain, Ore.
- 1248-C1-P-73—Same (KPF72), 3.1 miles east of Gold Beach, Grizzly Mountain, Ore. Latitude 42°33'50" N., longitude 124°21'50" W. C.P. to add frequency 6130.5V MHz toward Stone Butte, Ore.; to delete frequencies 5952.6, 6130.5, and add frequency 6204.7V MHz toward Palmer Butte, Ore.; to delete frequencies 5967.4, 6145.3, and add frequency 2117.2V MHz toward Port Orford, Ore.
- 1249-C1-P-73—Same (KPF71), Ninth and Jackson Streets, Port Orford, Ore. Latitude 42°44'47" N., longitude 124°29'38" W. C.P. for a new station on frequency 2167.2V MHz toward Grizzly Mountain, Ore.
- 1250-C1-P-73—Same (KPF73), 5.8 miles northeast of Brookings, Palmer Butte, Ore. Latitude 42°07'36" N., longitude 124°13'34" W. C.P. to delete frequencies 6204.7H and 6382.6H MHz and add frequency 5952.6V MHz toward Grizzly Mountain, Ore.
- 1253-C1-MI-73—American Telephone & Telegraph Co. (KLS99), 2.2 miles south of McCaulley, Tex. Latitude 32°45'00" N., longitude 100°12'12" W. Modification of license to change polarization from H to V on frequencies 3710V, 3790V, 3870V, and 4110V; change polarization from V to H on frequencies 3730H, 3810H, 3890H, 3970H, 4050H, and 4130H MHz toward Stamford, Tex.

## DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

- 1240-C2-P-73—American Communication Systems, Inc. (KIG300), replace the transmitter operating on 43.58 MHz located at the First National Bank Building, No. 2 Peachtree Street, Atlanta, GA.
- 1262-C2-P-73—Gabriel Communications Corp., doing business as Mobile Phone (New), for a new 2-way station to be located at 1891 North Seacrest Boulevard, Boynton Beach, Fla., to operate on 454.025 MHz.
- 1268-C2-P-73—Same as above except for a new 1-way station to operate on 158.700 MHz.
- 1264-C2-P-73—Continental Telephone Company of California (KMM669), change the antenna system operating on 152.660 MHz located at Oregon Mountain, 2.5 miles west-southwest of Weaverville, Calif.
- 1347-C2-AP/AL-(3)-73—JayEn, Inc., consent to assignment of license from JayEn, Inc., to Arrowhead Business Radio, Inc., assignee. Stations: KEK301 Virginia, Minn., KPF901 and KRH654 (1-way) Duluth, Minn.
- 1349-C2-P-73—King Communications, Inc. (KQD310), for additional facilities to operate on 152.150 MHz at a new site described as location No. 3: 1731 North Niagara, Seginaw, MI.
- 890-C2-P-(2)-73—Mobilphone, Inc. (KMB309), to relocate facilities operating on 43.58 and 43.22 MHz at location No. 7 to: Oat Mountain, Los Angeles, Calif.
- Major Amendments*
- 2957-C2-P-72—Harold's Radio Service (New), amended to change base frequency to 158.700 MHz. All other particulars remain as reported on Public Notice No. 571, dated November 22, 1972.
- 8854-C2-P-72—Boylan and Cannon Electronics, Inc. (New), amended to change base frequency to 454.025 MHz. All other particulars remain as reported on Public Notice No. 601, dated June 19, 1972.
- Correction*
- 5218-C2-P-72—Airsignal International of Pittsburgh, Pa. (New), correct to read: location No. 1: 1715 Grandview Avenue and location No. 2: 4101 Grizzella Street, Pittsburgh, Pa. All other particulars remain as reported on public notice No. 584, dated February 22, 1972.
- RURAL RADIO SERVICE*
- 1174-C1-P-73—Continental Telephone Company of California (New), for a new rural subscriber station to be located near Victorville, Calif., to operate on 157.890 MHz communicating with station KMM683, Victorville, Calif.
- 1347-C1-AL-73—JayEn, Inc. Consent to assignment of license from JayEn, Inc., Assignor, to Arrowhead Business Radio, Inc., Assignee. Station: WGI65 Temp-Fixed.
- POINT-TO-POINT MICROWAVE RADIO SERVICE*
- 1139-C1-P-73—United Video, Inc. (New), 2.5 miles northwest of England, Ark. (latitude 34°34'30" N., longitude 91°59'27" W.); C.P. for a new station using frequencies 6004.5V and 6063.8V MHz toward North Little Rock, Ark. (Informative: United proposes to provide the signals of stations KTVT and KDTV, Dallas/Fort Worth, Tex., to its customer, Television, Inc., in North Little Rock. See File No. 1883-C1-P-72, this public notice.)
- 9175-C1-P-72—Michigan Bell Telephone Co. (KQM36), 221 North Washington Street, Lansing, MI. Latitude 42°44'07" N., longitude 84°33'13" W. C.P. to add frequency 1079.5H MHz toward Pottersville, Mich.
- 9176-C1-P-72—Same (KQA43), 1.3 miles east and 1.2 miles north of Pottersville, Mich. Latitude 42°38'43" N., longitude 84°42'22" W. C.P. to add frequency 6093.5H MHz toward St. Johns, Mich.
- 1170-C1-P-73—Southern Bell Telephone & Telegraph Co. (New), 750 West Texas Avenue, Orlando, Fla. Latitude 28°33'47" N., longitude 81°24'42" W. C.P. for a new station on frequency 6404.8H MHz toward Videx Inc., Orlando, Fla.
- 1233-C1-P-73—Midwestern Relay Co. (WLJ70), Madison, Wis. Latitude 43°04'22" N., longitude 89°24'00" W. C.P. to change station location with frequency 1138.5V MHz toward Madison Repeater, Wis.



- 1254-C1-P-73—Same (KLS98), 5.5 miles south-southwest of Stamford, Tex. Latitude 32°52'04" N., longitude 99°51'30" W. Modification of license to change polarization from H to V on frequencies 3750V, 3830V, 3910V, 3950V, 4070V, and 4150V MHz; change polarization from V to H on frequencies 3770H, 3850H, 3930H, 4010H, 4090H, and 4170H MHz toward McCauley, Tex.
- 1255-C1-ML-73—Same (KZA35), 2.4 miles east-southeast of Riesel, Tex. Latitude 31°27'36" N., longitude 96°53'14" W. Modification of license to change polarization from H to V on frequencies 3750V, 3830V, 3910V, 3950V, and 4070V MHz; change polarization from V to H on frequency 4198H MHz toward West, Tex.
- 1256-C1-ML-73—Same (KZA34), 1.0 mile north of West, Tex. Latitude 31°49'35" N., longitude 97°05'33" W. Modification of license to change polarization from H to V on frequencies 3710V, 3790V, 3870V, 3950V, and 4080V MHz; change polarization from V to H on frequency 4190H MHz toward Riesel, Tex.
- 1257-C1-ML-73—Same (KZA33), 2.4 miles east of Itasca, Tex. Latitude 32°09'43" N., longitude 97°06'00" W. Modification of license to change polarization from H to V on frequencies 3750H, 3830H, 3910H, 3950H, and 4070H MHz; change polarization from H to V on frequency 4198V MHz toward Kennedale, Tex.
- 1258-C1-ML-73—Same (KY292), 3 miles south-southeast of Kennedale, Tex. Latitude 32°36'29" N., longitude 97°11'13" W. Modification of license to change polarization V to H on frequencies 3710H, 3790H, 3870H, 3950H, and 4030H MHz; change polarization from H to V on frequency 4190V MHz toward Itasca, Tex.
- 1259-C1-P-73—Pacific Northwest Bell Telephone Co. (KOQ80), 6 miles west of Condon, Oreg. Latitude 45°14'10" N., longitude 120°18'17" W. C.P. to add frequency 2165.2V MHz toward Lexington, Oreg. via Passive Reflector.
- 1260-C1-P-73—Same (New), East Street near C Street, Lexington, Oreg. Latitude 45°26'43" N., longitude 119°40'57" W. C.P. for a new station on frequency 2152.2V MHz toward Condon, Oreg. via Passive Reflector.
- 1261-C1-P-73—Continental Telephone Co. of California (KMW68), Trinity Center, Calif. Latitude 40°59'07" N., longitude 122°42'13" W. C.P. to change antenna system and increase height of center of radiation and to tip of antenna and construct new supporting tower.
- 1276-C1-P-73—The Offshore Telephone Co. (New), Gulf of Mexico, South Marsh Island Area Block 49, Platform A. Latitude 28°44'21" N., longitude 91°52'12" W. C.P. for a new station on frequency 2178.0V MHz toward South Marsh Island, Block 33, Platform B.
- 1277-C1-P-73—Same (New), Gulf of Mexico, South Marsh Island, Block 33, Platform B. Latitude 28°43'57" N., longitude 91°56'03" W. C.P. for a new station on frequency 2128.0V MHz toward South Marsh Island, Block 44, Platform A.
- 1278-C1-P-73—American Telephone & Telegraph Co. (KNK99), 1587 Franklin Street, Oakland, CA. Latitude 37°48'22" N., longitude 122°15'05" W. C.P. to add frequency 6375.2H MHz toward Round Top, Calif.
- 1279-C1-P-73—Same (KNK98), 5.3 miles northeast of Oakland Civic Center, Calif. Latitude 37°51'03" N., longitude 122°11'30" W. C.P. to add frequencies 6123.1V MHz toward Oakland, Calif.; 6123.1H MHz toward Clayton, Calif.
- 1280-C1-P-73—Same (KNK97), 3.7 miles east of Clayton, Calif. Latitude 37°55'48" N., longitude 121°52'08" W. C.P. to add frequencies 6375.2V MHz toward Round Top, Calif.; 6375.2H MHz toward Lodi, Calif.
- 1281-C1-P-73—Same (KNK96), 1.2 miles west-northwest of Lodi, Calif. Latitude 38°08'31" N., longitude 121°18'58" W. C.P. to add frequencies 6123.1V MHz toward Clayton, Calif.; 5945.2H MHz toward Ben Bolt, Calif.
- 1282-C1-P-73—Same (KNK95), 3 miles northwest of Lathrobe, Calif. Latitude 38°35'17" N., longitude 121°01'26" W. C.P. to add frequencies 6197.2V MHz toward Lodi, Calif.; 6197.2H MHz toward Union Hill, Calif.
- 1283-C1-P-73—Same (KNK94), 1.7 miles east of Pollock Pines, Calif. Latitude 38°45'24" N., longitude 120°33'13" W. C.P. to add frequency 5945.2V MHz toward Ben Bolt, Calif.; 5945.2H MHz toward Echo Summit, Calif.
- 1284-C1-P-73—Same (KNK93), 4.5 miles south-southwest of Meyers, Calif. Latitude 38°48'11" N., longitude 120°02'40" W. C.P. to add frequency 6197.2V MHz toward Union Hill, Calif.; 6197.2H MHz toward Topaz Lake, Nev.

- 1285-C1-P-73—Same (KPW86), 11 miles west-southwest of Wellington, Nev. Latitude 38°43'23" N., longitude 119°35'26" W. C.P. to add frequency 5945.2V MHz toward Echo Summit, Calif.; 5945.2H and 4190H MHz toward Wassuk, Nev.
- 1286-C1-P-73—Same (KPW85), 5.5 miles southwest of Schurz, Nev. Latitude 38°52'00" N., longitude 118°51'00" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Topaz Lake, Nev.; 6197.2H and 4198H MHz toward Kinkaid, Nev.
- 1287-C1-P-73—Same (KPW84), 11 miles east of Hawthorne, Nev. Latitude 38°30'32" N., longitude 118°25'33" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Wassuk, Nev.; 5945.2H and 4190H MHz toward Table Mountain, Nev.
- 1288-C1-P-73—American Telephone & Telegraph Co. (KPW83), 11 miles northeast of Mina, Nev. Latitude 38°27'34" N., longitude 117°55'17" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Kinkaid, Nev.; 6197.2H and 4198H MHz toward Gilbert, Nev.
- 1289-C1-P-73—Same (KPW82), 6.3 miles north of Gilbert, Nev. Latitude 38°17'14" N., longitude 117°42'14" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Table Mountain, Nev.; 5945.2H and 4190H MHz toward Booker, Nev.
- 1290-C1-P-73—Same (KPW81), 2.6 miles northeast of Tonopah, Nev. Latitude 38°05'42" N., longitude 117°11'09" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Gilbert, Nev.; 6197.2H and 4198H MHz toward Stone Cabin, Nev.
- 1291-C1-P-73—Same (KPW80), 21 miles southwest of Warm Springs, Nev. Latitude 38°06'41" N., longitude 116°44'19" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Booker, Nev.; 5945.2H and 4190H MHz toward Warm Springs, Nev.
- 1292-C1-P-73—Same (KPW79), 2.2 miles west of Warm Springs, Nev. Latitude 38°11'07" N., longitude 116°24'28" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Stone Cabin, Nev.; 6197.2H and 4198H MHz toward Lockes, Nev.
- 1293-C1-P-73—Same (KPW78), 5.8 miles west-southwest of Lockes, Nev. Latitude 38°31'10" N., longitude 115°53'21" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Warm Springs, Nev.; 5945.2H and 4190H MHz toward Currant, Nev.
- 1294-C1-P-73—Same (KPW77), 11.6 miles northeast of Currant, Nev. Latitude 38°49'48" N., longitude 115°17'30" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Lockes, Nev.; 6197.2H and 4198H MHz toward Murry Summit, Nev.
- 1295-C1-P-73—Same (KPW76), 1.4 miles west of Ely, Nev. Latitude 39°14'34" N., longitude 114°55'26" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Currant, Nev.; 5945.2H MHz toward Connors Pass, Nev.
- 1296-C1-P-73—Same (KPW28), 20 miles southeast of Ely, Nev. Latitude 39°01'30" N., longitude 114°38'32" W. C.P. to add frequency 6197.2V MHz toward Murry Summit, Nev.; 6197.2H MHz toward Sacramento Pass, Nev.
- 1297-C1-P-73—Same (KPW27), 14 miles northwest of Baker, Nev. Latitude 39°06'16" N., longitude 114°21'45" W. C.P. to add frequency 5945.2V MHz toward Connors Pass, Nev.; 5945.2H and 4190H MHz toward Confusion Mountain, Utah.
- 1298-C1-P-73—Same (KPW26), 25.3 miles east-northeast of Garrison, Utah. Latitude 39°03'25" N., longitude 113°35'08" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Sacramento Pass, Nev.; 6197.2H and 4198H MHz toward Clear Lake, Utah.
- 1299-C1-P-73—Same (KPW25), 8.7 miles west-southwest of Clear Lake, Utah. Latitude 39°04'30" N., longitude 112°53'38" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Confusion Mountain, Nev.; 5945.2H and 4190H MHz toward Delta, Utah.
- 1300-C1-P-73—American Telephone & Telegraph Co. (KPW24), 4.4 miles south-southeast of Delta, Utah. Latitude 39°17'18" N., longitude 112°31'44" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Clear Lake, Utah; 6197.2H and 4198H MHz toward Scipio, Utah.
- 1301-C1-P-73—Same (KPM69), 5 miles southwest of Scipio, Utah. Latitude 39°11'45" N., longitude 112°10'54" W. C.P. to add frequencies 5945.2V and 4190H MHz toward Delta, Utah; 5945.2H MHz toward Levan, Utah.
- 1302-C1-P-73—Same (KPM68), 5.5 miles north-northwest of Levan, Utah. Latitude 39°37'33" N., longitude 111°54'27" W. C.P. to add frequencies 6197.2H MHz toward Payson, Utah; 6197.2V MHz toward Scipio, Utah.
- 1303-C1-P-73—Same (KPM67), 5.5 miles northwest of Payson, Utah. Latitude 40°05'19" N., longitude 111°49'17" W. C.P. to add frequencies 5945.2V MHz toward Levan, Utah; 5945.2H and 4190H MHz toward Riverton, Utah.



## POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

- 1304-C1-P-73—Same (KPM66), 0.5 mile west of Riverton, Utah. Latitude 40°31'24" N., longitude 111°56'45" W. C.P. to add frequencies 6197.2V and 4198H MHz toward Payson, Utah; 6197.2H and 4198V MHz toward Salt Lake City Junction, Utah.
- 1305-C1-P-73—Same (KOB26), 3100 Kennedy Drive, Salt Lake City, Utah. Latitude 40°45'00" N., longitude 111°48'03" W. C.P. to add frequencies 5945.2V and 4190V MHz toward Riverton, Utah.
- 1273-C1-MP-73—Midwestern Relay Co. (WIV44), modification of construction permit to increase power and to change point of communication from Shoreview to Arden Hills. Frequency 11,665V MHz on revised azimuth 21°26'. Station location: Studios of KSTP, St. Paul, Minn. Latitude 44°58'07" N., longitude 93°12'27" W.
- 1274-C1-MP-73—Same (WIV42), modification of construction permit to change point of communication from Shoreview to Arden Hills. Frequency 11,305V MHz on azimuth 120°25' to passive repeater at Foshay Tower, then on revised azimuth 42°50'. Station location: Studios of WCCO, Minneapolis, Minn. Latitude 44°58'33" N., longitude 93°16'29" W.
- 1382-C1-P-73—American Television & Communications Corp. (New), Rollag, 3.75 miles southwest of Rollag, Minn. Latitude 46°41'12" N., longitude 96°12'02" W. C.P. for a new station, using frequency 6404.8V MHz toward Detroit Lakes, Minn. Latitude 46°50'53" N., longitude 95°50'51" W., on azimuth 56°14'. (INFORMATIVE: ATC proposes to relay the signal of WTCN-TV, Minneapolis, Minn., to Detroit Lakes. See File No. 1940-C1-P-71, this public notice. Applicant also requests waiver of Rule Section 21.701(1).)
- 1383-C1-P-73—Utah Telephone Co. (KGC92), Fillmore, Utah. Latitude 38°58'08" N., longitude 112°19'29" W. C.P. to change antenna system and change to space diversity transmission on frequency 2179.0V MHz toward Delta, Utah.
- 1384-C1-P-73—Same (KVU95), 390 West 100 North, Delta, Utah. Latitude 39°21'16" N., longitude 112°34'56" W. C.P. to change antenna system and change to space diversity transmission on frequency 2129.0V MHz toward Fillmore, Utah.
- 1385-C1-P-73—Continental Telephone Co. of California (KVI36), 520 South China Lake, Ridgecrest, Calif. Latitude 35°36'50" N., longitude 117°40'05" W. C.P. to add frequency 6019.3H MHz toward Horse Peak, Calif.; to correct azimuth on frequencies 6049.0V and 6197.6H MHz toward Horse Peak, Calif. to 265°59'.
- 1386-C1-P-73—Same (KVI37), Horse Peak, 10 miles east-southeast of Onyx, Calif. Latitude 35°35'15" N., longitude 118°06'52" W. C.P. to add frequency 6301.0H MHz toward Ridgecrest, Calif.; to correct azimuth on frequencies 6271.3H and 6390.0H MHz toward Ridgecrest, Calif. to 85°44'.
- 1387-C1-P-73—The Bell Telephone Co. of Pennsylvania (KGP47), 12 South 12th Street, Philadelphia, Pa. Latitude 39°57'06" N., longitude 75°09'38" W. C.P. to add frequency 6271.4V MHz toward Trenton, N.J.
- 1388-C1-MI-73—Same (KIL58), 121 Adams Avenue, Scranton, Pa. Latitude 41°24'23" N., longitude 75°39'49" W. Modification of license to reinstate frequencies 6404.8V and 6286.2V MHz toward Lookout, Pa.

## MULTIPOINT DISTRIBUTION SERVICE

- 1168-C1-P-73—Century Cable Communications, Inc. (New), 125 North Market Street, Wichita, Kans. Latitude 37°41'15" N., longitude 97°20'13" W. C.P. for a new station on frequencies 2154.750V (Visual) and 2150.250V (Aural) toward various receiving points in the system.
- 1169-C1-P-73—Microwave Relay Services, Inc. (New), corner of North Main Street and College Boulevard, Greenville, S.C. Latitude 34°51'17" N., longitude 82°23'52" W. C.P. for a new station on frequencies 2154.75V (Visual) and 2150.25V (Aural) toward various receiving points in the system.
- 1348-C1-P-73—Forward Teleproductions (New), Bridgeport, Ohio (serving Wheeling, W. Va.). Latitude 43°08'41" N., longitude 80°45'08" W. C.P. for a new station on frequencies 2152.325V (Visual), 2150.20V (Aural), 2158.50V (Visual), and 2154.00V (Aural) toward various receiving points in the system.
- INFORMATIVE: It appears that the following applications may be mutually exclusive subject to the Commission's rules regarding ex parte presentations, reasons of potential electrical interference.
- Kansas—Wichita:  
International Television Corp. (New), 556-C1-P-73.  
Century Cable Communications, Inc. (New), 1168-C1-P-73.  
South Carolina—Greenville:  
Midwest Corp. (New), 9449-C1-P-72.  
Microwave Relay Services, Inc. (New), 1169-C1-P-73.
- INFORMATIVE: CPI Microwave, Inc. separated its proposed data/voice services from its proposed network video service in applications (File Nos. 859-898-C1-P-73) on Public Notice of August 21, 1972, Report No. 610.
- Since these new applications make no change to the pending proposal (other than separation into two parts), the 30-day period specified by section 309 (b) of the Communications Act does not apply.
- (Major Amendment)
- 1486-C1-P-70—KHC Microwave Corp. (New), 2 miles west of Donaldsonville, La. Latitude 30°06'27" N., longitude 91°01'22" W. Application amended (a) to change station location to foregoing coordinates—using new frequencies 6182.0V MHz and 6241.7V MHz toward new point of communication at Bayou Sorrel, La., on azimuth 281°30' and (b) to delete Baton Rouge, La., as point of communication.
- 1487-C1-P-70—Same (New), 0.2 mile east of Bayou Sorrel, La. Latitude 30°09'43" N., longitude 91°19'58" W. Application amended (a) to change station location from Baton Rouge, La., to Bayou Sorrel, at foregoing coordinates—using frequencies 5945.2H MHz and 6004.5H MHz toward new point of communication at Catahoula, La., on azimuth 274°15' and (b) to delete Blanks, La., as point of communication.
- 1488-C1-P-70—Same (New), 2 miles south of Catahoula, La. Latitude 30°11'10" N., longitude 91°42'38" W. Application amended (a) to change station location from Blanks, La., to Catahoula, at foregoing coordinates—using frequencies 6197.2H MHz and 6256.5H MHz toward new point of communication at Lafayette, La., on azimuth 266°19' and (b) to delete Opelousas, La., as point of communication.
- 1491-C1-P-70—Same (New), 4.5 miles southwest of Lafayette, La. Latitude 30°09'51" N., longitude 92°05'16" W. Application amended (a) to add frequencies 6004.5H MHz and 6172.0H MHz toward new point of communication at Opelousas, La. Latitude 30°30'55" N., longitude 92°05'05" W., on azimuth 00°26'; (b) to add frequencies 5945.2V MHz and 6004.5V MHz toward new point of communication at Crowley, La. Latitude 30°12'46" N., longitude 92°24'10" W., on azimuth 280°09'; (c) to change frequency to 6093.5V MHz and 6152.8V MHz toward Abbeville, La. Latitude 29°58'44" N., longitude 92°09'19" W., on azimuth 197°36'; and (d) to delete Kaplan, La., as point of communication. (INFORMATIVE: KHC, in these amendments, contemplates technical changes only—no change in previously proposed service. KHC also requests waiver of rule § 21.701(1).)
- 1077-C1-P-72—East Texas Transmission Co. (KIH75), Tyler, Tex. Latitude 32°21'13" N., longitude 95°19'11" W. Application amended (a) to change frequencies 1095.5V MHz and 1107.5H MHz to 5974.8V MHz and 6034.2V MHz toward Goodman Mountain, Tex., on azimuth 78°26' and (b) to add a third frequency (6093.5V MHz) toward Goodman Mountain.
- 1078-C1-P-72—Same (New), Goodman Mountain, 5 miles west-northwest of Kilgore, Tex. Latitude 32°24'39" N., longitude 94°59'16" W. Application amended (a) to change frequencies 1124.5H MHz and 1156.5H MHz to 6226.9V MHz and 6286.2V MHz toward Walker's Mill, Tex., on azimuth 68°40' and (b) to add a third frequency (6345.5V MHz) toward Walker's Mill.
- 1079-C1-P-72—East Texas Transmission Co. (New), Walker's Mill, 2 miles south of Walker's Mill, Tex. Latitude 32°33'20" N., longitude 94°32'52" W. Application amended (a) to change frequencies 1091.5H and 1107.5H MHz to 5974.8V and 6034.2V MHz toward Marshall, Tex., on azimuth 95°45'; (b) to add a third frequency (6093.5V MHz) toward Marshall; and (c) to change frequencies 1091.5V and 1107.5V MHz to 5974.8H and 6034.2H MHz toward Fanola, Tex., on azimuth 112°06'. (INFORMATIVE: East Texas (1077 thru 1079-C1-P-72) proposes to provide three (3) Dallas/Fort Worth signals (KTIV, KERA-TV, and KDTV) to its customer in Marshall, Tex. East Texas will also provide, via inter-connection, three such channels to KHC Microwave at Marshall and two (2) channels (KTIV and KERA-TV) to KHC at Fanola, Tex. See KHC Microwave, File Nos. 1715 and 1716-C1-P-73 and 1080 thru 1083-C1-P-72. See also United Video, File Nos. 1876 thru 1883-C1-P-72.)



1882-C1-P-72—United Video, Inc. (New), Bruce, 3 miles north of Bruce, Ark. Latitude 34°17'54" N., longitude 92°11'08" W. Application amended to add frequencies 6226.9V and 6286.2V MHz toward England, Ark., on azimuth 30°07'. Informative: United proposes to relay two Dallas/Fort Worth signals (KTVT and KDIV) through England, Ark., to North Little Rock, Ark. See File No. 1139-C1-P-73, this public notice.

8190-C1-P-72—Midwestern Relay Co. (WIV45), construction permit to change location to Arden Hills, at latitude 45°03'47" N., longitude 93°09'18" W. Change azimuth as follows: frequencies 6345.5H and 6404.8H MHz on revised azimuth 115°52'; frequencies 1101.5H and 1093.5V MHz on revised azimuth 222°55'; and frequencies 6256.5V, 6286.2H, 6375.2V, and 6404.8H MHz on revised azimuth 368°19'. Station location: Arden Hills, Minn.

8191-C1-P-72—Same (WIV43), construction permit to change point of communication from Shoreview to Arden Hills. Frequency 1162.5H MHz on revised azimuth 42°50'. Station location: Foshay Tower, Minneapolis, Minn. Latitude 44°58'28" N., longitude 93°16'17" W.

4898-C1-P-71—Maine Microwave, Inc. (New), Van Buren, Maine, latitude 47°08'40" N., longitude 67°57'30" W. Application amended to change frequencies to 5996.8H and 5937.5H MHz toward Madawaska, Maine, on azimuth 804°48'. NOTE: Applicant requests waiver of rule section 21.701(1).

1940-C1-P-71—American Television & Communications Corp. (New), 3 miles north-northeast of Downer, Minn., latitude 46°47'27" N., longitude 96°27'14" W. Application amended to add frequency 1150.5V MHz toward new points of communication at Moorhead, Minn., latitude 46°51'30" N., longitude 96°44'16" W., and at Rollag, Minn., latitude 46°41'12" N., longitude 98°12'02" W., on azimuths 289°13' and 120°47', respectively. Informative: ATC proposes to extend the signal of WTCN-TV, Minneapolis, Minnesota, to the communities of Moorhead and Detroit Lakes, Minn. See File No. 1382-C1-P-73, this public notice.

6447-C1-P-70—Southern Pacific Communications Co., Los Angeles-Houston (New), Brazos Street and Avenue G W., Rosenberg, Tex. Change frequency 6315.9H to 6315.9V on corrected azimuth 25°57' toward Satusma, Tex.

6448-C1-P-70—Same (New), S.P. right-of-way 2.3 miles east-southeast of Eagle Lake, Tex. Change frequency 6004.5V to 5974.8V on corrected azimuth 92°02' toward Rosenberg, Tex.

6451-C1-P-70—Same (New), S.P. building, approximately 1 mile east of Luling, Tex. Change frequency 6256.5H to 6315.9V on corrected azimuth 253°03' toward Marion, Tex.

6452-C1-P-70—Same (New), S.P. building, Marion, Tex. Change frequency 6004.5H to 6123.1V on corrected azimuth 72°49' toward Luling, Tex.

6453-C1-P-70—Same (New), S.P. telegraph office, San Antonio, Tex. Correct geographic coordinates to latitude 29°26'11" N., longitude 98°27'36" W. Correct azimuth to 174°26'26°02" N., longitude 98°27'36" W.

6471-C1-P-70—Same (New), S.P. building, Comanche Peak, Tex. Change frequency from 6093.5H to 6093.5V on corrected azimuth 307°37' toward Adens Hill, Tex.

6472-C1-P-70—Same (New), 416 North Stanton Street, El Paso, TX. Delete frequency 11,845V on corrected azimuth 14°08' toward Comanche Peak, Tex.

6476-C1-P-70—Same (New), S.P. building, Lookout Hill, N. Mex. Change frequency 5960.0V to 4090.0H and 4010.0H on corrected azimuth 290°04' toward Hellograph Peak, Ariz.

6477-C1-P-70—Same (New), S.P. building, Hellograph Peak, Ariz. Change frequency 6419.6V to 3710.0V and 3790.0V on corrected azimuth 109°29' toward Lookout Hill, N. Mex.

6478-C1-P-70—Same (New), S.P. building, radio ridge, Mount Lemmon, Ariz. Change frequency 6152.8H to 6152.8V on corrected azimuth 74°57' toward Hellograph Peak, Ariz. Delete frequency 11,625V on corrected azimuth 215°34' toward Tucson, Ariz.

6479-C1-P-70—Same (New), S.P. depot, Tucson, Ariz. Delete frequency 11,015V on corrected azimuth 35°29' toward Mount Lemmon, Ariz.

6480-C1-P-70—Same (New), Group 1, Lot 8, Final Peak, Ariz. Change frequency 6197.2H to 6271.4H on corrected azimuth 279°12' toward Phoenix, Ariz.

6481-C1-P-70—Southern Pacific Communications Co., Los Angeles-Houston (New), Union Station, Phoenix, Ariz. Change frequency 6093.5H to 6152.8H on corrected azimuth 98°31' toward Final Peak, Ariz. Change frequency 6123.1H to 6078.6H on corrected azimuth 287°28' toward White Tank Mountains, Ariz.

6482-C1-P-70—Same (New), S.P. building, White Tank Mountains, Ariz. Change frequency 6315.9H to 6360.3H on corrected azimuth 107°12' toward Phoenix. Change frequency 6197.2V to 6301.0H on corrected azimuth 221°53' toward Oatman Mountain, Ariz.

6483-C1-P-70—Same (New), S.P. building, Oatman Mountain, Ariz. Change frequency 6084.2V to 6167.6V on corrected azimuth 41°34' toward White Tank Mountains, Ariz. Change frequency 6084.2H to 6049.0V on corrected azimuth 249°42' toward Telegraph Pass, Ariz.

6484-C1-P-70—Same (New), S.P. building, Telegraph Pass, Ariz. Change frequency 6256.5H to 6301.0V on corrected azimuth 69°03' toward Oatman Mountain, Ariz. Change frequency 6315.9H to 6301.0V on corrected azimuth 273°37' toward Midway Wells, Calif. Delete frequency 11,505V on corrected azimuth 280°31' toward Yuma, Ariz.

6485-C1-P-70—Same (New), S.P. yard office, Yuma, Ariz. Delete frequency 11,055V on corrected azimuth 100°22' toward Telegraph Pass, Ariz.

6486-C1-P-70—Same (New), S.P. microwave building, Midway Wells, Calif. Change frequency 5974.8H to 6049.0V on corrected azimuth 93°11' toward Telegraph Pass, Ariz.

6487-C1-P-70—Same (New), S.P. station, El Centro, Calif. Change frequency 6315.9H to 6197.2H on corrected azimuth 102°57' toward Midway Wells, Calif.

8966-C1-P-72—Same (New), Southern Pacific radio building, Superstition Hills, Calif. Transmit power will be limited to 5 watts on frequency 6123.1V toward El Centro to eliminate interference to other carriers.

MULTIPOINT DISTRIBUTION SERVICE

Correction

Correct to read: 1110-C1-P-73—Forward of Illinois, Inc. (New), 500 North Stewart Street, Creve Coeur (Serving Peoria, Ill.), Illinois. Latitude 40°39'11" N., longitude 89°55'11" W. C.P. for a new station on frequencies 2152.325V (Visual), 2150.20V (Aural), 2158.50V (Visual), and 2154.00V (Aural) toward various receiving points in the system. (P.N. No. 611, dated August 28, 1972.)

Correct to read: 1111-C1-P-73—Forward Television, Inc. (New), Madison, Wis. Latitude 43°03'01" N., longitude 89°29'15" W. C.P. for a new station on frequencies 2152.325V (Visual), 2150.20V (Aural), 2158.50V (Visual), and 2154.00V (Aural) toward various receiving points in the system.

[FR Doc. 72-15462 Filed 9-13-72; 8:45 am]

FEDERAL MARITIME COMMISSION  
CERTIFICATES OF FINANCIAL  
RESPONSIBILITY (OIL POLLUTION)

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

| Certificate No. | Owner/operator and vessels                                  |
|-----------------|---|
| 01055----       | Farrell Lines, Inc.; Austral Envoy Co., Ltd.                |
| 01172----       | H. Clarkson & Co., Ltd.; Severn Bridge.                     |
| 01394----       | American President Lines, Ltd.; SS President McKinley.      |
| 02877----       | Nippon Yusen Kabushiki Kaisha; Tadotsu.                     |
| 03139----       | Offshore Marine Ltd.; Ocean Shore; Channel Shore.           |
| 03492----       | Sawayama Kisen K.K.; Philippine Maru; Hoelsan Maru.         |
| 02705----       | Partenreeder M/S "Mangau"; Mangau.                          |
| 01836----       | Aktieselskabet Borgestad; Borg.                             |
| 01613----       | Reardon Smith Line Ltd.; Port Alberni City.                 |
| 01829----       | Bayamon Tankers Corp.; Straits Dahlia.                      |
| 01832----       | Aruba Tankers Corp.; Straits Rose.                          |
| 02282----       | Park Steamships Ltd.; Regent's Park.                        |
| 02453----       | The Turnbull Scott Shipping Co., Ltd.; Highgate; Whitegate. |
| 02494----       | Simms Bros. Towing Co., Inc.; EAC No. 152.                  |
| 02705----       | Partenreeder M/S "Mangau"; Mangau.                          |



| <i>Certificate No.</i> | <i>Owner/operator and vessels</i>   | <i>Certificate No.</i>   | <i>Owner/operator and vessels</i>  | <i>Certificate No.</i>  | <i>Owner/operator and vessels</i>   |
|------------------------|---|--|--|---|---|
| 03612---               | Guy Scroggins, Inc.:<br>Guy Scroggins No. 1.<br>Guy Scroggins No. 3.                                  | 07193---   | Ayr Shipping Co. Ltd.:<br>Ellispontos.   | 02685---  | Ionian Shipping Transportation<br>Co., Ltd., Greece:<br>Olga.                                 |
| 03730---               | Brown & Root, Inc.:<br>Bar 283.   | 07209---   | Surupana S.A.:<br>Nazca.   | 02913---  | River Service Corp.<br>MV 75.<br>MV 76.<br>MV 77.   |
| 03894---               | The White Hall Shipping Co., Ltd.:<br>Stainless Duke.   | 07224---   | Aries Shipping (Singapore) Pte.,<br>Ltd.:<br>Aurore.                                 | 02956---  | Ashland Oil, Inc.:<br>T-200 SL.<br>Barge "M-1."<br>Devlin.                                    |
| 04491---               | Fukumaru Gyogyo K.K.:<br>Fukumaru No. 18.   | 07225---   | Motorship Tankers, Inc.:<br>Atlantic Antares.  | 02959---  | Kokuyo Kalun K.K.:<br>Kukikawa Maru.  |
| 04564---               | Yamashita - Shinnihon Kisen<br>Kaisha:<br>Energy Mobility.<br>Sunny Crown.                            | 07229---   | Plimoza Shipping Corp.:<br>Marianna V.   | 02982---  | Shipping Corp. of India, Ltd.:<br>Vishva Kusum.<br>Desh Sewak.                                |
| 04768---               | Texaco Overseas Tankship Ltd.:<br>Texaco Durham.  | 07234---   | Lepanto Shipping Corp.:<br>Lepanto.  | 03054---  | H. Scholdt:<br>Frigoartico.<br>Duburg.<br>Frigoantartico.                                     |
| 04826---               | Ithaca Star Shipping Ltd.:<br>Sakura.   | 07235---   | A/S Songa:<br>Anja.  | 03160---  | Libra Navigation Corp.:<br>Kontiki.   |
| 05048---               | F. Laeisz:<br>Florida Silverbow.<br>Plutos.   | By the Commission.<br><br>FRANCIS C. HURNEY,<br><i>Secretary.</i>  |  | 03274---  | Castle Shipping Corp.:<br>Aklis.  |
| 05704---               | Murmansk Shipping Co.:<br>Volodja Shcherbatsevich.  | [FR Doc.72-15690 Filed 9-13-72; 8:50 am]   |  | 03453---  | Kyosei Kisen K.K.:<br>Yelsen Maru.  |
| 06090---               | Baltimore Gas & Electric Co.:<br>G & E 0-13.<br>G & E 0-12.   | <b>CERTIFICATES OF FINANCIAL<br/>RESPONSIBILITY (OIL POLLUTION)</b><br><br><b>Notice of Certificates Revoked</b>   |  | 03484---  | Sanko Kisen K.K.:<br>Kiev Maru.   |
| 06106---               | Greenville Gravel Co.:<br>Henry McCourt.<br>Lee McCourt.  | Notice of voluntary revocation is<br>hereby given with respect to Certificates<br>of Financial Responsibility (Oil Pollu-<br>tion) which had been issued by the Fed-<br>eral Maritime Commission, covering the<br>below-indicated vessels, pursuant to Part<br>542 of Title 46 CFR and section 11(p) (1)<br>of the Federal Water Pollution Control<br>Act, as amended. |  | 03501---  | Osaka Shosen Mitsui Senpaku<br>K.K.:<br>Montevideo Maru.<br>Hoelsan Maru.<br>Philippine Maru. |
| 06159---               | Naviera Neptuno S.A.:<br>Tumi.  | <i>Certificate</i>   |  | 03635---  | Hines, Inc.:<br>Hines 410.<br>Hines 411B.   |
| 06197---               | Toledo Compania Naviera S.A.<br>Panama:<br>Nassau Star.   | <i>No.</i> <i>Owner/operator and vessels</i>   |  | 03715---  | Santa Fe-Pomeroy, Inc.:<br>Derrick Barge No. 95.  |
| 06248---               | Commercial Corp. "Sovrybflot":<br>Ostrov Schmidta.  | 01018---   | Aksjeselskapet Malmfart:<br>Varangberg.  | 03770---  | El Dorado Compania Naviera S.A.:<br>Prodomos.   |
| 06273---               | Dowa & Co., Ltd.:<br>Silver Pagoda.<br>Silver Shelton.<br>Silver Constellation.                       | 01280---   | Compania Salamina de Navega-<br>cion S.A.:<br>Myrtidotissa.                          | 03839---  | Western Tankers Corp.:<br>Western Planet.<br>Western Clipper.<br>Western Comet.               |
| 06336---               | Mr. Sadao Ogina:<br>Koryo Maru No. 31.  | 01334---   | American President Lines, Ltd.:<br>President Harrison.                               | 03874---  | Grikani Shipping Co., Ltd.:<br>Irin Matheos.  |
| 06612---               | Oswego Latex Carrier Corp.:<br>Oswego Planter.<br>Oswego Tapper.                                      | 01428---   | The Ocean Steam Ship Co., Ltd.:<br>Menelaus.   | 04007---  | Egon Oldendorff:<br>Magelena Oldendorff.  |
| 06662---               | Reederei Claus-Peter Offen KG:<br>Holstenbank.<br>Nabstein.<br>Goslar.                                | 01530---   | Herm. Dauelsberg, Bremen:<br>Marivia.  | 04197---  | Gulf Atlantic Towing Corp.:<br>Gatco 80.<br>Gatco 105.  |
| 06914---               | Evans Mickell Workboats Ltd.:<br>Cargo Master.  | 01721---   | Metropolitan Shipping Co., Ltd.:<br>Giannis.   | 04564---  | Yamashita-Shinnihon K.K.:<br>Yamahata Maru.   |
| 06992---               | Safety Shipping Co., S.A.:<br>Asia Gem.   | 01843---   | A. F. Harmstorff & Co.:<br>Pagensand.  | 04609---  | Standard Dredging Corp.:<br>Diesel.   |
| 07010---               | Acropolis Shipping Co., S.A.:<br>Acropolis.   | 01861---   | B. P. Tanker Co.:<br>British Gunner.<br>British Chancellor.                          | 04767---  | Texaco, Inc.:<br>Texaco Nebraska.<br>Texaco Wyoming.  |
| 07057---               | Scorpio Shipping Co.:<br>Anthina S. Niarchos.   | 01876---   | "Messana"-Societa di Navigazione,<br>S.P.A.:<br>Santa Isabella.                      | 04826---  | Ithaca Star Shipping, Ltd.:<br>Sakura.  |
| 07109---               | Pacific Navigation Co., Ltd.:<br>Niuvakal.  | 01891---   | Canal Barge Co., Inc.:<br>Lydia E. Campbell.<br>NBC 843.                             | 05112---  | Nereid Steamship Corp.:<br>Nereid.  |
| 07111---               | Martimar Shipping Co., Ltd.:<br>Glyfada.  | 02001---   | Rederiaktiebolaget Transatlantic:<br>Hjelmaren.                                      | 05205---  | Bluestar Shipping Co., Ltd.:<br>Bluestar.   |
| 07132---               | Rising Sun Shipping S.A.:<br>Davao Gulf.  | 02168---   | D/S A/S Vestland:<br>Sneland I.  | 05281---  | Slade, Inc.:<br>S-8502.   |
| 07142---               | Kyselyn Corp.:<br>Elgy.   | 02198---   | Peninsular & Oriental Steam Navi-<br>gation Co.:<br>Chakdara.                        | 05291---  | Southern Towing Co.:<br>ST-1502.<br>REB-2501.<br>ST-1501.<br>REB-2502.                        |
| 07143---               | G. Andreopoulos & A. C. Papathana-<br>siolou:<br>Sounion.   | 02323---   | A/S Awllco:<br>Wilchief.   | 05671---  | Petroleos Del Peru:<br>Transoceanica.   |
| 07148---               | United Pal Co.:<br>Saas Fee.  | 02372---   | Marine Carriers Co. S.A.:<br>Panos.  | 05812---  | M/V Determined:<br>Determined.  |
| 07152---               | Asopos Shipping Co., Ltd.:<br>Asopos.   | 02602---   | Fyffes Group, Ltd.:<br>Facuare.<br>Patia.<br>Pecos.                                  | 07010---  | Acropolis Shipping Co. S.A.:<br>Akropolis.  |
| 07161---               | Hazelton Navigation Co., Panama,<br>S.A.:<br>S/T Olympic Aspiration.                                  | 02623---   | Ernst Russ on behalf of Parten-<br>reederei M. V. Christian Russ:<br>Christian Russ. | By the Commission.<br><br>FRANCIS C. HURNEY,<br><i>Secretary.</i> |   |
| 07171---               | Flensburger Uebersee-Schiffahrts-<br>gesellschaft Jacob mbH & Co.<br>KG, Flensburg:<br>Babette Jacob. | [FR Doc.72-15691 Filed 9-13-72; 8:50 am]   |  |   |   |
| 07173---               | Athenian Transpetrol Co. S.A. of<br>Panama:<br>Stolt Athenian.  |  |  |   |   |
| 07184---               | Eureka Shipping Co., S.A.:<br>Nordlander.<br>Nordpartner.   |  |  |   |   |



# FEDERAL POWER COMMISSION

[Docket No. RP73-4]

## GREAT LAKES GAS TRANSMISSION CO.

### Order Accepting for Filing, Suspending Revised Tariff Sheets, Providing for Hearing Procedures, and Permitting Interventions

SEPTEMBER 1, 1972.

On July 20, 1972, Great Lakes Gas Transmission Co. (Great Lakes) filed four revised tariff sheets<sup>1</sup> with a proposed effective date of September 4, 1972. Great Lakes' proposed rate increase would result in an increase of revenues by \$12,575,122 annually or 34 percent based on operations for the 12 months ended March 31, 1972, as adjusted.<sup>2</sup>

Great Lakes states that the proposed rates are required to permit it to recoup its cost of rendering service and earn a rate of return of 9.77 percent. Great Lakes also proposes to increase its depreciation rate from 3 to 4 percent and claims the increase is more nearly in conformance with the limitations contained in the export license issued September 29, 1970, to Great Lakes' sole supplier, Trans Canada. The company also states that the sinking fund requirements under its plan of financing require a greater cash flow and are more nearly met by increasing the depreciation rate to 4 percent.

Great Lakes requests waiver of § 154.63 (b) (3) of the regulations to permit the filing of Statement P on or before August 18, 1972.

Notice of the filing was issued on August 2, 1972, providing therein for the filing of protests and petitions to intervene on or before August 21, 1972. On August 3, 1972, Michigan Public Service Commission filed a Notice of Intervention. The Public Service Commission of Wisconsin's filing of a Notice of Intervention on August 22, 1972, was not timely; however, good cause exists to permit its participation in this proceeding. Petitions to intervene were timely filed by Northern Natural Gas Co.; Michigan Wisconsin Pipe Line Co.; Michigan Consolidated Gas Co.; Union Gas Co. of Canada, Ltd.; Consumers Gas Co.; St. Lawrence Gas Co.; Central Gas Corp., Ltd.; Natural Gas Pipeline Co. of America and Trans Canada Pipelines, Ltd.

Review of the rate filing indicates that it raises certain issues which may require development in an evidentiary

hearing. The proposed increases in rates and charges have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful.

On August 14, 1972, Great Lakes withdrew First Revised Sheet No. 53 to First Revised Volume No. 1 of its FPC Gas Tariff and First Revised Sheet No. 53-A to Original Volume No. 2 of its FPC Gas Tariff, both filed on July 20, 1972, and substituted therefor, Substitute Eighth Revised Sheet No. 53 to Original Volume No. 1, and Substitute First Revised Sheet No. 53-A to Original Volume No. 2.

The Commission finds:

(1) Great Lakes' Second Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1 and Eighth Revised Sheet No. 53 to its FPC Gas Tariff, Original Volume No. 2 should be accepted for filing.

(2) Great Lakes' Substitute Eighth Revised Sheet No. 53 to Original Volume No. 1 and Substitute First Revised Sheet No. 53-A to Original Volume No. 2 which were substituted for First Revised Sheet No. 53 to Original Volume No. 1 and First Revised Sheet No. 53-A to Original Volume No. 2 on August 14, 1972, should be accepted for filing.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Great Lakes' FPC Gas Tariff, as proposed to be amended in this docket, and that the tendered tariff sheets be suspended as hereinafter provided.

(4) The disposition of this proceeding should be expedited in accordance with the procedure set forth below.

(5) In the event this proceeding is not concluded prior to the termination of the suspension period herein ordered, the placing of the tariff changes applied for in this proceeding into effect, subject to refund with interest while pending Commission determination as to their justness and reasonableness, is consistent with the purpose of the Economic Stabilization Act of 1970, as amended.

(6) Participation of the above-named petitioners for intervention in this proceeding may be in the public interest.

The Commission orders:

(A) Great Lakes' Second Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1 and Eighth Revised Sheet No. 53 to its FPC Gas Tariff, Original Volume No. 2 are hereby accepted for filing.

(B) Great Lakes' Substitute Eighth Revised Sheet No. 53 to Original Volume No. 1 and Substitute First Revised Sheet No. 53-A to Original Volume No. 2 which were substituted for First Revised Sheet No. 53 to Original Volume No. 1 and First Revised Sheet No. 53-A to Original Volume No. 2 on August 14, 1972, are hereby accepted for filing.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4

and 5 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing shall be held, commencing with a prehearing conference on November 16, 1972, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the lawfulness of the rates, charges, classifications, and services contained in Great Lakes' FPC Gas Tariff, as proposed to be amended herein.

(D) At the prehearing conference on November 16, 1972, prepared testimony (Statement P) together with its entire rate filing shall be admitted to the record as its complete case-in-chief subject to appropriate motions, if any, by parties to the proceeding. All parties will be expected to come to the conference fully prepared to effectuate the provisions of §§ 1.18 and 2.59 of the Commission's rules of practice and procedure, including a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

(E) On or before November 10, 1972, the Commission staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of all intervenors shall be served on or before November 21, 1972. Any rebuttal evidence by Great Lakes shall be served on or before December 8, 1972. The public hearing herein ordered shall convene on January 16, 1973, at 10 a.m., e.s.t.

(F) A presiding examiner to be designated by the chief examiner for that purpose (see Delegation of Authority 18 CFR 3.5(D)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(G) Pending hearing and a decision thereon Great Lakes' tariff sheets are suspended for 5 months and the use thereof deferred until February 4, 1973, and until such further time as they are made effective in the manner provided in the Natural Gas Act.

(H) Petitions to intervene in this proceeding by the above-named parties are granted subject to the Commission's rules of practice and procedure: *Provided, however*, The participation of such intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in these respective petitions to intervene: *And provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered in this proceeding.

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Secretary.

[FR Doc.72-15678 Filed 9-13-72; 8:49 am]

<sup>1</sup> First Revised Sheet No. 53.  
Second Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1.

First Revised Sheet No. 53-A.  
Eighth Revised Sheet No. 53 to its FPC Gas Tariff, Original Volume No. 2.

<sup>2</sup> The adjustment is for the year and a quarter since the filing of its latest rate case in Docket No. RP71-102.



[Docket No. E-7561]

**HOLYOKE WATER POWER CO.****Application for Approval of Settlement Agreement**

SEPTEMBER 8, 1972.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by the Holyoke Water Power Co. (Correspondence to: Mr. Robert E. Barrett, Jr., a President, Holyoke, Mass. 01040) for the approval of a settlement agreement for the construction of modified fish passage facilities at the Holyoke Dam of Project No. 2004, known as the Holyoke project, located on the Connecticut River in Hampden and Hampshire Counties, Mass., near the cities of Holyoke, South Hadley Falls, Springfield, West Springfield, Chicopee, Westfield, and Northampton, Mass.

The height of the dam, as it exists now, is 33.1 feet; with flashboards in place, it impounds 2,290 surface acres of water. At the south side of the dam, there is a powerhouse which contains one 21,500 h.p. Kaplan-type turbine and the powerhouse is also connected to an intake structure by a short penstock. Through a tailrace canal about 2,700 feet long, the discharge from the powerhouse flows to the Connecticut River. Adjacent to the powerhouse is a gatehouse which regulates the flow down a three-level canal system in the city of Holyoke, Mass., on which other hydroelectric stations are located. An entrance channel, a hopper with lifting equipment, and an exit channel leading to the reservoir, all compose the existing fish facilities at the dam.

Approval of the settlement agreement will effect some changes in the project's description. The redevelopment and expansion of the fish passage facilities will include: adding another main entrance, and increasing the volume and velocity of the attraction water; improving the configuration of the channel from the entrances to the lift; installing a larger and more efficient fish crowder; remodeling the lift itself by increasing the hopper size and speeding up the travel time; building a channel to permit fish to swim from the lift to the forebay exit channel thus avoiding manual handling; this new channel to be equipped with a fish counting station and fish trap; and building an improved facility for moving fish from this apron of the dam to the lift hopper. The new fish passage facilities are designed to pass 1 million American shad and 40,000 Atlantic salmon annually to the Connecticut River above Holyoke. Pursuant to Article 19 of the license for Project No. 2004, the settlement agreement signed by Applicant, U.S. Department of the Interior, Massachusetts Division of Fisheries and Game, Connecticut Department of Environmental Protection, New Hampshire Fish and Game Department, and Vermont Fish and Game Department was filed for approval.

Any person desiring to be heard or to make protests with reference to said

application should on or before October 27, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. All persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.72-15682 Filed 9-13-72;8:49 am]

[Dockets Nos. CP73-63, CP73-64]

**LOWELL GAS CO.****Notice of Applications**

SEPTEMBER 11, 1972.

Take notice that on September 5, 1972, Lowell Gas Co. (Applicant), 95 East Merrimack Street, Lowell, MA 01853, filed in Docket No. CP73-63 an application pursuant to section 3 of the Natural Gas Act for an order authorizing the importation of liquefied natural gas (LNG) from Canada and in Docket No. CP73-64 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of said LNG, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Applicant requests authorization to import 2,428,000 U.S. gallons of LNG (equivalent to approximately 215.4 billion B.t.u.) from Canada from September 1972 to November 15, 1972, and 3,642,000 U.S. gallons of LNG (equivalent to approximately 323.1 billion B.t.u.) from November 15, 1972, to April 30, 1973. Applicant states that said volumes of LNG will be purchased from Gaz Metropolitan, Inc., on a best efforts basis at the rate of 10 cents United States per U.S. gallon (equivalent to approximately \$1.13 United States per million B.t.u.) for the fall volumes and 14 cents United States per U.S. gallon (equivalent to approximately \$1.58 United States per million B.t.u.) for the winter volumes.

Applicant proposes to transport the LNG from Montreal, Quebec, Canada, to the United States by semitrailer tank trucks and to deliver it to Applicant's LNG storage tanks at Tewksbury, Mass. Applicant states that the LNG proposed to be imported will be utilized to meet Applicant's total gas requirements, including both its retail market in and around Lowell and certain wholesale customers in Massachusetts, during the 1972-73 winter.

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 applications should on or before September 21, 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 the application in Docket No. CP73-64 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.72-15673 Filed 9-13-72;8:49 am]

[Docket No. RP73-6]

**MISSISSIPPI RIVER TRANSMISSION CORP.****Order Suspending Proposed Tariff Provisions, Permitting Interventions, and Establishing Hearing and Conference Procedures**

AUGUST 31, 1972.

On July 28, 1972, Mississippi River Transmission Corp. (MRT) submitted for filing revised tariff sheets<sup>1</sup> to its presently effective FPC gas tariff, First Revised Volume No. 1, constituting its permanent curtailment plan and modifications of other paragraphs to allegedly make those sections compatible with the proposed curtailment plan.

MRT proposed that the tariff sheets become effective on September 1, 1972. MRT requested that in the event the

<sup>1</sup> The tariff sheets are designated as follows: Thirteenth Revised Sheet No. 4; Ninth Revised Sheet No. 5; Eighth Revised Sheet No. 6; Third Revised Sheet No. 7A; Sixth Revised Sheet No. 7B; First Revised Sheet No. 7C; Fourth Revised Sheet No. 23; Original Sheet Nos. 23A through 23H; and First Revised Sheet Nos. 25 and 26.



Commission determines to suspend the effectiveness, the suspension period should be limited to 1 day.

Protests to the proposed tariff changes and petitions to intervene have been filed by some of MRT's customers. Additionally, one petitioner, Laclede Gas Co. (Laclede) requests that suspension of the proposed tariff sheets be suspended for the full statutory period and a protestant, Union Electric Co. (Union), requests that the tariff sheets be suspended until hearings on the fairness and reasonableness of such proposals have been held.

In support of its request for a 1-day suspension period, MRT states that such period would be necessary to assemble certain customer data as a prerequisite to implementation of the proposed plan. Impliedly, MRT asserts that there is an element of urgency which requires the earliest possible effective date of the revised tariff. Both Union and Laclede maintain that there is already an existent curtailment plan and that the proposed revisions are unreasonable and unfair and would, or could, work great hardship upon them if made effective at the earlier date.<sup>14</sup> MRT on August 28, 1972, filed an answer to their objections alleging that one of its customers had instituted a new interruptible boiler fuel sale that, under its existing tariff provision, would be served at a time when MRT's firm industrial sales would be curtailed. Additionally, MRT asserts that Laclede has refused to supply the data under the proposed curtailment plan until that plan becomes effective.

MRT claims on the one hand that its present plan is inequitable and its customers on the other hand claim that the proposed plan favors MRT's direct industrial sales. Thus, the length of the suspension period is important, since MRT may have to invoke curtailment procedures during this heating season. Our decision is to suspend the proposed plan for the full 5-month statutory period with the hope that our procedures hereinafter set forth will permit the parties to reach some accord on an interim plan that could be made effective for this heating season. Accordingly, we will require MRT and its customers to file testimony and evidence at an early date and then require an early conference to be convened in order to have the parties attempt to develop an interim plan. A report of that conference will be required to be submitted by MRT on or before November 15, 1972, with separate comments attached by staff and the intervenors, if an agreed-upon report cannot be drafted. We anticipate that all parties to that conference will diligently strive to reach an accord on an interim plan and, in the event that such a plan cannot be agreed to, we will then upon motion by MRT reconsider MRT's request for a shortened suspension period.

On the date hereinafter ordered, MRT will be required to file and serve its testi-

mony and exhibits in support of its proposed plan upon all parties and staff. That evidence should include, inter alia, backup supply, demand, end-use, and other data, upon which the curtailment plans are based. Concurrent with MRT's filing, each customer will be required to file and serve, in proper evidentiary form, the data required by MRT under its proposed curtailment plan upon all parties and staff. Inasmuch as MRT may not have present and historical data on end-use patterns, we invite detailed submissions by MRT's customers so that end-use determinations can be made as accurately as possible. In the event any of MRT's customers do not provide such data, we direct our Staff to reconstruct the end-use data for each nonparticipating customer on the basis of available information in order to provide a full evidentiary record. Following distribution of this evidence, the conference referred to above shall be convened on the date hereinafter ordered. The conference may, of course, consider resolution of all of the issues involved in this proceeding as well as this heating season's interim plan. In the event that settlement of all issues is not reached, the Examiner will then proceed to establish further procedural dates for the expeditious hearing, which is required by the issues involved herein.

Petitions requesting leave to intervene in this proceeding and a notice of intervention were timely filed by the following petitioners:

Laclede Gas Co.  
Arkansas Louisiana Gas Co.  
Illinois Power Co.  
Industrial Gas Users Conference.<sup>2</sup>  
Union Electric Co.<sup>3</sup>  
The Missouri Public Service Commission.

**The Commission finds:**

(1) The proposed changes to MRT's FPC gas tariff have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the proposed tariff provisions be suspended and the use thereof deferred as herein provided.

(3) In the event Commission determination of the proceeding is not concluded prior to the termination of the suspension period herein ordered, the placing of the tariff changes applied for in the proceeding into effect after the suspension period in the manner prescribed by the Natural Gas Act, all subject to refund with interest, while pending Com-

<sup>2</sup> Petitioning to intervene under the collective name of Industrial Gas Users Conference are the following natural gas consumers who also seek to intervene individually: American Steel Foundries; Cerro Copper & Brass Co.; Consolidated Aluminum Corp.; Granite City Steel Co.; Laclede Steel Co.; NL Industries, Inc.; NL Industries, Inc. (Titanium Division); Olin Corp.; Owens-Illinois, Inc.; and Pfizer, Inc.

<sup>3</sup> Union Electric Co.'s filing in the form of a protest is impliedly a petition to intervene and will be treated as such.

mission determination as to their justness and reasonableness, is consistent with the purposes of the Economic Stabilization Act of 1970, as amended.

(4) The participation in this proceeding of the above-named petitioners may be in the public interest.

(5) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed changes in MRT's FPC gas tariff and that the issues in this proceeding be scheduled for hearing in accordance with the procedures herein set forth.

**The Commission orders:**

(A) Pending hearing and decision on issues relating thereto, the revised tariff sheets, filed July 28, 1972, by MRT to its effective FPC gas tariff, First Revised Volume No. 1, are suspended and the use thereof deferred until February 1, 1973, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) MRT and its customers shall file and serve upon all parties and staff on or before September 27, 1972, their testimony and exhibits as indicated in the recital above.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing shall be held on October 3, 1972, at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, for the purpose of incorporating into the record the testimony and exhibits required to be filed and served by paragraph (B) above. Immediately thereafter the Presiding Examiner will recess the hearing and a conference will be convened for the purposes stated above. In the event that a settlement of all of the issues does not result from said conference, the Presiding Examiner will then schedule procedural dates for the expeditious hearing of this proceeding and will rule on all data requests and other relevant matters presented at such hearing.

(D) On or before October 17, 1972, MRT shall submit a report of the results of the conference in reaching agreement on an interim curtailment plan for the coming heating season. Intervenors and staff may submit concurrent comments with that report.

(E) In light of our foregoing comments nothing herein should be construed as precluding MRT from filing a motion, concurrent with its report required by (D) above, seeking a shortened suspension period of the tariff sheets herein suspended.

(F) The above-named petitioners are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting rights and interests specifically set forth in the respective petitions to intervene; *And provided, further,* That

<sup>14</sup> On August 31, 1972, Illinois Power Co. filed a telegram supporting the supplement to protest and petition to intervene filed by Laclede in this proceeding.



the admission of such interveners shall not be construed as recognition by the Commission that they, or any of them, might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(G) A Presiding Examiner to be designated by the Chief Examiner—see Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.72-15679 Filed 9-13-72; 8:49 am]

[Docket No. CI73-158]

### SIGNAL PETROLEUM Notice of Application

SEPTEMBER 11, 1972.

Take notice that August 31, 1972, Signal Petroleum (Applicant), 944 St. Charles Street, New Orleans, LA 70130, filed in Docket No. CI73-158 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 Transcontinental Gas Pipe Line Corp. (Transco) from the Second Bayou-Mud Area, Cameron Parish, La., 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 sale of natural gas to Transco on August 23, 1972, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that it proposes to continue said sale for 1 year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell Transco an estimated 240,000 Mcf of natural gas per month at 38 cents per Mcf at 15.025 p.s.i.a.

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 September 21, 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.72-15674 Filed 9-13-72; 8:49 am]

[Dockets Nos. RP72-91, RP73-13]

### SOUTHERN NATURAL GAS CO.

#### Order Accepting Revised Tariff Sheets for Filing Subject to Refund, Consolidating Proceedings, and Granting Intervention

SEPTEMBER 8, 1972.

Southern Natural Gas Co. (Southern) on August 11, 1972, tendered for filing revised tariff sheets in its FPC Gas Tariff, Sixth Revised Volume No. 1, proposed to become effective as of August 1, 1972.<sup>1</sup> The revised tariff sheets contain proposed changes in rates and charges which would increase annual revenues for jurisdictional sales and service in the amount of \$1,083,454 based upon operations for the 12-month period ended August 31, 1971, as adjusted. The proposed revenue increase is over and above the rates and charges which became effective July 1, 1972, subject to refund in Docket No. RP72-91.

Southern states that the increase in rates reflects only the increase in gas supply costs resulting from: (i) The effect of the increase in the Louisiana severance tax on gas purchased; (ii) the effect of the same tax increase on gas produced by Southern; and (iii) other changes in purchased gas costs in rates effective subject to refund in Docket No. RP72-91. All other items of costs included in this rate filing are identical to those in its filing in Docket No. RP72-91. No other tariff changes are proposed.

Southern states that, other than in gas supply costs, there has been no ma-

<sup>1</sup> Seventh Revised Sheets Nos. 8E, 15E, and 26E; Ninth Revised Sheet No. 11F; 12th Revised Sheet No. 11J; 13th Revised Sheets Nos. 8A, 8D, 11H, 15A, 15D, 26A, 26D, and 30; 17th Revised Sheets Nos. 9, 16, and 27.

terial change in its facilities, sales volumes, or cost of service as estimated and included in its increased rate filing on December 16, 1971, in Docket No. RP72-91. In support of the August 11 filing, Southern includes statements L, M, and N reflecting its cost of service as submitted on December 16, as adjusted to reflect a \$1,183,565 overall increase in gas supply costs. These abbreviated rate filing statements are submitted in lieu of statements A through M, pursuant to § 154.63(b)(3) of the Commission's regulations under the Natural Gas Act.

Southern requests waiver of the notice requirements of § 154.22 of the regulations, citing the waiver of notice provisions for independent producers in Commission Order No. 456. There the Commission stated that pipelines with purchased gas adjustment clauses may accumulate the increased costs resulting from the producer increases in their deferred accounts. In order that it may recover the producer increases, Southern, which does not presently have a purchased gas adjustment clause in its tariff, requests that it be given parity in treatment by making its rate increase effective as of August 1, 1972.

Copies of the August 11 rate filing were served by Southern upon all jurisdictional customers and interested State commissions. Petitions for leave to intervene have been filed by Alabama Gas Corp., Mississippi Valley Gas Co., South Carolina Electric & Gas Co., City of Dalton, Ga., and South Georgia Natural Gas Co. The first three petitioners protest Southern's request for waiver to permit the rate increase to become effective retroactively on August 1, 1972.

Southern's rate filing in substantial part reflects its estimate of supplier rate increases which would become effective as of August 1, 1972. To the extent some of such producer increases may not become effective as of that date, Southern proposes to revise the rates downward.

The Commission finds:

(1) It is necessary and appropriate and in the public interest in carrying out the provisions of the Natural Gas Act to permit Southern to file rate changes designed to track increases in producer rates which reflect increases in the State of Louisiana severance tax, as of August 1, 1972, as hereinafter ordered and conditioned.

(2) The participation of the above-named petitioners may be in the public interest.

The Commission orders:

(A) The revised tariff sheets described above, tendered by Southern on August 11, 1972, are accepted for filing to become effective as of August 1, 1972: *Provided, however,* That Southern shall reduce the rates and charges contained in the subject tariff sheets to reflect any producer increases not actually incurred on August 1, 1972, and shall make refunds accordingly: *And provided, further,* That the rates and charges contained in the subject tariff sheets shall be substituted as of August 1, 1972, for the increased rates and charges in Docket No. RP72-91 and shall be subject



to the refund obligations pertaining to that proceeding.

(B) The proceedings in Docket No. RP73-13 and Docket No. RP72-91 are hereby consolidated for purposes of hearing and decision.

(C) The parties named above are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however*, That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene; *And provided, further*, That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.  
[FR Doc.72-15680 Filed 9-13-72; 8:49 am]

[Docket No. RP73-16]

## SOUTHERN NATURAL GAS CO.

### Proposed Changes in Rates and Charges

SEPTEMBER 8, 1972.

Take notice that Southern Natural Gas Co. (Southern) on August 30, 1972, tendered for filing revised tariff sheets to its FPC gas tariff, Sixth Revised Volume No. 1, proposed to become effective on September 1, 1972. The revised tariff sheets contain proposed changes in rates and charges which would increase annual revenues for jurisdictional sales and service in the amount of \$2,124,014 based upon operations for the 12-month period ended August 31, 1971, as adjusted. The proposed revenue increase is over and above the rates and charges which became effective on July 1, 1972, subject to refund in Docket No. RP72-91, as adjusted to reflect the rate increase proposed to become effective as of August 1, 1972, in Docket No. RP73-13.

Southern states that the increase in rates reflects only the increase in gas supply costs resulting from the effect of the increase in the Louisiana severance tax on gas purchased from Southern's suppliers and the effect of the increase in that tax upon gas produced from company-owned system reserves. All other items of costs included in this rate filing are identical to those in its filing in Dockets Nos. RP72-91 and RP73-13. No other tariff changes are proposed.

Copies of the increased rate filing have been served upon all jurisdictional customers and upon interested State commissions.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§1.8 and 1.10 of the Commission's rules of practice and pro-

cedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 19, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.72-15681 Filed 9-13-72; 8:49 am]

## FEDERAL RESERVE SYSTEM

### FIRST NATIONAL CO. OF MISSOURI VALLEY, INC.

#### Formation of Bank Holding Company

First National Co. of Missouri Valley, Inc., Missouri Valley, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of the First National Bank of Missouri Valley, Missouri Valley, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 3, 1972.

Board of Governors of the Federal Reserve System, September 7, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-15653 Filed 9-13-72; 8:47 am]

## TEXAS COMMERCE BANCSHARES, INC.

#### Acquisition of Banks

Texas Commerce Bancshares, Inc., Houston, Tex., has applied in two separate applications as set forth below for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)):

(1) To acquire 100 percent of the voting shares (less directors' qualifying shares) of American Bank of Commerce, Odessa, Tex.; and

(2) To acquire indirectly, through acquisition of American Bank of Commerce, 24.9 percent of the voting shares of Permian Bank & Trust, Odessa, Tex.

The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 3, 1972.

Board of Governors of the Federal Reserve System, September 7, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-15654 Filed 9-13-72; 8:47 am]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-4249-7-4255]

### ALASKA INTERSTATE CO. ET AL.

#### Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 8, 1972.

In the matter of applications of the Philadelphia Baltimore Washington 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. |
|---|----------|
| Alaska Interstate Co.....                 | 7-4249   |
| Altamil Corp.....                         | 7-4250   |
| American Bilrite Rubber Co., Inc....      | 7-4251   |
| Augat, Inc.....                           | 7-4252   |
| Benrus Corp.....                          | 7-4253   |
| Combustion Equipment Associates, Inc..... | 7-4254   |
| Oriole Homes Corp.....                    | 7-4255   |

Upon receipt of a request, on or before September 24, 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 by the Division of Markets Regulation (pursuant to delegated authority).

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15666 Filed 9-13-72;8:49 am]

### BERGEN BRUNSWIG CORP. ET AL.

#### Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 8, 1972.

In the matter of applications of the Philadelphia - Baltimore - Washington 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. |
|------------------------------------|----------|
| Bergen Brunswig Corp.....          | 7-4242   |
| Burgess Industries, Inc.....       | 7-4243   |
| Executone, Inc.....                | 7-4244   |
| Gearhart-Owen Industries, Inc..... | 7-4245   |
| Gladding Corp.....                 | 7-4246   |
| Inexo Oil Co.....                  | 7-4247   |
| Monogram Industries, Inc.....      | 7-4248   |

Upon receipt of a request, on or before September 24, 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, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15665 Filed 9-13-72;8:48 am]

[File No. 500-1]

### CLINTON OIL CO.

#### Order Suspending Trading

SEPTEMBER 8, 1972.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock, \$0.03 1/3 par value, and all other securities of Clinton Oil Co., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 9, 1972 through September 18, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15656 Filed 9-13-72;8:48 am]

[File No. 500-1]

### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

SEPTEMBER 8, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10-cent par value, of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 12, 1972 through September 21, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15657 Filed 9-13-72;8:48 am]

[File No. 500-1]

### ECOLOGICAL SCIENCE CORP.

#### Order Suspending Trading

SEPTEMBER 8, 1972.

The common stock, 2-cent par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia - Baltimore - Washington Stock Exchange and Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from September 10, 1972 through September 19, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15658 Filed 9-13-72;8:48 am]

[File No. 500-1]

### LDS DENTAL SUPPLIES, INC.

#### Order Suspending Trading

SEPTEMBER 7, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.01 par value, and all other securities of LDS Dental Supplies, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from September 8, 1972 through September 17, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15659 Filed 9-13-72;8:48 am]

[File No. 500-1]

### MINUTE APPROVED CREDIT PLAN, INC.

#### Order Suspending Trading

SEPTEMBER 8, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.05 par value, and all other securities of Minute Approved Credit Plan, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange, be summarily suspended, this order to be effective for the period from September 11, 1972 through September 20, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-15660 Filed 9-13-72;8:48 am]



[812-3178]

**MUNICIPAL BOND FUND****Notice of Filing Application for an Order Exempting Transactions**

SEPTEMBER 8, 1972.

Notice is hereby given that The Municipal Bond Fund, Series 1, Series 2 and subsequent series (hereinafter called "Applicants"), c/o Paine, Webber, Jackson & Curtis, Inc., 140 Broadway, New York, NY 10005, c/o Dean Witter & Co., Inc., 45 Montgomery Street, San Francisco, CA 94106, registered under the Investment Company Act of 1940 (Act) as unit investment trusts, have filed an application pursuant to section 6(c) of the Act for an order exempting them from the provisions of the Rule 19b-1 under the Act with regard to the distribution of capital gains no more than once in a taxable year. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Rule 19b-1(a) provides, in substance, that no registered investment company which is a "regulated investment company" as defined in section 851 of the Internal Revenue Code shall make more than one capital gain distribution in any one taxable year. Paragraph (b) of the rule contains a similar prohibition for a company not a "regulated investment company" but permits a unit investment trust to distribute capital gains received from a "regulated investment company" within a reasonable time after receipt.

Applicants are registered under the Act as unit investment trusts organized under the Laws of the State of New York, and comprise various existing or proposed Series. The following firms are currently acting or will act as Sponsor or Sponsors of various Series of Applicants: Paine, Webber, Jackson & Curtis, Inc., and Dean Witter & Co., Inc.

Each series is governed by a trust indenture and agreement among (1) the sponsor or sponsors which deposit into a series the municipal bonds constituting the portfolio; (2) the trustee which maintains custody of the bonds; and (3) the evaluator which, through its evaluation of the bonds in the portfolio, is responsible for the determination of net asset value.

Distributions of principal and interest on the Municipal Bond Fund Series 1 are made semiannually. In the case of the Municipal Bond Fund, Series 2, the most recent series registered under the Securities Act of 1933, distributions of principal and interest are made to unitholders each month. Distributions of principal constituting capital gains to unitholders may arise in two instances: (1) If an issuing authority calls or redeems an issue held in the portfolio, the sums received by the trust will be distributed to a unitholder on the next distribution date; and (2) if units are redeemed by the Trustee and bonds from the portfolio are sold to provide the funds necessary for such redemption each unitholder will receive his pro rata portion of the

proceeds from the bonds sold. In such instances, a unitholder will frequently receive in his distribution funds which constitute capital gains since in many cases the value of the portfolio bonds redeemed or sold will have increased since the date of initial deposit.

Paragraph (b) of Rule 19b-1 provides that a unit investment trust may distribute capital gains received from a "regulated investment company" within a reasonable time after receipt. Applicants state that the effect of such exception, and possibly its rationale, is to avoid forcing unit investment trusts to accumulate valid distributions received throughout the year and distribute them only at yearend. Applicants further allege that their situation places them squarely within the possible rationale of such exception. However, in order to comply with the literal requirements of the Rule, a Trust would be forced to hold any moneys which would constitute capital gains upon distribution until the end of its taxable year. Applicants contend that such a practice would clearly be to the detriment of the unitholders.

In support of the requested exemption, Applicants state that the dangers against which Rule 19b-1 is intended to guard do not exist in Applicants' situation since they and their Sponsors have no control over events, other than the selection of the initial portfolio, which might trigger capital gains, i.e., the tendering of units for redemption and the prepayment of portfolio bonds by the issuing authorities. In addition, it is alleged that the amounts involved in a normal distribution of principal are relatively small in comparison to the normal interest distribution, and such distributions are clearly indicated in accompanying reports to unitholders as a return of principal.

Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and the rules promulgated thereunder 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.

Notice is further given that any interested person may, not later than September 29, 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 shall 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 addresses 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.

For the Commission, by the Division of Investment Company Regulation, pursuant to delegated authority.

RONALD F. HUNT,  
Secretary.

[FR Doc.72-15662 Filed 9-13-72;8:48 am]

[812-3260]

**NEW AMERICA FUND, INC.****Notice of Filing of Application**

SEPTEMBER 8, 1972.

Notice is hereby given that New America Fund, Inc. (Applicant), 1900 Avenue of the Stars, Los Angeles, Calif. 90067, a closed-end diversified management investment company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 17(d) of the Act and Rule 17d-1 thereunder for an order of the Commission permitting the sale of shares of common stock of Under Sea Industries, Inc. (Under Sea), a California corporation, by Under Sea and by Applicant as part of a proposed public offering of Under Sea common stock. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant owns 55,800 shares of common stock of Under Sea (approximately 10 percent of the total outstanding) in addition to 114,855 shares of Under Sea convertible preferred stock, each share of which is convertible into one share of common stock. Under section 2(a)(3) of the Act, Applicant is an affiliate of Under Sea, and Under Sea is an affiliated person of Applicant.

Prior to the proposed public offering, Applicant intends to convert all of its Under Sea convertible preferred stock into 114,855 shares of common stock. Giving effect to such conversion, Applicant will own a total of 170,655 shares of Under Sea common stock.

Under Sea has filed a registration statement with the Commission under the Securities Act of 1933 with respect to a proposed public offering by Under Sea of 100,000 shares of its common stock to be made on September 26, 1972. Under Sea proposes to amend the foregoing registration statement to include therein a further 150,000 shares of Under Sea



common stock to be offered by Applicant. Applicant will pay its proportionate share of underwriting discounts and the fees of counsel employed by Applicant. All other expenses relating to the registration and offering of the shares will be borne by Under Sea.

Rule 17d-1 adopted under section 17(d) of the Act provides, as here pertinent, that no affiliated person of any registered investment company shall, acting as principal, participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement in which such registered company is a participant unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has been granted by order and that in passing upon such application the Commission will consider whether the participation of the registered or controlled company in the joint enterprise or arrangement on the basis proposed is consistent with the provisions, policies, and purposes of the Act, and the extent to which such participation is on a basis different from, or less advantageous than, that of other participants.

Applicant represents that it purchased its entire interest in Under Sea in February 1970 at a price of \$2.05 per share. The anticipated public offering price of such shares will be approximately \$14 per share, of which, after deduction of the underwriting discount, Applicant expects to receive \$12.90 per share.

Applicant further represents that the proposed public offering is consistent with the provisions of Rule 17d-1, that it will involve a substantial profit to Applicant, and that since the shares proposed to be offered cannot publicly be sold without an effective registration statement, the transaction will have a beneficial effect on the liquidity of Applicant's assets.

In order to make it possible for Applicant to participate in the proposed public offering, the usual period of time within which an interested person may request a hearing on this application has been shortened. In light of the nature of this application, the shortened period of public notification concerning this matter is deemed necessary and reasonable.

Notice is further given that any interested person may, not later than September 22, 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 shall 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 set forth above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the re-

quest. 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.

For the Commission, by the Division of Investment Company Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.72-15663 Filed 9-13-72;8:48 am]

[File No. 500-1]

### NORTH AMERICAN PLANNING CORP.

#### Order Suspending Trading

SEPTEMBER 8, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the Class B non-voting common stock, \$0.01 par value and all other securities of North American Planning Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from September 12, 1972, through September 21, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.72-15661 Filed 9-13-72;8:48 am]

[812-3181]

### PAINE WEBBER MUNICIPAL BOND FUND

#### Notice of Filing of Application for an Order Exempting Transactions

SEPTEMBER 8, 1972.

Notice is hereby given that Paine Webber Municipal Bond Fund, First Series, Second Series, Third Series, and Subsequent Series (hereinafter called Applicants), c/o Paine, Webber, Jackson & Curtis, Inc., 140 Broadway, New York, NY 10005, registered under the Investment Company Act of 1940 (Act) as unit investment trusts, have filed an application pursuant to section 6(c) of the Act for an order exempting them from the provisions of Rule 19b-1 under the Act with regard to the distribution of capital gains no more than once in a taxable year. All interested persons are

referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Rule 19b-1(a) provides, in substance, that no registered investment company which is a "regulated investment company" as defined in section 851 of the Internal Revenue Code shall make more than one capital gain distribution in any 1 taxable year. Paragraph (b) of the rule contains a similar prohibition for a company not a "regulated investment company" but permits a unit investment trust to distribute capital gains received from a "regulated investment company" within a reasonable time after receipt.

Applicants are registered under the Act as unit investment trusts organized under the laws of the State of New York, and comprise various existing or proposed series. Paine, Webber, Jackson & Curtis, Inc., is currently acting or will act as sponsor of the various series of Applicants.

Each series is governed by a trust indenture and agreement among (1) the sponsor which deposits into a series the municipal bonds constituting the portfolio; (2) the trustee which maintains custody of the bonds; and (3) the evaluator which, through its evaluation of the bonds in the portfolio, is responsible for the determination of net asset value.

Distributions of principal and interest on all series are made semiannually. Distributions of principal constituting capital gains to unitholders may arise in two instances: (1) If an issuing authority calls or redeems an issue held in the portfolio, the sums received by the trust will be distributed to a unitholder on the next distribution date; and (2) if units are redeemed by the trustee and bonds from the portfolio are sold to provide the funds necessary for such redemption, each unitholder will receive his pro rata portion of the proceeds from the bonds sold. In such instances, a unitholder will frequently receive in his distribution funds which constitute capital gains since in many cases the value of the portfolio bonds redeemed or sold will have increased since the date of initial deposit.

Paragraph (b) of Rule 19b-1 provides that a unit investment trust may distribute capital gains received from a "regulated investment company" within a reasonable time after receipt. Applicants state that the effect of such exception, and possibly its rationale, is to avoid forcing unit investment trusts to accumulate valid distributions received throughout the year and distribute them only at yearend. Applicants further allege that their situation places them squarely within the possible rationale of such exception. However, in order to comply with the literal requirements of the rule, a trust would be forced to hold any moneys which would constitute capital gains upon distribution until the end of its taxable year. Applicants contend that such a practice would clearly be to the detriment of the unitholders.

In support of the requested exemption, Applicants state that the dangers against which Rule 19b-1 is intended to guard do



## INTERSTATE COMMERCE COMMISSION

[Notice 75]

### ASSIGNMENT OF HEARINGS

SEPTEMBER 11, 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.

No. 35533, Petroleum Products, Williams Brothers Pipe Line Co., No. 35533 Sub 1, Petroleum Products to Illinois, Iowa, and Missouri, Williams Brothers Pipe Line Co., No. 35533 Sub 2, Petroleum Products, Williams Brothers Pipe Line Co., No. 35540 Petroleum Products, Louisiana and Texas to midwest, FSA No. 42327 Pipeline Rates—petroleum products from the Southwest now assigned November 13, 1972, at Washington, D.C., is postponed to December 4, 1972, same time and place.

MC-C-7631, Travel Center of Waterbury, Inc.-V-Eastern Ski Tours, Inc., et al., and MC-C-7166, Travel Center of Waterbury, Inc.-V-Continental Trailways, Inc., et al., now assigned September 25, 1972, at New York, N.Y., is postponed indefinitely.

I&S-M-26070, Plastic duct, hose, or pipe, southern territory, now assigned October 18, 1972, at Washington, D.C., is canceled. I&S M-25958, Classification ratings on cushions, pads, or pillows, now assigned September 13, 1972, at Washington, D.C., is postponed to September 25, 1972, same time and place.

MC 4405 Sub 490, Dealers Transit, Inc., and MC 61592 Sub 276, Jenkins Truck Line, Inc., now assigned October 2, 1972, at Chicago, Ill., will be held at the Conrad Hilton Hotel, 720 South Michigan Avenue, instead of Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 2202 Sub 396, Roadway Express, Inc., now being assigned October 24, 1972 (3 days), at Baton Rouge, La., in a hearing room to be later designated.

MC 136006 Sub 1, Walkill Air Freight Corp., now assigned September 27, 1972, at New York, N.Y., is postponed indefinitely.

MC-F-11445, Ashworth Transfer, Inc.—Purchase—Westates Transportation Co., MC 1872 Sub 78, Ashworth Transfer, Inc., now assigned October 16, 1972, at Phoenix, Ariz., is postponed indefinitely.

MC-F-11539, Commercial Carriers, Inc.—control and merge—B & H Truckaway Co. MC-43038 (Sub-No. 451), Commercial Carriers, Inc., now assigned November 6, 1972, at San Francisco, Calif., is postponed to November 13, 1972, same time and place.

not exist in Applicants' situation since they and their sponsor have no control over events, except the selection of the initial portfolio, which might trigger capital gains, i.e., the tendering of units for redemption and the prepayment of portfolio bonds by the issuing authorities. In addition, it is alleged that the amounts involved in a normal distribution of principal are relatively small in comparison to the normal interest distribution, and such distributions are clearly indicated in accompanying reports to unitholders as a return of principal.

Section 6(c) of the Act authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and the rules promulgated thereunder 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.

Notice is further given that any interested person may, not later than September 29, 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 shall 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.

For the Commission, by the Division of Investment Company Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.72-15664 Filed 9-13-72;8:48 am]

AB-49, Ann Arbor Railroad Co.—Abandonment entire line of railroad including all of its car ferry routes, in Benzie County, Mich., and Keweenaw and Manitowoc Counties, Wis., now being assigned hearing October 24, 1972, at Frankfort, Mich., in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-15685 Filed 9-13-72;8:50 am]

[Notice 121]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 8, 1972.

The following are notices of filing of applications<sup>1</sup> 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 (6) copies.

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 9268 (Sub-No. 13 TA), filed August 22, 1972. Applicant: ALBERT FILLMORE, doing business as FILLMORE TRANSPORTATION, 132 West Dudleytown Road, Post Office Box 124, Bloomfield, CT 06002. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, CT 06103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh meat*, on hangers and in cartons in refrigerated equipment, from Kearney, Linden, and Newark, N.J., to East Hartford, Conn., for 180 days. Supporting shipper: First National Stores, Inc., 123 Pennsylvania Avenue, South Kearney, NJ 07032. Send protests to: District Supervisor David J. Kiernan, Interstate Commerce, Bureau of Operations, 324 U.S. Post Office Building, 135 High Street, Hartford, CT 06101.

No. MC 17227 (Sub-No. 11 TA), filed August 25, 1972. Applicant: LINDNER

<sup>1</sup> Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.



**BROS. TRUCKING, INC.**, 2115 South First Street, Milwaukee, WI 53207. Applicant's representative: James L. Joppe (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soap, soap products, lard substitutes, vegetable oil shortening, advertising matter, and commodities awarded as premiums*, from Milwaukee, Wis., to points in Adams, Brown, Calumet, Door, Fond du Lac, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Manitowoc, Marquette, Monroe, Oconto, Outagamie, Portage, Shawano, Sheboygan, Vernon, Waupaca, Waushara, Wood, and Winnebago Counties, Wis., with no transportation for compensation on return except as otherwise authorized; (2) *groceries* and in connection therewith premiums and advertising materials, from Milwaukee, Wis., to points in Milwaukee, Rock, Racine, Kenosha, Waukesha, Jefferson, Dane, Dodge, Green, Walworth, Columbia, Iowa, Lafayette, Ozaukee, Richland, Sauk, Washington, Crawford, Grant, Adams, Brown, Calumet, Door, Fond du Lac, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Manitowoc, Marquette, Monroe, Oconto, Outagamie, Portage, Shawano, Sheboygan, Vernon, Waupaca, Waushara, Wood, and Winnebago Counties, Wis.; and (3) *damaged or defective* shipments of the above-described commodities, from the above-specified destination points to Milwaukee, Wis. Restriction: The service authorized immediately above is subject to the following conditions: The above-described operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with Procter & Gamble Co., for 180 days. Supporting shipper: Robert Ferguson, The Procter & Gamble Co., 299 East Sixth Street, Cincinnati, OH 45201. Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 26396 (Sub-No. 58 TA), filed August 25, 1972. Applicant: **POPELKA TRUCKING CO.**, doing business as **THE WAGGONERS**, Post Office Box 990, Office: 201 West Park, Livingston, MT 59047. Applicant's representative: Wayne Waggoner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prilled ammonia nitrates*, from points in Kansas, Iowa, Missouri, Illinois, and Missouri River points in Nebraska, to points in Montana, Wyoming, Idaho, and points west of the Missouri River in North Dakota and South Dakota, for 180 days. Supporting shipper: Cooper Supply Co., 2314 Bitterroot Drive, Billings, MT 59101. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 30844 (Sub-No. 421 TA), filed August 18, 1972. Applicant: **KROBLIN**

**REFRIGERATED XPRESS, INC.**, 2125 Commercial Street, Waterloo, IA 50702. Applicant's representative: Paul Rhodes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lubbock, Tex., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, for 180 days. Supporting shipper: John Morrel & Co., 208 South La Salle Street, Chicago, IL 60604. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 30844 (Sub-No. 422 TA), filed August 28, 1972. Applicant: **KROBLIN REFRIGERATED XPRESS, INC.**, 2125 Commercial Street, Post Office Box 5000 (50704), Waterloo, IA 50702. Applicant's representative: Paul Rhodes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, condiments, and pet supplies* from Springfield, Mo., to points in Alabama, Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. Supporting shipper: The R. T. French Co., 1 Mustard Street, Rochester, NY 14609. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 29642 (Sub-No. 7 TA), filed August 21, 1972. Applicant: **FIVE TRANSPORTATION COMPANY**, 1517 Grant Street, Brunswick, GA 31520. Applicant's representative: Norman J. Bolinger, 1729 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving points in Glynn County, Ga., as off-route points in connection with its presently authorized regular route between Savannah, Ga., and Jacksonville, Fla., for 180 days. Note: Applicant intends to interline traffic at Savannah, Ga., and Jacksonville, Fla., and to tack the authority sought with its existing authority in Docket No. MC-29642. Supporting shippers: Haven Manufacturing Corp., Route 3, Box 112, Sterling, GA; IGA Supermarket, 920 Beachview Drive, Jekyll Island, GA 31520; Jekyll Pharmacy, Jekyll Island, Ga.; Triangle T Corp., Sterling, Ga.; American Ware-

house Corp., Jacksonville, Fla.; Grabber Manufacturing Co., Inc., Sterling, Ga. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 89523 (Sub-No. 23 TA), filed August 22, 1972. Applicant: **MID-STATES TRUCKING CO.**, 2517 North Grand, Enid, OK 73701. Applicant's representative: Earl H. Scudder, Jr., Post Office Box 82028, Lincoln, NE. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sodium hypochloritesolution, cleaning compounds, dry bleach and animal litter chopped alfalfa*, from Kansas City, Mo., to points in Oklahoma, for 90 days. Supporting shipper: R. W. Ernst, Division Traffic Manager, The Clorox Co., 7901 Oakport Street, Oakland, CA 94623. 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.

No. MC 95136 (Sub-No. 17 TA), filed August 29, 1972. Applicant: **ALLEN S. YEATMAN, INCORPORATED**, Post Office Box 383, Montross, VA 22520. Applicant's representative: Allen S. Yeatman (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets*; between points in Northumberland, Richmond, and Westmoreland Counties, Va., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and the District of Columbia. Supporting shippers: Hammack Lumber Co., Inc., Farnham, Va., and F & K Lumber Corp., Calao, Va. 22435. Send protests to: District Supervisor Waldron, Bureau of Operations, Interstate Commerce Commission, 10-502 Federal Building, Richmond, Va.

No. MC 95304 (Sub-No. 17 TA), filed August 28, 1972. Applicant: **NORTHERN NECK TRANSFER INC.**, Montross, Va. 22520. Applicant's representative: William H. Edwards (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden mats*, from Warsaw, Va., to points in Washington, D.C., and Montgomery and Prince Georges Counties, Md. Supporting shipper: Northern Neck Lumber Co., Inc., Warsaw, Va. Send protests to: District Supervisor Robert W. Waldron, Bureau of Operations, Interstate Commerce Commission, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 95540 (Sub-No. 858 TA), filed August 29, 1972. Applicant: **WATKINS MOTOR LINES, INC.**, 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, requiring mechanical refrigeration, from Lafargeville, Arkport, and



Binghamton, N.Y., to points in Richmond and Norfolk, Va.; Atlanta, Statesboro, Thomasville, and Valdosta, Ga.; Charlotte and Raleigh, N.C.; Charleston and Columbia, S.C.; Jacksonville, Miami, Quincy, and Tampa, Fla. Supporting shipper: Crowley Foods, Inc., 145 Conklin Avenue, Binghamton, NY 13902. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, 5720 Southwest 17th Street, Room 105, Miami, FL 33155.

No. MC 100795 (Sub-No. 1 TA), filed August 23, 1972. Applicant: WALLACE HERRINGTON, 124 New Abbeville Highway, Post Office Box 146, Eufaula, AL 26027. Applicant's representative: Capell, Howard, Knabe & Cobbs, P.A., 57 Adams Avenue, Montgomery, AL 36103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from Eufaula, Ala., to points in Cedar Springs, Ga. Supporting shippers: M. G. Dixon Lumber Co., Inc., Post Office Drawer K, Eufaula, AL 36027, and Garrison Bros. Lumber Co., Eufaula, Ala. 36027. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 111940 (Sub-No. 58 TA), filed August 17, 1972. Applicant: SMITH'S TRUCK LINES, Post Office Box 88, Rural Delivery No. 2, Muncy, PA 17756. Applicant's representative: John M. Musselman, 400 North Third Street, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain, feed, and feed ingredients*, in bulk, from rail siding near Williamsport, Pa., to Canton and Columbia Crossroads, Pa., for 180 days. Supporting shippers: H. Rockwell & Son, Box 197, Canton, PA 17724; Judsons, Inc., Columbia Crossroads, Pa. 16914. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, PA 18503.

No. MC 114265 (Sub-No. 17 TA) (Correction), filed July 17, 1972, published in the FEDERAL REGISTER August 4, 1972, in the FEDERAL REGISTER August 4, 1972, and republished in part as corrected this issue. Applicant: RALPH SHOEMAKER, doing business as, SHOEMAKER TRUCKING CO., 8624 Franklin Road, Boise, ID 83705. Applicant's representative: Raymond D. Givens, Post Office Box 964, Boise, ID 83701. NOTE: The purpose of this partial republication is to include the State of New Mexico as a destination point. The rest of the notice remains the same.

No. MC 115495 (Sub-No. 21 TA) (Correction), filed August 2, 1972, published in the FEDERAL REGISTER issue of August 30, 1972, and republished as corrected this issue. Applicant: UNITED PARCEL SERVICE, INC., 300 North Second Street, St. Charles, IL 60174. Applicant's representative: J. Robert Peterson (same address as above). Au-

thority sought to operate in interstate or foreign commerce, 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 in bulk, commodities requiring special equipment, perishable commodities, motion picture film between motion picture distributors, and motion picture theaters, and traffic having a prior or subsequent movement by air at Denver, Colo.), (1) between points in Colorado, New Mexico, and Wyoming; and (2) between points in Colorado, New Mexico, and Wyoming, on the one hand, and, on the other, points in Kansas, Nebraska, Oklahoma, South Dakota, and Texas, restricted against the movement of traffic between Denver, Colo., on the one hand, and, on the other, points in Kansas and those in Nebraska, on and south, and within 10 miles north of a line beginning at Nebraska-Colorado State line and extending along U.S. Highway 138 to its junction with U.S. Highway 30 and thence along U.S. Highway 30 to the Nebraska-Iowa State line; and (1) and (2) above are subject to the same restrictions as appeared in previous publication. NOTE: Applicant intends to tack to its present certificates MC-115495 Sub Nos. 3, 4, 14, and 16 and to interline with United Parcel Service, Inc. (a New York corporation) holder of certificates MC-116200 Sub Nos. 2, 3, and 5. The purpose of this republication is to correct item (1) above and to correctly set forth the authority requested. Supported by: There are approximately 150 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Wm. J. Gray, Jr., Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 117565 (Sub-No. 65 TA), filed August 15, 1972. Applicant: MOTOR SERVICE COMPANY, INC., Post Office Box 448, Route 3, Coshocton, OH 43812. Applicant's representative: John R. Hafner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bathroom and plumbing fixtures, and parts, attachments, and accessories for bathroom and plumbing fixtures*; (2) *plastic products*; (3) *shower stalls*; (4) *china and earthenware goods*; and (5) *counter tops*, from the plantsites and warehouse facilities of Peerless Pottery, Inc., at or near Evansville, Ind., and Rockport Sanitary Pottery, at or near Rockport, Ind., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, New Jersey, New York, North Carolina, Nebraska, Oklahoma, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas,

Virginia, Wisconsin, and West Virginia, for 180 days. Supporting Shippers: Peerless Pottery, Inc., 917 North St. Joseph Avenue, Evansville, IN 47712; Rockport Sanitary Pottery, Rockport, Ind. 47635. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building, and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 119641 (Sub-No. 107 TA), filed August 21, 1972. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Post Office Box 471, Fowler, IN 47944. Applicant's representative: Leo A. Maciolek, Rural Route 1, Box 335, Moline, IL. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors and parts therefor*, when transported in the same vehicle, from Philadelphia, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Restriction: The above authority is restricted to traffic destined to the branch houses, warehouses and dealer facilities of Deere & Co., for 180 days. Supporting shipper: Deere & Co., John Deere Road, Moline, Ill. 61265. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 119767 TA (Amendment), filed August 9, 1972, published in the FEDERAL REGISTER issue of August 19, 1972, amended and republished in part as amended this issue. Applicant: BEAVER TRANSPORT CO., Post Office Box 186, Pleasant Prairie, WI 53158.

NOTE: The purpose of this partial republication is to eliminate the destination point of Germantown, Wis. The rest of the application remains the same.

No. MC 123476 (Sub-No. 16 TA), filed July 21, 1972. Applicant: CURTIS TRANSPORT, INC., 1334 Lonedell Road, Arnold, MO 63010. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic products*, from the Dow Chemical plant at or near Magnolia, Ark., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Pennsylvania, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, Wyoming, and West Virginia, for 180 days. Supporting shipper: Dow Chemical Co., 433 Building, Midland, Mich. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

No. MC 124109 (Sub-No. 9 TA), filed August 18, 1972. Applicant: B. F. C. TRANSPORTATION, INC., 950 Shaver Road, Post Office Box 985, Cedar Rapids, IA 52406. Applicant's representative:



William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rolled paper*, from Fort Madison, Iowa, to Plainfield, Herrin, Centralia, and Chicago, Ill., and points in the Chicago, Ill., commercial zone; Omaha, Nebr., and points in the Omaha, Nebr., commercial zone; and St. Louis, Mo., and points in the St. Louis-East St. Louis, Ill., commercial zone; and (2) *scrap paper*, from the points named in (1) above to Fort Madison, Iowa, for 180 days. Supporting shipper: Consolidated Packaging Corp., 72 West Adams Street, Suite 800, Chicago, IL 60603. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 124327 (Sub-No. 6 TA), filed August 16, 1972. Applicant: COASTAL CONTRACT CARRIER CORPORATION, Post Office Box 261, Selmer, TN 38375. Applicant's representative: Charles R. Parker (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fabric and such merchandise* as is sold by fabric stores and materials, supplies and equipment utilized in the installation and operation of retail fabric stores, (1) from the distribution facilities of House of Fabrics, Inc., at or near Mauldin, S.C., to retail facilities of House of Fabrics, Inc., located at points on and west of the Mississippi River (except Alaska and Hawaii) and return; and (2) from the facilities utilized by House of Fabrics, Inc., at or near Montclair, Calif., to the retail facilities of House of Fabrics, Inc., at points in the United States (except Alaska and Hawaii) and return, for 180 days. NOTE: Applicant seeks authority to perform the proposed service in (1) and (2) above on carrier or shipper owned trailers, or shipper leased trailers, pursuant to a continuing contract with House of Fabrics, Inc., or its affiliates. Supporting shipper: House of Fabrics of South Carolina, Inc., Mauldin, S.C. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 933 Federal Office Building, 167 North Main Street, Memphis, TN 38103.

No. MC 124920 (Sub-No. 11 TA), filed August 21, 1972. Applicant: BABAR'S, INC., 310 Breck Street, Scranton, PA 18505. Applicant's representative: Thomas A. Klima, La Bar's, Inc., 310 Breck Street, Scranton, PA 18505. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers*, from Berwick, Pa., to points in New Jersey and New York; Rockville, Cheshire, Norwalk, Branford, Meriden, Seymour, and Middletown, Conn.; Claymont, Lewes, Greenville, Middletown, and Harrington, Del.; Baltimore, Cumberland, Hagerstown, and Savage, Md.; Dorchester, Gardner, and Mills, Mass.; Coshoc-ton and Cleveland, Ohio; Central Falls,

R.I.; Marshall and Winchester, Va.; Bridgeport, New Creek, Morgantown, and Wheeling, W. Va., for 180 days. Supporting shipper: Bercon Packaging, Inc., 1800 North Market Street, Berwick, PA 18603. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 125506 (Sub-No. 18 TA), filed August 21, 1972. Applicant: JOSEPH ELETTO TRANSFER, INC., 31 West St. Marks Place, Valley Stream, NY 11580. Applicant's representative: Joseph Eletto (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail specialty shops, dealing primarily in wearing apparel (excluding furniture and appliances), advertising materials and displays, furniture and store supplies not for resale, between shipper's stores and warehouses located at New York, N.Y., Philadelphia, Wynnewood, and Jenkintown, Pa., for 180 days. Supporting shipper: Bonwit Teller, Fifth Avenue, New York, N.Y. Send protests to: Thomas W. Hopp, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 126612 (Sub-No. 4 TA), filed August 22, 1972. Applicant: SALVATORE GIARRAPUTO, doing business as SEMOLINA HAULAGE COMPANY, 86 Kent Avenue, Brooklyn, NY 11211. Applicant's representative: Murray S. Bornstein, 253 Broadway, New York, NY 10007. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bulk flour*, from Brooklyn Eastern District Bulk Flour Terminal, to American Bakeries, 711 South 10th Street, Newark, NJ, and return, for 90 days. Supporting shipper: American Bakeries Co., 1674 Atlantic Avenue, Brooklyn, NY 11213. Send protests to: Marvin Kampel, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 128527 (Sub-No. 29 TA), filed August 18, 1972. Applicant: MAY TRUCKING COMPANY, Post Office Box 398, Payette, ID 83661. Applicant's representative: Gatchel & Batt, Professional Building, Payette, Idaho 83661. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, plywood paneling, dimensional lumber cut to size, woodmill products, prefinished moldings, stiles, headers, jambs, laminated plastics, and related articles*, packaged or bundled for the convenience of the shipper and consignee to be used in the manufacturing of mobile homes, motor homes and recreational vehicles, from Champion Home Builders Distribution Center located at Weiser, Idaho, to plantsites located at or near the following townsites. Champion Home Builders, Lindsay, Calif.; Champion Home Builders, Dinuba, Calif.; Champion Home Build-

ers, Concord Home Division, Cutler, Calif.; Champion Home Builders, Titan Homes Division, Lindsay, Calif. for 180 days. NOTE: Applicant does not intend to tack authority or to interline with any other carrier. Supporting shipper: Champion Home Builders, Post Office Box 551, Weiser, Idaho 83672. Send protests to: C. W. Campbell, Interstate Commerce Commission, Bureau of Operations, 550 West Fort Street, Box 07, Boise, Idaho 83702.

No. MC 129350 (Sub-No. 22 TA), filed August 18, 1972. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, Post Office Box 212, Billings, MT 59103. Applicant's representative: Clayton G. Brown (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel truck delivery tanks*, from Minneapolis, Minn., to Billings, Mont., for 150 days. Supporting shipper: Marketing Specialties, Inc., Post Office Box 14, Billings, MT 59102. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133097 (Sub-No. 7 TA), filed August 21, 1972. Applicant: SYSTEM REEFER SERVICE, INC., 4614 Lincoln Avenue, Cypress, CA 90630. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Welding wire and rods*, from Bowling Green, Ky., to points in California, Colorado, Oregon, and Washington, for 180 days. Supporting shipper: Acco Wire Products Group, 201 Clay Street, Bowling Green, KY 42101. Send protests to: John E. Nance, OIC, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA.

No. MC 135760 (Sub-No. 7 TA), filed August 18, 1972. Applicant: COAST REFRIGERATED TRUCKING CO., INC., Post Office Box 188, Holly Ridge, NC 28445. Applicant's representatives: Herbert Alan Dubin, Todd, Dillon & Sullivan, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pork products*, in vehicles equipped with mechanical refrigeration, from Holly Ridge and Castle Hayne, N.C., to points in South Carolina, Georgia, Florida, Louisiana, Mississippi, and Texas, for 180 days. Supporting shipper: Carolina Meat Processors, Inc., Wilmington, N.C. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 26896, Raleigh, NC 27611.

No. MC 136159 (Sub-No. 8 TA), filed August 23, 1972. Applicant: AVIS HIGGINS, doing business as A.B.S. MOVERS, 824 Valley View Drive, Richland Center, WI 53581. Applicant's representative: Michael J. Wyngaard, 125



West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Signs, sign parts, sign poles, sign pole parts, electrical advertising display, and fiber glass products, and accessories* when moving therewith, from South Milwaukee, Wis., to points in the United States (except Alaska and Hawaii); and (2) *refused or rejected shipments on return and materials, equipment, and supplies* which are used or useful in the manufacture, sale, production, or distribution of the commodities named in Part (1) of this application, from points in the United States (except Alaska and Hawaii), to South Milwaukee, Wis., for 180 days. Supporting shipper: Everbrite Electric Signs, Inc., 315 Marion Avenue, South Milwaukee, WI 53172. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 West Wilson Street, Room 206, Madison, WI 53703.

No. MC 136508 (Sub-No. 2 TA), filed August 24, 1972. Applicant: GALE B. ALEXANDER, 120 South Ward Street, Ottumwa, IA 52501. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages*, from Monroe, Wis., to Ottumwa, Iowa, with *return of empty containers*, for 180 days. Supporting shipper: Pat Sheedy Distributing Co., Inc., Ottumwa, Iowa 52501. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 136545 (Sub-No. 2 TA), filed August 18, 1972. Applicant: NUSSBERGER BROS. TRUCKING CO., INC., 1109 Railroad Street, Box 95, Prentice, WI 54556. Applicant's representative: Associated Motor Carriers Traffic Bureau, Inc., 2288 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and animal and poultry feed concentrates*, in bags, when in mixed shipments with animal and poultry feed and animal and poultry feed concentrates, in bulk, from points in the Minneapolis-St. Paul, Minn., commercial zone, to points in Ashland, Brown, Door, Florence, Forest, Iron, Kewaunee, Lanlode, Lincoln, Marinette, Menominee, Oconto, Oneida, Outagamie, Price, Shawano, Taylor, and Vilas Counties, Wis., for 180 days. Supporting shippers: Heger Co., 2562 East Seventh Avenue, North St. Paul, MN 55109; Ralston Purina Co., 3815 Hiawatha Avenue, South Minneapolis, MN 55406; Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, MN 55413, mailing address, Post Office Box 116, Minneapolis, MN 55440. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of

Operations, 139 West Wilson Street, Room 206, Madison, WI 53703.

No. MC 136647 (Sub-No. 3 TA), filed August 28, 1972. Applicant: GREEN MOUNTAIN CARRIERS, INC., Post Office Box 1319, Albany, NY 12201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Books, NOIBN; printed matter, paper printing, book paper covers, book covers, stereo plates and cotton book cover cloth*, between Brattleboro, Vt., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Texas, and Wisconsin; (2) *wrapping paper, NOIBN*, from Claremont, N.H., to Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Texas, and Wisconsin; and (3) *paper articles*, such as dishes, pails, plates, trays, cans, and cups, from St. Albans, Vt., to points in Arkansas, Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, Texas, and Wisconsin. Supporting shippers: (1) The Book Press, Plant Putney Road, Brattleboro, Vt. 05301, (2) Claremont Paper Mill, Claremont, N.H. 03743, and (3) Fonda Container, Division of Standard Packaging Corp., St. Albans, Vt. Send protests to: Joseph M. Barnini, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

No. MC 136835 (Sub-No. 1 TA), filed August 18, 1972. Applicant: BING CONSTRUCTION COMPANY OF NEVADA, Post Office Box 487, Minden, NV 89423. Applicant's representative: Gerald D. Bing (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paving materials* from the plantsite of Bing Construction Co., 3 miles south of Gardnerville, Nev., to points in Alpine, Amador, and El Dorado Counties, Calif., for 150 days. Supporting shippers: Sierra Paving Inc., 111 Parr Boulevard, Reno, NV 89503; Claude C. Wood Co., Post Office Box 599, Lodi, CA 95240; Pacific Western Construction, Inc., 5206 North Channing Way, Fresno, CA 93705. Send protests to: District Supervisor Robert G. Harrison, Interstate Commerce Commission, Bureau of Operations, 203 Federal Building, 705 North Plaza Street, Carson City, NV 89701.

No. MC 136897 (Sub-No. 2 TA), filed August 18, 1972. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Edwood Road, Phoenix, AZ 85041. Applicant's representative: Donald E. Fernsays, 4114A North 20th Street, Phoenix, AZ 85016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printing paper*, other than newsprint, from Zee, La., to Jonesboro, Ark.; and (2) *printed matter*, from Jonesboro, Ark., to points in Arizona, California, and New Mexico, for 180 days. Supporting shipper: W. A. Krueger Co., 2802 West Palm Lane, Phoenix, AZ 85009. Send protests to: Andrew V. Baylor, Dis-

trict Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3427 Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

No. MC 136919 (Sub-No. 1 TA), filed July 12, 1972. Applicant: B. A. MILLER & SONS TRUCKING, INC., State Route 109, Post Office Box 41, East St. Liberty Center, OH 43532. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* manufactured, processed or dealt in by food processors and *materials and supplies* used in the conduct of businesses. Restricted to service performed under continuing contracts with Campbell Soup Co., between Napoleon, Ohio, and Birghton, Ind., on the one hand, and, on the other, points in the Lower Peninsula of Michigan, Indiana, Ohio, and Illinois, for 180 days. Supporting shipper: Campbell Soup Co., Campbell Place, Camden, N.J. 08101. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 534 Federal Office Building, 234 Summit Street, Toledo, OH 43604.

No. MC 133966 (Sub-No. 18 TA), filed August 23, 1972. Applicant: NORTH EAST EXPRESS, INC., Post Office Box 61, Mountaintop, PA 18707. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modular housing units*, on shipper-owned specifically designed transporters, from points in Columbia County, Pa., to Bath, Maine; Greenfield, Mass.; and Auburn, N.Y., for 150 days. Supporting shipper: Herciform Inc., 910 Market Street, Wilmington, DE 19899. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 136986 (Sub-No. 1 TA), filed August 21, 1972. Applicant: WHITLEY MOVING & STORAGE, INC., 3006 Industrial Drive, Raleigh, NC 27609. Applicant's representative: Thomas R. Whitley, Whitley Moving & Storage, Inc., 3006 Industrial Drive, Raleigh, NC 27609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material and supplies, including tools* used in the construction and maintenance of telephone systems and communications, between Raleigh, N.C., and points in the counties of Wake, Johnston, Narnett, Lee, Chatham, Orange, Durham, Person, Granville, Vance, Warren, Franklin, Edgecombe, Nash, Halifax, and Northampton, N.C., for 180 days. Supporting shipper: Western Electric, 6701 Roswell Road NE., Atlanta, GA 30328. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 26896, Raleigh, NC 27611.



No. MC 136992 TA, filed August 21, 1972. Applicant: T-W TRANSPORT, INC., 10229 East 44th, Spokane, WA 99206. Applicant's representative: George H. Hart, IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wine and malt beverages*, from San Francisco, Azusa, Madera, Van Nuys and points in Napa County, Calif., to Spokane, Wash., for 180 days. Supporting shipper: Joey August Distributor, Inc., August-Flaherty Distributors, East 3038 Trent Avenue, Spokane, WA 99202. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 136999 TA, filed August 25, 1972. Applicant: JIM ROWE, doing business as JIM ROWE TRUCKING CO., 205 East Main Street, Magnolia, AR 71753. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oil field tools*, from Magnolia, Ark., to Tyler, Tex., Shreveport, La., Natchez and Laurel, Miss., and areas in the field, for 180 days. Supporting shipper: Schlumberger Well Services, 5000 Gulf Freeway, Post Office Box 2175, Houston, TX 77001. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-15686 Filed 9-13-72; 8:50 am]

[Notice 122]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 11, 1972.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-73946. By application filed September 6, 1972, CENTRAL DISPATCH, INC., 52 Kansas Avenue, Kansas City, KA 66105, seeks temporary authority to lease the operating rights of STEWART MOTOR FREIGHT, INC., 2302 Guinotte, Kansas City, MO 64120, under section 210a(b). The transfer to CENTRAL DISPATCH, INC., of the operating rights of STEWART MOTOR FREIGHT, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-15687 Filed 9-13-72; 8:50 am]

[Ex Parte No. MC-82]

### NEW PROCEDURES IN MOTOR CARRIER REVENUE PROCEEDINGS

Order. At a general session of the Interstate Commerce Commission, held at

its office in Washington, D.C., on the 31st day of July 1972.

It appearing, that in prescribing procedures to be followed proposing general increases in motor carrier rates and charges, the Commission required the proponent rate bureaus to use a "frame of carriers," composed of so-called Instruction 27 carriers (required to separate expenses between line-haul and pickup and delivery services), and to submit traffic, cost, revenue need, and affiliate data for each individual carrier in the frame;

It further appearing, that in some instances the bureaus have encountered difficulty in obtaining the necessary data and information; and that in a recent proceeding, one bureau attempted to amend its section 5a agreement to provide for expulsion from membership of member carriers which failed to supply data deemed necessary to support, among other matters, proposed general increases, section 5a application No. 23 (amendment No. 8), Middle Atlantic Conference-Agreement, ----- ICC ----- (decided July 12, 1972);

It is further appearing, that while the cited report and order of Division 2 found that expulsion was too drastic a penalty, it was further stated:

Nevertheless, in view of the new procedures in ex parte No. MC-82 and the absolute necessity of obtaining the best data possible, we believe that further consideration should be given to the problem encountered when data necessary to comply with those procedures are not voluntarily supplied by members to the bureaus upon request therefor.

And it further appearing, that the report on reconsideration herein, 340 ICC 1, 17, specifically stated that future consideration of suggested improvements in the procedures was not foreclosed, that a petition for reconsideration and reply thereto, as well as a motion to strike a portion of the reply, are presently pending in this proceeding; therefore,

It is ordered, That, along with the said petition, reply, and motion, there shall be considered the matter of frame carriers' failure to furnish cost data and information to the rate bureaus to support proposed general increases.

It is further ordered, That all parties hereto desiring to comment on the said subject shall, on or before 30 days from the date of publication of this order in the FEDERAL REGISTER, file an original and 15 copies of statements of their position, views, and arguments with the Commission and serve copies thereof on the parties of record; and that replies thereto, if any, shall be filed 30 days thereafter.

And it is further ordered, That a copy of this order shall be served on each motor carrier respondent in this proceeding, a copy be deposited in the office of the Secretary of the Commission, and that a copy be delivered to the Director, Office of the Federal Register for publication therein.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-15688 Filed 9-13-72; 8:52 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 74]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

SEPTEMBER 8, 1972.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.



Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 921 (Sub-No. 22) (Correction), filed July 19, 1972, published in the FEDERAL REGISTER issue of August 10, 1972, and republished as corrected this issue. Applicant: DEAN TRUCK LINE, INC., Post Office Drawer 631 (Fulton Drive), Corinth, MS 38834. Applicant's representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. NOTE: The purpose of this republication is to correct an error in the highway designation in Item (5), Alabama Highway 165 should be Alabama Highway 157. Also, the application is restricted against tacking or joining the authority sought herein with any other authority now held or pending with Sub 21. The rest of the notice remains as previously published.

No. MC 1824 (Sub-No. 59), filed August 16, 1972. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, MD 21655. Applicant's representative: Frank V. Klein (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Furniture and furniture parts, sheet steel articles, and commodities used in the manufacture and sale and distribution thereof, between Dunkirk, Md., on the one hand, and, on the other, Landover, Md. NOTE: Applicant states it will tack at Landover, Md., to points authorized in MC 1824 and subs thereto, to provide a through service to points in Connecticut, Delaware, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Virginia, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2229 (Sub-No. 171), filed August 11, 1972. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 47407, Dallas, TX 75247. Applicant's representative: Douglas Anderson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle over regular routes, transporting: General commodities (except those of unusual value, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between Memphis, Tenn. and New Orleans, La.; from Memphis over U.S.

Highway 51 and/or Interstate Highway 55 to the junction of Interstate Highway 10 at or near Frenier, La., thence over Interstate Highway 10 to New Orleans and return over the same route, serving as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points. Restriction: Service over the route specified immediately above shall be restricted against the transportation of traffic moving between Memphis, Tenn., on the one hand, and, on the other, Mobile, Ala. and Gulfport, Miss. and their respective commercial zones. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex. or Washington, D.C.

No. MC 2253 (Sub-No. 54), filed August 14, 1972. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, N.C. Highway 150 East, Cherryville, N.C. 28021. Applicant's representative: W. C. Mauldin, Post Office Box 697, Cherryville, N.C. 28021. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wearing apparel, loose or on hangers and in packages, and materials and supplies used in the manufacture of wearing apparel, between points in South Carolina, on the one hand, and, on the other, Jersey Shore, Pa. NOTE: Applicant states that the requested authority can be tacked at Clover, S.C., for the purpose of serving points in Georgia, Florida, and North Carolina. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, Charlotte, N.C., or Washington, D.C.

No. MC 2253 (Sub-No. 55), filed August 14, 1972. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, N.C. Highway 150 East, Cherryville, N.C. 28021. Applicant's representative: W. C. Mauldin, Post Office Box 697, Cherryville, N.C. 28021. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wood sawdust, shavings or ground wood, in bulk, from Camak, Ga., to Clifton, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.; Charlotte, N.C., or Greenville, S.C.

No. MC 2633 (Sub-No. 59), filed August 18, 1972. Applicant: CROSSETT, INC., Post Office Box 946, Warren PA 16365. Applicant's representative: Kenneth T. Johnson, Bankers Trust of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, as described in Appendix XIII to the report in Descriptions in Motor Carrier's Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Clinton, Potter, and Tioga Counties, Pa., to points in Erie, Monroe, Tompkins, and Wayne Counties, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed

necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 3853 (Sub-No. 4), filed August 17, 1972. Applicant: BURTON TRUCK & TRANSFER CO., a corporation, 11910 Greenstone Avenue, Santa Fe Springs, CA 90670. Applicant's representative: Donald Murchison, 9454 Wilshire Boulevard, Suite 400, Beverly Hills, CA 90212. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities with the usual exceptions, Part I Transportation, as a highway common carrier, of general commodities as follows: (1) Between all points and places within the Los Angeles Basin Territory as described in Part II attached hereto. (2) Between the Los Angeles Basin Territory, on the one hand, and on the other hand, all points and places within the San Diego Territory, as described in Part III attached hereto. (3) From the Los Angeles Basin Territory, on the one hand, to (a) all points on U.S. Highways Nos. 101 and 395 between the Los Angeles Basin Territory and the San Diego Territory; (b) all points laterally within 5 miles of U.S. Highway No. 101 between the Los Angeles Basin Territory and the San Diego Territory; (c) all points on State Highway 78 between junction with U.S. Highways 101 and 395, on the other hand. Restrictions: Applicant shall not transport any shipment of: (1) Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A. (2) Automobiles, trucks and buses, viz: new and used finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. (3) Livestock, viz: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags, or swine. (4) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerated equipment. (5) Liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles. (6) Commodities when transported in bulk in dump trucks or in hopper-type trucks. (7) Commodities when transported in motor vehicles equipped for mechanical mixing in transit, and (8) logs.

Part II Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately 2 miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda



Boulevard to Chatsworth Drive; north-easterly along Chatsworth Drive to the corporate boundary of the city of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway No. 99; northwest-erly along U.S. Highway No. 99 to the corporate boundary of the city of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwest-erly along La Cadena Drive to Iowa Avenue; south-erly along Iowa Avenue to U.S. Highway No. 60; southwest-erly along U.S. Highways Nos. 60 and 395 to the county road approximately 1 mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the city of San Jacinto; easterly, southerly and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the city of Hemet; south-erly, westerly and northerly along said corporate boundary to the right-of-way of the Atchison, Topeka & Santa Fe Rail-way Co.; southwest-erly along said right-of-way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated commu-nity of Winchester to Benton Road; west-erly along Benton Road to the county road intersecting U.S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U.S. Highway No. 395; southeasterly along U.S. Highway No. 395 to the Riverside County-San Diego county boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwest-erly along the shoreline of the Pacific Ocean to point of beginning. Part III San Diego Territory includes that area as embraced by the following imaginary line, starting at the northerly junction of U.S. High-ways Nos. 101E and 101W (4 miles north of La Jolla); thence easterly to Miramar on U.S. Highway No. 395; thence south-easterly to Lakeside on the East Cajon-Ramona Highway; thence southerly to Bostonia on U.S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the interna-tional boundary line, west to the Pacific Ocean and north along the coast to the point of beginning. NOTE: Applicant states that the requested authority can-

not be tacked with its existing authority. By the instant application, applicant seeks to convert its certificate of regis-tration into a certificate of public con-venience and necessity. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 31389 (Sub-No. 154), filed August 17, 1972. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, NC 27102. Appli-cant's representative: Francis W. Mc-Inerny, 1000 16th Street, NW., Washing-ton, DC 20036. Authority sought to oper-ate as a *common carrier*, by motor vehi-cle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Com-mission, commodities in bulk, and those requiring special equipment), (1) be-tween Buffalo, N.Y., and Pittsburgh, Pa., from Buffalo over U.S. Highway 62 to junction U.S. Highway 219 at Hamburg, N.Y., thence over U.S. Highway 219 to junction Pennsylvania Highway 28 at Brockway, Pa., thence over Pennsylvania Highway 28 to junction Pennsylvania Highway 8 near Etna, Pa., thence over Pennsylvania Highway 8 to Pittsburgh, and return over the same route, as an al-ternate route to presently authorized regular routes, serving no intermediate points and serving Pittsburgh, Pa., for joinder only, and (2) between Buffalo, N.Y., and Winchester, Va., from Buffalo over U.S. Highway 62 to junction U.S. Highway 219 at Hamburg, N.Y., thence over U.S. Highway 219 to junction U.S. Highway 22 near Ebensburg, Pa., thence over U.S. Highway 22 to junction U.S. Highway 220 near Dun-cansville, Pa., thence over U.S. Highway 220 to junction U.S. Highway 30 near Bedford, Pa., thence over U.S. Highway 30 to junction Interstate Highway 70 near Breezewood, Pa., thence over Inter-state Highway 70 to junction U.S. High-way 522 near Hancock, Md., thence over U.S. Highway 522 to Winchester, Va., and return over the same route, as an alter-nate route to presently authorized regu-lar routes, serving no intermediate points. Restriction: The operations re-quested herein are restricted against the transportation of traffic having origin or destination in the State of Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washing-ton, D.C., or Pittsburgh, Pa.

No. MC 20793 (Sub-No. 46), filed Au-gust 17, 1972. Applicant: WAGNER TRUCKING CO., INC., Jobstown, N.J. 08041. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to oper-ate as a *common carrier*, by motor vehi-cle, over irregular routes, transporting: *Building block*, from Trenton, N.J., to points in Massachusetts. NOTE: Appli-cant states that the requested authority cannot be tacked with its existing au-thority. If a hearing is deemed necessary, applicant requests it be held at Phila-delphia, Pa., or Washington, D.C.

No. MC 26088 (Sub-No. 23), filed August 17, 1972. Applicant: THE SANDERS TRUCK TRANSPORTA-TION CO., INC., Post Office Box 457, Augusta, GA 30903. Applicant's repre-sentative: William Addams, Suite 212, 5299 Roswell Road, NE, Atlanta, GA 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Built up wall panels*, with facing ceramic prod-ucts, synthetic or natural aggregate, and sand, brick, and other ceramic products, and concrete masonry units, from points in Richmond County, Ga., to points in Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hamp-shire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, Wisconsin, Wyoming, and the District of Columbia. NOTE: Appli-cant states that the requested authority cannot be tacked with its existing au-thority. If a hearing is deemed neces-sary, applicant requests it be held at Atlanta, Ga.

No. MC 29642 (Sub-No. 5) (Correc-tion), filed August 9, 1972, published in the FEDERAL REGISTER issue of Septem-ber 8, 1972, and republished as corrected this issue. Applicant: FIVE TRANSPOR-TATION COMPANY, a corporation, 1517 Grant Street, Post Office Box 1635, Brunswick, GA 31520. Applicant's repre-sentative: Dan R. Schwartz, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Au-thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General com-modities* (except those of unusual value and those requiring special equipment because of size or weight, and classes A or B explosives), in cargo containers, mounted or not mounted and (2) *empty cargo containers*, mounted or not mounted, restricted to the transporta-tion of shipments having prior or sub-sequent movement by water, between Savannah, Ga., on the one hand, and, on the other, points in Florida. NOTE: Applicant states that the requested au-thority cannot be tacked with its exist-ing authority. The purpose of this republication is to show applicant's cor-rect docket number as MC 29642 (Sub-No. 5), in lieu of MC 29642 (Sub-No. 4), which was erroneously published. If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

No. MC 30887 (Sub-No. 179), filed August 16, 1972. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Post Office Box 55, Reisterstown, MD 21136. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue NW., Washington, DC 20036. Au-thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten liquid poly-propylene*, in bulk, in tank vehicles, from Crowley, La., to Chicago and Joliet, Ill.;



Linden, N.J.; Dalton, Ga.; and Lowell, Ind. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 155), filed August 17, 1972. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box No. 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Polyform, Inc., located near Denham Springs, La., as an off-route point in connection with carrier's regular route operations to and from Baton Rouge, La. NOTE: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge or New Orleans, La.

No. MC 31389 (Sub-No. 156), filed August 17, 1972. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box No. 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Ecological Assistance Rubber Co. (Earco), at or near Kountze, Tex., as an off-route point in connection with carrier's regular route operations to and from Beaumont, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Austin or Dallas, Tex.

No. MC 31389 (Sub-No. 157), filed August 17, 1972. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box No. 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Engelhard Minerals and Chemicals Corp., located approximately 2½ miles west of McIntyre, Ga., as an off-route point in connection with carrier's regular route operations to and from Macon, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 31389 (Sub-No. 158), filed August 17, 1972. Applicant: McLEAN

TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box No. 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse facilities of the Goodyear Tire and Rubber Co., at or near Silsbee, Tex., as an off-route point in connection with carrier's regular route operations to and from Beaumont, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Austin or Dallas, Tex.

No. MC 45057 (Sub-No. 19), filed August 7, 1972. Applicant: McLEOD TRUCKING, INC., Post Office Box 366, 2401 East Fifth Street, Reno, NV 89504. Applicant's representative: Michael J. Stecher, 140 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Sacramento, Calif., and Reno, Nev.; from Sacramento, Calif., over Interstate Highway 80 to Reno, Nev., and return over the same route, serving as an alternate route in connection with applicant's regular route authority for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Carson City, Nev., or San Francisco, Calif.

No. MC 51146 (Sub-No. 290), filed August 9, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, WI 54304. Applicant's representative: Charles Singer, 327 South LaSalle, Suite 1000, Chicago, IL 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic articles*, from points in Kern County, Calif., to points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming. NOTE: Applicant states that its requested authority could be tacked with MC 51146 and various subs thereunder where it is feasible, but has no present intention to tack, therefore he does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 66900 (Sub-No. 40), filed August 7, 1972. Applicant: HOUFF TRANSFER, INCORPORATED, Post Office Box 91, Weyers Cave, VA 24486.

Applicant's representative: Harold G. Hernly, 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and commodities which because of size and weight require special equipment and classes A and B explosives) between points in Hancock County, W. Va. and points in Ohio, West Virginia, and Pennsylvania within 30 miles of Wheeling, W. Va., and points within 50 miles of Washington, D.C. NOTE: The purpose of this application is to eliminate the necessity to observe a Wheeling gateway on traffic either (a) moving between points within 50 miles of Washington, D.C., and 30 miles of Wheeling, or (b) on traffic moving into West Virginia from the southern extremities of applicant's system under its Sub-No. 36. Applicant states that the requested authority can be tacked with its existing authority at Sub-No. 36 which authorizes service to points in West Virginia. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 83539 (Sub-No. 348), filed August 14, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, ducts and tubes and related fittings, attachments, materials, and accessories*, from High Springs, Fla., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and Clarksville, W. Va. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 100666 (Sub-No. 224), filed August 14, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over



irregular routes, transporting: *Fencing and material* used in the installation of fencing, from the plantsites and storage facilities of American Wholesale Fence Co., at New Orleans, La., to points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Dallas, Tex.

No. MC 100666 (Sub-No. 225), filed August 15, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fencing, wire, gates, nails and posts*, from Greenville, Miss., to points in Arkansas, Illinois, Indiana (except Crawfordsville), Michigan, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Shreveport, La.

No. MC 103051 (Sub-No. 257), filed August 17, 1972. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Post Office Box 90408, Nashville, TN 37209. Applicant's representative: Gregory A. Presnell, Post Office Box 231, Orlando, FL 32802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and animal fats*, in bulk, in tank vehicles, from Chattanooga, Tenn., to points in Maryland. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority at points in Hamilton County, Tenn. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Chattanooga, Tenn.

No. MC 103993 (Sub-No. 729), filed August 10, 1972. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Paul D. Borgheani (same address as applicant). 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 Carter County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 104960 (Sub-No. 33), filed August 2, 1972. Applicant: MOTOR FUEL

CARRIERS, INC., 404 Elm Avenue, Post Office Box 2288, Panama City, FL 32401. Applicant's representative: James S. Wilson, 226 Main Street, Post Office Box 151, Paris, KY 40361. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Mobile, Ala., and points in Mobile County, Ala., to points in Florida located west of Interstate Highway 75 and north of Florida Highway 24. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tallahassee, Fla.; Atlanta, Ga.; Montgomery or Mobile, Ala.

No. MC 105045 (Sub-No. 35), filed August 17, 1972. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, IN 47701. Applicant's representative: Ernest A. Brooks, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum products*; (2) *equipment, materials and supplies* used in manufacturing and distributing of commodities named in (1) above (except commodities in bulk) and (1) from the plantsite and facilities of Consolidated Aluminum Corp., located at or near Murphysboro, Ill., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, and New Mexico; and (2) from destination States named in (1) above to the plantsite and facilities of Consolidated Aluminum Corp., located at or near Murphysboro, Ill. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 107295 (Sub-No. 630), filed August 17, 1972. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesive cement* (except in bulk), from New Philadelphia, Ohio, to points in and east of Montana, Wyoming, Colorado, and New Mexico. **NOTE:** Applicant states that tacking is possible with its Sub-No. 291, however applicant has no present intention to tack. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 107295 (Sub-No. 631), filed August 18, 1972. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recreational equipment, supplies and accessories*, from the plant and warehouse sites of National Canvas Products Corp., located in Lucas and

Wood Counties, Ohio, to points in the United States (except Ohio, Alaska, and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 107496 (Sub-No. 859), filed August 17, 1972. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Post Office Box 855, Des Moines, IA 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sulphate of alumina*, in bulk, in tank vehicles, from the American Cyanamid Co.'s facilities at Cloquet, Minn., to the site of the city of Grand Forks Water Department at Grand Forks, N. Dak.; (2) *tallow*, in bulk, in tank vehicles, from Minneapolis, Minn., to points in North Dakota and South Dakota; (3) *soda ash*, from Lawrence, Kans., to points in Missouri, Iowa, Nebraska, Kansas, and Oklahoma (except points in the St. Louis, Mo., commercial zone); (4) *limestone and limestone products*, from points in Wisconsin to points in Minnesota, and (5) *cement*, from the plantsite of Missouri Portland Cement Co., at or near St. Louis, Mo., to points in Iowa, Kansas, Indiana, and Illinois. **NOTE:** Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107515 (Sub-No. 808), filed August 18, 1972. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Alan E. Serby, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Bowling Green, Ky., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Texas, Oklahoma, Wisconsin, Virginia, and West Virginia. **NOTE:** Applicant states that it has no present intention of tacking the involved authority to perform a new service. Persons interested in the tacking possibilities are cautioned that failure to oppose the application will result in an unrestricted grant of authority. Common control and dual operations may be involved. Applicant states that it holds



duplicating authority under its Sub-No. 687. All such duplicating authority shall be eliminated if and when the instant application is granted. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Atlanta, Ga.

No. MC 107515 (Sub-No. 809), filed August 18, 1972. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Alan E. Serby, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yarn*, from Toccoa, Ga., and points in Stephens County, Ga., to points in Arkansas, Oklahoma, Texas, Iowa, Nebraska, California, and North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Harrisburg, Pa., or Atlanta, Ga.

No. MC 109448 (Sub-No. 16), filed August 17, 1972. Applicant: PARKER TRANSFER COMPANY, a corporation, Telegraph Road, Elyria, Ohio 44035. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heating and air conditioning plants, equipment, and parts thereof, and such materials and supplies* as are required for the installation thereof, between Elyria, Ohio, on the one hand, and, on the other, points in the United States on and east of U.S. Highway 61 (except Alabama, Florida, Georgia, Louisiana, and Mississippi). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio or Washington, D.C.

No. MC 111302 (Sub-No. 70), filed August 16, 1972. Applicant: HIGHWAY TRANSPORT, INC., Post Office Box 10470, Knoxville, TN 37919. Applicant's representative: George W. Clapp, Post Office Box 10188, Greenville, SC 29603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bulk and in bags, from points in Cumberland County, Tenn., to points in Alabama, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn., or Washington, D.C.

No. MC 111940 (Sub-No. 59), filed August 18, 1972. Applicant: SMITH'S TRUCK LINES, Post Office Box 88, Muncy, PA 17756. Applicant's representative: John M. Musselman, Post Office Box

1146, 400 North Third Street, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain, flour and other grain products, and feed and feed ingredients*, between points in the Counties of Bradford, Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga, and Union, Pa., on the one hand, and, on the other, points in Delaware, Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia (except seeds, feed, and flour, from Buffalo, N.Y., to Muncy, Pa., and points within 25 miles of Muncy, Pa., and except grain between Muncy, Pa., and points within 110 miles of Muncy, Pa., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia as presently authorized). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 112304 (Sub-No. 57), (Correction), filed July 5, 1972, published in the FEDERAL REGISTER issue of August 3, 1972, and republished in part, as corrected this issue. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. The purpose of this partial republication is to reflect the origin as between *Indian Oaks, Ill.*, in lieu of *Indiana Oaks, Ill.*, which was erroneously published. The rest of the application remains as previously published.

No. MC 112304 (Sub-No. 58), filed August 9, 1972. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory and refractory products* (except commodities in bulk) (1) between points in Grundy County, Ill., on the one hand, and, on the other, points in Alabama, Delaware, Florida, Georgia, Indiana, Kentucky, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) between points in Stark County, Ohio, on the one hand, and, on the other, points in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that it has pending in Docket MC-F-11494 an application to purchase authority which if approved, could be tacked with the authority sought herein to enable through service from and to

Audrain, Callaway, and Montgomery Counties, Mo. Tacking possibilities exist with applicant's Sub-No. 44 authority although tacking is not intended at this time. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 112304 (Sub-No. 59), filed August 17, 1972. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Curtains, dust collecting, electric precipitators and parts thereof*, from Warren, Ohio to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that tacking possibilities exist with its Sub-Nos. 1 and 36, although tacking operations are not intended. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 113828 (Sub-No. 203), filed August 17, 1972. Applicant: O'BOYLE TANK LINES, INCORPORATED, Post Office Box 30006, Washington, DC 20014. Applicant's representative: William P. Sullivan, Federal Bar Building, West, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone slurry*, from Texas, Md., to points in New Jersey, New York, Ohio, Pennsylvania, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113874 (Sub-No. 2), filed August 15, 1972. Applicant: GILBERT TRANSFER COMPANY, a corporation, Friendship Ledford Road, Post Office Box 4827, Winston-Salem, NC 27102. Applicant's representative: A. W. Flynn, Jr., Post Office Box 180, 1006 Wachovia Building, Greensboro, NC 27402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated boxes, knocked down, and corrugated separators* used in conjunction with such boxes, from Winston-Salem, N.C., to points in Virginia, under contract with Southern Corrugated Box Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Winston-Salem, Raleigh, N.C., or Washington, D.C.

No. MC 114789 (Sub-No. 41), filed August 17, 1972. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, NM 55359. Applicant's representative: Donald L. Stern, 530 Univac Building, 1700 West Center Road, Omaha, NE 68106. Authority sought to operate as a *contract 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 in bulk,



and those requiring special equipment because of size or weight), (a) from points in Connecticut, Delaware, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia to Ames, Iowa; Alexandria, Cottage Grove, Fairmont, Hutchinson, New Ulm, and St. Paul, Minn.; Brookings, S. Dak.; and Cumberland, Prairie du Chien, and Wausau, Wis.; (b) from Alexandria, Cottage Grove, Hutchinson, and New Ulm, Minn.; Brookings, S. Dak.; and Cumberland, Prairie du Chien and Wausau, Wis., to points in Connecticut, Delaware, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; (c) between Middleway, W. Va., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and the District of Columbia; (d) from points in Illinois, Indiana, Ohio, and Michigan to Cynthiana, Ky.; and (e) from Cynthiana, Ky., to Warren, Ohio and points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, under contract with Minnesota Mining and Manufacturing Co. **NOTE:** Applicant holds common carrier authority under MC 117940 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 115162 (Sub-No. 256), filed August 21, 1972. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 36401. Applicant's representative: Robert E. Tate (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plantsite of Temple Industries at Thomson, Ga., to points in that part of the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, and New Mexico. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Atlanta, Ga.

No. MC 118292 (Sub-No. 34), filed August 15, 1972. Applicant: BALLENTINE PRODUCE, INC., Box 312, Alma, AR 72921. Applicant's representative: Lester M. Bridgeman, 1030 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and dog food*, (1) from the plantsites and warehouse facilities of Allen Canning Co. at Gentry and Siloam Springs, Ark., and a point approximately 10 miles east of Siloam Springs, Ark., and from Proctor

and Kansas, Okla., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Montana, Missouri, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming; and (2) from the plantsites and warehouse facilities of Allen Canning Co. at Alma and Van Buren, Ark., to points in Arizona, Montana, Nevada, New Mexico, North Carolina, North Dakota, Oregon, South Dakota, Utah, Virginia, Washington, and Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 120257 (Sub-No. 15), filed August 18, 1972. Applicant: K. L. BREEDEN & SONS, INC., 401 Alamo Street, Terrell, TX 75160. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and plastic tubing*, with or without plastic fittings, from the plantsite of Tex-Tube Division, Detroit Steel Corp., a division of Cyclops Corp., located at or near Houston, Tex., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 120543 (Sub-No. 75), filed August 8, 1972. Applicant: FLORIDA REFRIGERATED SERVICE, INC., Post Office Box 1297, Dade City, FL 33525. Applicant's representative: Alan E. Serby, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee and tea concentrates and automated dispensing machines*, from Marietta, Ga., to ports of entry on the international boundary line between the United States and Canada located at points in New York and Michigan for furtherance to points in Canada. **NOTE:** Applicant states that it has authority which can be tacked but has no present intention to tack. All tacking operations are such that they can be performed under existing authority. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123387 (Sub-No. 2) (Amendment), filed April 5, 1972, published in the FEDERAL REGISTER issue of May 11, 1972, and republished as amended, this issue. Applicant: E. E. HENRY, 1128 South Military Highway, Chesapeake, VA 23320. Applicant's representative: Calvin F. Major, 200 West Grace Street,

Richmond, VA 23220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from the plantsite and facilities of Anheuser-Busch, Inc. near Williamsburg, Va., to Elizabeth City, N.C., Norfolk, Va., and points in Maryland; and (2) *soft drinks, soft drink syrups and soda, and other waters* in bottles or cans, from Norfolk, Va., to Elizabeth City, N.C. **NOTE:** Applicant states that tacking is intended at Norfolk, Va., to serve points in Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia, and the District of Columbia, as authorized in No. MC 123387. The purpose of this republication is to reflect a change in the tacking information. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 124328 (Sub-No. 52), filed August 14, 1972. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, IL 60616. Applicant's representative: Francis D. Partlan (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin*, between Coral Gables, Fla., on the one hand, and, on the other, Atlanta, Ga.; Birmingham, Ala.; Charlotte, N.C.; Denver, Colo.; Fort Knox, Ky.; Little Rock, Ark.; Nashville, Tenn.; New Orleans, La.; New York, N.Y.; Philadelphia, Pa.; Richmond, Va.; West Point, N.Y.; and Washington, D.C., under contract with General Services Administration, on behalf of Department of Treasury, Bureau of the Mint, Washington, D.C. 20405. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 97) (Amendment), filed May 22, 1972, published in the FEDERAL REGISTER, issue of July 7, 1972, and republished as amended this issue. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, City of Industry, CA 91747. Applicant's representative: J. Max Harding, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Auto parts and accessories, automotive jacks, cranes (not self-propelled); tools, hand, pneumatic, electric; and advertising materials; premiums, racks, display cases, and signs moving with the above described commodities;* (a) from Arden, N.C., to points in the United States, east of the Mississippi River and east of the western boundaries of Itasca and Koochiching Counties, Minn. (except Jackson, Mich.; Racine, Wis.; Batavia, Ill.; Memphis, Tenn.; and Aberdeen, and Prairie Junction, Miss.); *returned, refused, and rejected shipments; and materials, supplies, and equipment used in the manufacture, sale and distribution of said commodities in the reverse direction;* (b) from Jackson, Mich., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois



(except Batavia, Ill.), Indiana, Iowa (except Mason City and Lake Mills, Iowa), Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, Mississippi (except Aberdeen, Prairie Junction, and Holly Springs, Miss.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee (except Memphis, Tenn.), Texas (except El Paso, Tex.), Vermont, Virginia (except Harrisonburg, Va.), Washington, D.C., West Virginia, Wisconsin (except Racine, Wis.), and Wyoming; returned, refused, rejected shipments; and materials, supplies, and equipment used in the manufacture, sale and distribution of said commodities in the reverse direction; (c) from Racine, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois (except Batavia, Ill.), Indiana, Iowa (except Mason City and Lake Mills, Iowa), Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (except Jackson, Mich.), Minnesota, Missouri, Mississippi (except Aberdeen, Prairie Junction, and Holly Springs, Miss.), Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee (except Memphis, Tenn.), Texas (except El Paso, Tex.), Vermont, Virginia (except Harrisonburg, Va.), Washington, D.C., West Virginia, and Wyoming; returned, refused, and rejected shipments; and materials, supplies, and equipment used in the manufacture, sale and distribution of said commodities in the reverse direction;

(2) (a) *Pulpboard and pulpboard products*, from Rittman, Youngtown, Middletown, and Cuyahoga Falls, Ohio; Filer City, Plymouth, Kalamazoo, Detroit, and Grand Rapids, Mich.; Stroudsburg, Lancaster, and Trexlertown, Pa.; Quincy and Chicago, Ill.; Tama and Marshalltown, Iowa; Mentor, Ohio, Hutchinson and Kansas City, Kans.; St. Louis, Mo.; Denver, Colo.; Counce and Jackson, Tenn.; Vincennes, Ind.; Colby and Burlington, Wis.; Minneapolis, Minn.; Lockport and Syracuse, N.Y.; Northampton, Mass.; Clifton and Garfield, N.J.; Harrisonburg, Va.; Salt Lake City, Utah; Arlington, Abilene, and San Antonio, Tex.; and Omaha, Nebr.; (b) *Molded pulp products*, from Griffith, Ind., and Macon, Ga.; and (c) *plastic products* from Madison, Wis.; Frederick, Md.; and Vincennes, Ind.; to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; (3) *returned shipments and materials, supplies and equipment* used in the manufacture, sale and distribution of the products specified in (2) above from points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico to the origin points specified in (2) above, under contract with Tenneco, Inc. NOTE: Common control may be involved. The purpose of

this republication is to amend (2) (a) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124839 (Sub-No. 16), filed August 16, 1972. Applicant: BUILDERS TRANSPORT, INC., Post Office Box 7057, Savannah, GA 31408. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except classes A and B explosives, articles of unusual value, household goods as defined by the Commission, liquid commodities in bulk, and commodities which because of size and weight require the use of special equipment, between points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Nebraska, New York, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at, or destined to, plantsites and warehouses of the National Gypsum Co. and performed under a continuing contract or contracts, with the National Gypsum Company of Buffalo, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 124839 (Sub-No. 17), filed August 16, 1972. Applicant: BUILDERS TRANSPORT, INC., Post Office Box 7057, Savannah, GA 31408. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and materials, supplies and equipment used in the manufacture, installation, and distribution thereof*, between the plant-site of Johns-Manville Products Corp., at or near Butner, N.C., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Kentucky, Maryland, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia, under contract with Johns-Manville Products Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 125506 (Sub-No. 17), filed August 17, 1972. Applicant: JOSEPH ELLETO TRANSFER, INC., 31 West St. Marks Place, Valley Stream, NY. Applicant's representative: Morris Honig, 150 Broadway, New York, NY 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail specialty shops, dealing primarily in wearing apparel (excluding furniture and appliances), furniture and store supplies and advertising materials and displays, the latter items not for resale, between shipper's stores and warehouses located at New York, N.Y., Philadelphia, Wynewood, and Jen-

kintown, Pa., under contract with Bonwit Teller. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125521 (Sub-No. 19), filed August 17, 1972. Applicant: FUNK MOTOR TRANSPORTATION, INC., Box 75, Bridge Street, Grand Rapids, OH 43522. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, OH 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* from Milwaukee, Wis., and Bensenville, Ill., to Fremont, Ohio, and on return trips, *empty containers or other such incidental facilities* used in transporting such commodities, under contract with Meyers Distributing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Lansing or Detroit, Mich.

No. MC 126545 (Sub-No. 6) (Correction), filed May 12, 1972, published in the FEDERAL REGISTER issue of July 20, 1972, and republished in part, as corrected this issue. Applicant: GLENER Y, INC., 173 Hickory Street, Kearny, NJ 07302. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. The purpose of this partial republication is to reflect in Part (4) of the above application the following correction: Middlesex and Bergen Counties, N.J., in lieu of N.Y., which was erroneously published. The rest of the application remains as previously published.

No. MC 127042 (Sub-No. 101), filed August 14, 1972. Applicant: HAGEN, INC., 4120 Floyd Boulevard (Post Office Box 98, Leeds Station), Sioux City, IA 51108. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning compounds* (except in bulk); from Savage, Minn., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Kentucky, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128146 (Sub-No. 5), filed August 17, 1972. Applicant: TED W. BETLEY, Post Office Box 196, Amberg, WI 54102. Applicant's representative: Robert D. Givoid, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Audit media and business records*, (a) between Minneapolis-St. Paul, Minn., on the one hand, and, on the other, points in Price, Vilas, and Marathon Counties, Wis., and



(b) between points in the Upper Peninsula of Michigan on the one hand, and, on the other, points in Brown, Outagamie, Winnebago, Waupaca, and Milwaukee Counties, Wis.; and (2) parts (not exceeding 50 pounds per shipment) used in the manufacture, replacement, and servicing of computers, calculators, typewriters, electronic machine, and photo reproduction equipment, between Minneapolis, Minn., and Green Bay, Wis., on the one hand, and, on the other, points in the Upper Peninsula of Michigan and points in Bayfield, Ashland, Iron, Washburn, Sawyer, Oneida, Forest, Florence, Barron, Rusk, Taylor, Lincoln, Langlade, Oconto, Marinette, Chippewa, Shawano, and Brown Counties, Wis. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128932 (Sub-No. 6), filed August 2, 1972. Applicant: ROBERT TORRANS, doing business as COMMERCIAL STORAGE & DISTRIBUTION CO., West 26th at Taylor Street, Texarkana, Tex. 75501. Applicant's representative: Forrest W. Felling, Post Office Box 5698, Texarkana, TX 75501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods as defined by the Commission, between points in Texas, Oklahoma, Arkansas, Louisiana, and Shelby County, Tenn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Texarkana, Tex., Shreveport, La., Dallas, Tex., Little Rock, Ark., or Fort Worth, Tex.

No. MC 133294 (Sub-No. 6), filed August 7, 1972. Applicant: ECONO-LINE EXPRESS, INC., 70 North Montgomery Street, San Jose, CA 95110. Applicant's representative: John G. Lyons, 1418 Mills Tower, San Francisco, Calif. 94104. 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 in bulk, and those requiring special equipment) between San Francisco International Airport, Calif., on the one hand, and, on the other, points in Fresno, Madera, and Tulare Counties, Calif., restricted to the transportation of traffic having an immediately prior or subsequent movement by air. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133690 (Sub-No. 3), filed August 11, 1972. Applicant: KINGSWAY DALEWOOD LIMITED, 123 Rexdale Boulevard, Rexdale, ON, Canada. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a com-

mon 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 in bulk, and those requiring special equipment, between International Falls, Minn., on the one hand, and, on the other, the international boundary line between the United States and Canada at International Falls, Minn. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked between International Falls, Minn., and its Canadian authorized points. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 133977 (Sub-No. 14) filed August 9, 1972. Applicant: GENE'S, INC., 10115 Brookville Salem Road, Clayton, OH 45315. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Lenses or reflectors, and glass, from Greenville, Ohio to ports of entry on the international boundary line between the United States and Canada located in Michigan; and (2) returned shipments of the commodities and packing materials used in shipping the commodities described in (1) above, from the ports of entry on the international boundary line between the United States and Canada located in Michigan to Greenville, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 134239 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

No. MC 134404 (Sub-No. 4), filed August 18, 1972. Applicant: AMERICAN TRANS-FREIGHT, INC., Post Office Box 76, Piscataway, NJ 08854. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Brass, bronze, copper, pipe and tubing; brass and copper alloys; brass, bronze, copper and nickel products; copper billets, from Reading, Pa., to Albany, N.Y., Atlanta, Ga., Chicago, Ill., Cleveland, Ohio, Denver, Colo., Dallas and Houston, Tex., Jackson, Miss., Detroit, Mich., Los Angeles and Oakland, Calif., New Orleans, La., and Willow Grove, Pa.; and (2) metal scrap, fire brick, and materials and supplies (other than bulk) used in the manufacture, sale and distribution of the aforementioned commodities, from the named destination points to Reading, Pa. Restriction: The proposed service to be performed under contract with Reading Industries Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 135737 (Sub-No. 1), filed July 31, 1972. Applicant: HOWARD

FREIGHT LINES, INC., First Avenue and 16th Street, St. Cloud, Minn. 56301. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products and meat by-products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business as described in sections A, C, and D of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Landy Packing Co. at St. Cloud, Minn., to Los Angeles, Calif.; Chicago, Ill.; Des Moines, Iowa; Covington, Ky.; Baltimore, Md.; Detroit, Mich.; Hudsonville, Mich.; Grand Rapids, Mich.; Cincinnati, Cleveland, and Columbus, Ohio; Philadelphia, Pa.; New York, N.Y.; Milwaukee, Wis., and the District of Columbia, for the account of Landy Packing Co., of St. Cloud, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 135889 (Sub-No. 3), filed August 8, 1972. Applicant: BOYD TANK LINES, INC., 10916 Clermont Avenue, Garrett Park, MD 20766. Applicant's representative: Walter T. Evans, 615 Perpetual Building, 1111 E Street NW, Washington, DC 20004. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Brick, moving on flatbed equipment, from the facilities of Shenandoah Brick and Tile Corp. in Frederick County, Va., to points in Montgomery, Frederick, and Prince Georges Counties, Md., restricted to transportation service to be performed under a continuing contract or contracts with E. C. Keys & Son, Inc., and to shipments originating at the facilities of Shenandoah Brick and Tile Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 136659 (Sub-No. 1), filed August 14, 1972. Applicant: LYNN MOVING & STORAGE INC., 497 Dillehay Street, Danville, KY 40422. Applicant's representative: Samuel P. Lynn, 341 South Fourth Street, Danville, KY 40422. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Telephone equipment, materials, and supplies, including tools used in the construction and maintenance of telephone systems and communication, between Danville, Ky., and points in Boyle, Casey, Clinton, Harlan, Jackson, Laurel, Lincoln, McCreary, Mercer, Pulaski, Rockcastle, Washington, Marion, Taylor, Adair, Russell, Wayne, Garrard, Knox, Bell, and Whitley Counties, Ky., restricted to traffic having a prior or subsequent out-of-State movement, under contract with Western Electric Co., Inc. NOTE: Applicant now holds common carrier authority under its No. MC 106902, therefore dual operations may be involved. If a hearing is deemed necessary, applicant



requests it be held at Frankfort or Louisville, Ky.

No. MC 136726 (Sub-No. 1), filed August 16, 1972. Applicant: CHARLES RAMORINO, doing business as BOB RICH TRUCK SERVICE, 61 Napoleon Street, San Francisco, CA 94124. Applicant's representative: E. H. Griffiths, 1182 Market Street, Suite 207, San Francisco, CA 94102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring the use of special equipment), between McCormick & Co., Inc., plant at Salinas, Calif., on the one hand, and, on the other, Alameda, Oakland, Richmond, San Francisco, and San Francisco International Airport. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salinas or San Francisco, Calif.

No. MC 136766 (Correction), filed May 30, 1972, and published in the FEDERAL REGISTER issue of August 3, 1972, republished, in part, as corrected this issue. Applicant: CARL DITTFIELD, 33 Drake Street, Pittston, PA 18640. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. NOTE: The purpose of this partial republication is to correct the destination territory to West Pittston, Pa., in lieu of West Pittsburgh, Pa. The rest of the application remains the same, as previously published.

No. MC 136837 (Correction), filed June 12, 1972, and published in the FEDERAL REGISTER issue of July 20, 1972, republished as corrected this issue. Applicant: FLORIDA CONTINENTAL EXPRESS, INC., 220 South Third Street, Haines City, FL 33844. Applicant's representative: Lawrence D. Fay, 21 West Church Street, Post Office Box 1086, Jacksonville, FL 32201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning, polishing, and waxing compounds; starches; air fresheners and disinfectants; mops; dusters; waxes; brooms; plastic bags; and foodstuffs* (restricted against commodities in bulk or tank vehicles), from Urbana, Ohio, and Franklin, Ky., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington, under contract with The Drackett Products Co., Cincinnati, Ohio. NOTE: The purpose of this republication is to add the shipper information, which was inadvertently omitted from previous publication. The rest of the application remains the same. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Washington, D.C.

No. MC 136968, filed July 31, 1972. Applicant: IRMAR TRUCKING, INC., 3701 National Road, Richmond, IN 47374. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, IN 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: (1) *Florists supplies and cut flowers*, when moving in mixed shipments with shipments with florists supplies, from Richmond, Ind., to Atlanta, Ga.; Chattanooga, and Knoxville, Tenn.; Cincinnati, Cleveland, Dayton, Toledo, and Youngstown, Ohio; Detroit, Mich.; Charleston and Huntington, W. Va.; (2) *floral foam*, from Kent and Toledo, Ohio, to Atlanta, Ga.; Chattanooga and Knoxville, Tenn.; Cincinnati, Cleveland, Dayton, Toledo, and Youngstown, Ohio; Detroit, Mich.; Charleston and Huntington, W. Va., and Indianapolis and Richmond, Ind.; and (3) *florists supplies and cut flowers*, when moving in mixed shipments with florists supplies, between the wholesale stores and facilities operated by Hill Floral Products, Inc., in Atlanta, Ga.; Chattanooga and Knoxville, Tenn.; Cincinnati, Cleveland, Dayton, Toledo, and Youngstown, Ohio; Detroit, Mich.; Charleston and Huntington, W. Va., and Indianapolis and Richmond, Ind. Restriction: Restricted to service to be performed under a continuing contract with Hill Floral Products, Inc., of Richmond, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 136970, filed August 16, 1972. Applicant: BLUE ISLAND VETERANS CARTAGE, INC., 268 West 155th Street, Harvey, IL 60426. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Cook, Du Page, Grundy, La Salle and Will Counties, Ill.; and Lake County, Ind., restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 136973, filed July 31, 1972. Applicant: ATTONITO TRUCKING CORP., 100 Urban Avenue, Westbury, NY 11590. Applicant's representative: John P. Tynan, 65-12 69th Place, Middle Village, NY 11379. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal and scrap batteries*, from Westbury, N.Y., to Decatur and Holt, Ala., Morris, Ill., West Springfield, Mass., Roxboro, N.C., and points in New Jersey and Pennsylvania, under contract with Attonito Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York or Westbury, N.Y.

No. MC 136975, filed July 31, 1972. Applicant: GRAY MOVING SERVICE, INC., 694 North Edgewood Avenue, Jacksonville, FL 32205. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common*

*carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, in containers. Operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization; or unpacking, uncrating, and decontainerization of such traffic, between points in that part of Florida on and north of Florida Highway 40 and on and east of U.S. Highway 19, and points in that part of Georgia on and east of U.S. Highway 19 and on and south of U.S. Highway 84. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 136976, filed August 9, 1972. Applicant: GULF STATES CANNERS, INC., % Jackson Coca-Cola Bottling Company, Inc., Highway 80 West, Jackson, MS 39205. Applicant's representative: Everett Truly, Post Office Box 1307, Natchez, MS 39120. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lithographed tinplate; lithographed tin mill black plate; lithographed tin mill black plate chrome coated and metal can ends*, from the plantsite of American Can Co. at New Orleans to the plantsite of American Can Co. at Clinton, Miss., under contract with American Can Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Natchez, Miss., or Jackson, Miss., or New Orleans, La.

No. MC 136977, filed July 31, 1972. Applicant: LORETTA NANCE, doing business as NANCE AND SONS, Rural Route No. 2, Newburgh, Ind. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles, and replacement vehicles for wrecked and disabled vehicles*, by wrecker or tow truck service, between points in Vanderburgh and Warrick Counties, Ind., on the one hand, and, on the other, points in Ohio, Kentucky, Alabama, Tennessee, Missouri, Illinois, Wisconsin, Michigan, Pennsylvania, Iowa, West Virginia, Georgia, Arkansas, North Carolina, Virginia, South Carolina, Florida, New York, Minnesota, and Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 136978, filed August 7, 1972. Applicant: ROBINSON J & B CARTAGE, CO., a corporation, 807 Cleveland Avenue, Columbus, OH 43201. Applicant's representative: Paul F. Beery, 88 East Broad Street, Suite 1660, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by automotive stores*, between Columbus, Ohio, on the one hand, and, on the other, points in Indiana, West Virginia, Kentucky, Michigan, Virginia, North Carolina, Pennsylvania, and Illinois, under contract with Mid Ohio Automotive, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.



No. MC 136984, filed August 14, 1972. Applicant: ELMER G. BRAKE, INC., 220 Wholesale Street, Clarksburg, WV 26301. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, WV 25526. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail and wholesale hardware stores*, from points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, Maryland, Virginia, and New Jersey to Bridgeport, W. Va., under contract with Ace Hardware Corporation of Bridgeport, W. Va. NOTE: Applicant holds common carrier authority under MC 112796, therefore

dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., Columbia, Ohio, or Washington, D.C.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 7914 (Sub-No. 4), filed August 17, 1972. Applicant: UTICA ROME BUS CO., INC., Kirkland Avenue, Clinton, NY 13323. Applicant's representative: Blanton P. Bergen, 137 East 36th Street, New York, NY 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round trip all expense sightseeing or

pleasure tours, beginning and ending at Rome and Utica, N.Y., and extending to points in Alabama, Florida, Georgia, Louisiana, Maine (including points on the international boundary line between the United States and Canada), Mississippi, North Carolina, South Carolina, Tennessee, Vermont, West Virginia, and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rome, Utica, or Syracuse, N.Y.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-15579 Filed 9-13-72;8:45 am]

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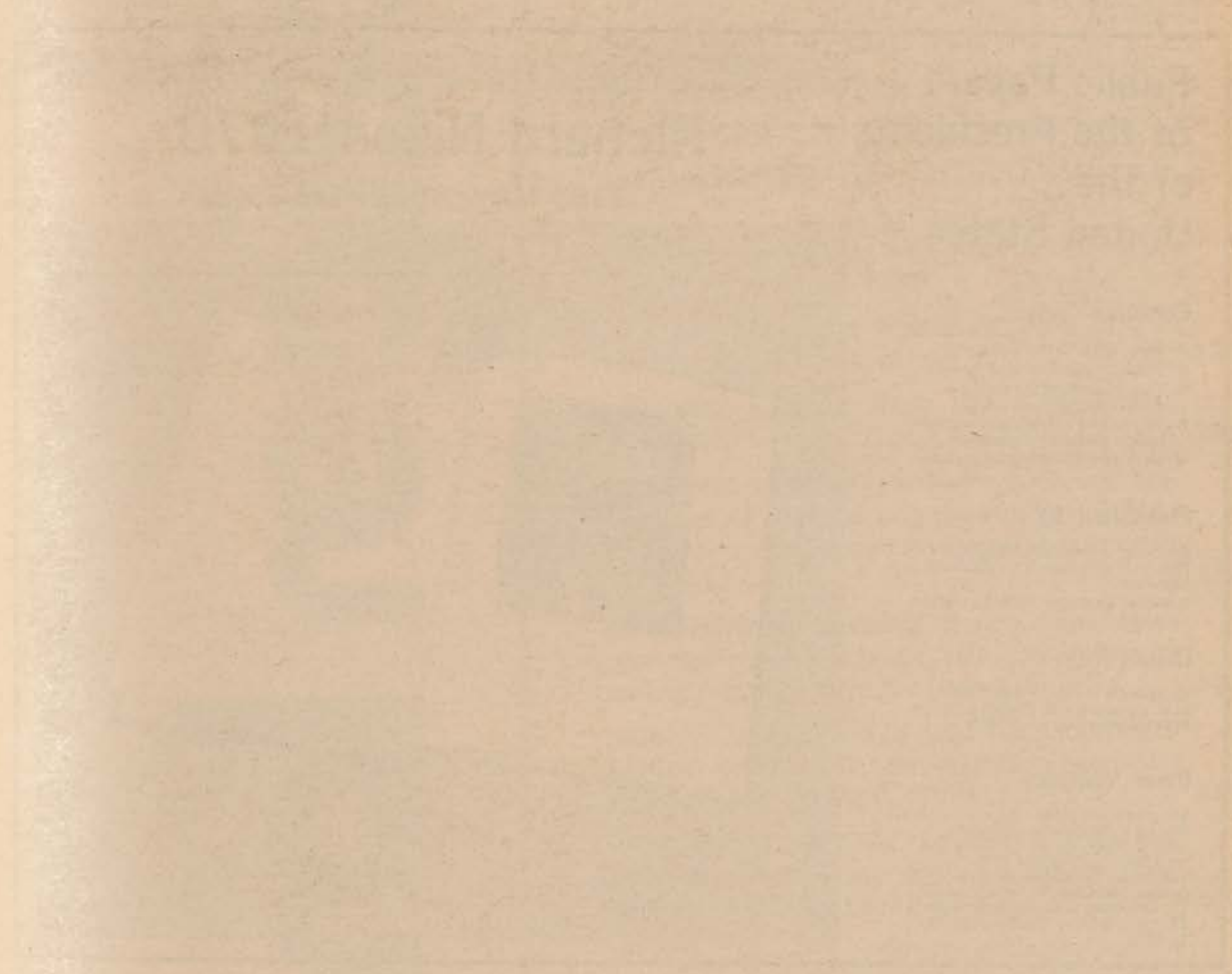
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