

FEDERAL REGISTER

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PART I

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Now Available

LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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[Reg. Z, Supp. I]

PART 226—TRUTH IN LENDING

General Rule and Equations for Determination of Annual Percentage Rate

1. Effective July 1, 1969, Supplement I to Part 226 is added, as set forth below. 2a. Supplement I is incorporated by reference in § 226.5(b) (1). Part 226 implements the provisions of the Truth in Lending Act, which is title I of the Consumer Credit Protection Act (Public Law 90-321; 82 Stat. 146; 15 U.S.C. 1601ff). Notice of proposed rule making with respect to this part was published in the FEDERAL REGISTER of October 18, 1968 (33 F.R. 15506). Part 226 was published in the FEDERAL REGISTER of February 11, 1969.

b. Supplement I contains the general rule and equations for determining the annual percentage rate pursuant to paragraph (b) of § 226.5. These items were found in § 226.11 of the proposals in the notice of proposed rule making. They have been removed from the body of the regulation and placed in Supplement I since the information will not be needed by most creditors. Supplement I is available without charge upon written request to the Board of Governors.

Dated at Washington, D.C., this 31st day of January 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

SUPPLEMENT I TO REGULATION Z

GENERAL RULE AND EQUATIONS FOR DETERMINING THE ANNUAL PERCENTAGE RATE PURSUANT TO PARAGRAPH (b) OF § 226.5

(a) *General rule—other credit.* The annual percentage rate shall be that nominal annual percentage rate determined by multiplying the unit-period rate by the number of unit-periods in a year and shall be computed so that it may be disclosed with an accuracy at least to the nearest quarter of 1 percent. The unit-period rate shall be determined as that percentage rate which will yield a sum equal to the amount of the finance charge when it is applied in accordance with the actuarial method under which payments made on a debt are allocated between the amount of the finance charge and the amount financed, so that each payment is applied first to the accumulated finance charge and any remainder is subtracted from, or any deficiency is added to, the unpaid balance of the amount financed.

(b) *Unit-period.* For the purposes of determining the unit-period, all calendar months may be considered as equal periods and the following shall be applicable:

(1) The term of the transaction commences on the date of its consummation,

except that if the finance charge begins to accrue on any other date, the term of the transaction shall be considered as beginning on the date the finance charge begins to accrue and ending on the date the last payment is due.

(2) Periods are the intervals of time between advances or between payments and include the interval of time between the date the finance charge begins to accrue and the date of the first advance thereafter or the date of the first payment thereafter, as applicable.

(3) A common period shall be any period which occurs more than once in a transaction.

(4) The unit-period shall be that common period, not to exceed 1 year, which occurs most frequently in the transaction; except that

(i) If two or more common periods occur with equal frequency, the smaller of such common periods shall be the unit-period; or

(ii) If there is no common period in the transaction, the unit-period shall be that period which is the average of all periods rounded to the nearest whole standard interval of time. If the average is equally near two standard intervals of time, the lower shall be the unit-period. For the purpose of this subparagraph, a standard interval of time shall be a day, week, biweek, semimonth, month, or a multiple of a month up to, but not to exceed 1 year.

(5) The unit-period in a single advance single payment transaction shall be the term of the transaction, but not to exceed 1 year.

(c) *Percentage rate for a fraction of a unit-period.* The percentage rate of finance charge for a fraction (less than 1) of a unit-

period shall, at the option of the creditor, be either—

(1) The corresponding fraction of the percentage rate of finance charge per unit-period, or

(2) The corresponding actuarially equivalent fraction of the percentage rate of financed charge per unit-period.

(d) *Symbols.* The symbols used to express the terms of a transaction in the equations set forth in paragraph (e) of this section are defined as follows:

U_n = The amount of credit advanced directly or indirectly at the end of the k th period.

q_n = The number of unit-periods from the date of consummation or the date the finance charge begins to accrue, as applicable, to the k th advance.

m = The number of advances to be made by the creditor.

P_j = The amount of the payment to be made at the end of the j th period.

t_j = The number of unit-periods from the date the finance charge begins to accrue to the j th payment.

n = The number of payments.

w = The number of unit-periods in a year.

i = The percentage rate of finance charge per unit-period.

R = The nominal annual percentage rate expressed as a decimal number which shall be converted into a percentage rate by moving the decimal point two places to the right.

(e) *General equations.* (1) The following equation sets forth the relationship among the terms of a transaction:

$$\frac{U_1}{(1+i)^{q_1}} + \frac{U_2}{(1+i)^{q_2}} + \dots + \frac{U_m}{(1+i)^{q_m}} = \frac{P_1}{(1+i)^{t_1}} + \frac{P_2}{(1+i)^{t_2}} + \dots + \frac{P_n}{(1+i)^{t_n}}$$

(2) The following equation applies in converting the percentage rate of finance charge per unit-period to a nominal annual percentage rate:

$$R = wi$$

(f) *Adaptation of general equations.* The general equations set forth in paragraph (e) of this section shall be adapted as follows:

(i) *Transactions involving a single advance.* (1) Payments at equal periods in equal amounts:

Assume creditor advances \$1,000, and customer is to make 24 equal monthly payments of \$47.50 starting 1 month from date of consummation.

Unit-period is 1 month.

$$\begin{array}{ll} U_1 = \$1,000 & q_1 = 0 \\ P_1 = \$47.50 & t_1 = 1 \\ P_2 = \$47.50 & t_2 = 2 \\ \dots & \dots \\ P_{24} = \$47.50 & t_{24} = 24 \end{array}$$

The equations are adapted as follows:

$$1,000 = \frac{47.50}{(1+i)^1} + \frac{47.50}{(1+i)^2} + \dots + \frac{47.50}{(1+i)^{24}}$$

$$w = 12.$$

$$i = 0.01076.$$

$$R = wi = 12 \times 0.01076 = 0.1291 \text{ or } 12.91\%$$

(ii) Payments at equal periods in unequal amounts:

Assume creditor advances \$1,000, and customer is to make three payments of \$200 each at the end of the third, sixth, and ninth months and a \$600 payment at the end of 1 year from the date of consummation.

Unit-period is 3 months.

$$\begin{array}{ll} U_1 = \$1,000 & q_1 = 0 \\ P_1 = \$200 & t_1 = 1 \\ P_2 = \$200 & t_2 = 2 \\ P_3 = \$200 & t_3 = 3 \\ P_4 = \$600 & t_4 = 4 \end{array}$$

The equations are adapted as follows:

$$1,000 = \frac{200}{(1+i)^1} + \frac{200}{(1+i)^2} + \frac{200}{(1+i)^3} + \frac{600}{(1+i)^4}$$

$$w = 4.$$

$$i = 0.06357.$$

$$R = wi = 4 \times 0.06357 = 0.2543 \text{ or } 25.43\%$$

(iii) Payments at unequal periods in equal amounts:

Assume creditor advances \$1,000, customer is to make four payments of \$290 each at the end of second, sixth, eighth, and 12th months after consummation.

Unit-period is 2 months.

$$\begin{array}{ll} U_1 = \$1,000 & q_1 = 0 \\ P_1 = \$290 & t_1 = 1 \\ P_2 = \$290 & t_2 = 3 \\ P_3 = \$290 & t_3 = 4 \\ P_4 = \$290 & t_4 = 6 \end{array}$$

The equations are adapted as follows:

$$1,000 = \frac{290}{(1+i)^1} + \frac{290}{(1+i)^3} + \frac{290}{(1+i)^4} + \frac{290}{(1+i)^6}$$

$$w = 6.$$

$$i = 0.04422.$$

$$R = wi = 6 \times 0.04422 = 0.2653 \text{ or } 26.53\%$$

(iv) Payments at unequal periods in unequal amounts:

Assume creditor advances \$1,000, and customer is to make payments as follows: \$200 at end of second month, \$300 at end of fifth month, \$350 at end of eighth month and \$300 at end of 12th month.

Unit-period is 3 months.

$U_1 = \$1,000$	$q_1 = 0$
$P_1 = \$200$	$t_1 = \frac{2}{3}$
$P_2 = \$300$	$t_2 = 1\frac{1}{3}$
$P_3 = \$350$	$t_3 = 2\frac{2}{3}$
$P_4 = \$300$	$t_4 = 4$

The equations are adapted as follows:

$$1,000 = \frac{200}{(1+i)^{2/3}} + \frac{300}{(1+i)^{5/3}} + \frac{350}{(1+i)^{8/3}} + \frac{300}{(1+i)^4}$$

*Computed as $(1+i)^2 \times (1+i)^{1/3}$ in accordance with subparagraph (c)(1).

$w = 4$
 $i = 0.06064$
 $R = wi = 4 \times 0.06064 = 0.2426$ or 24.26%.

(v) Payment periods greater than 1 year: Assume creditor advances \$1,000, and customer is to make two payments of \$550 each at the end of the 18th and 36th months from the date of consummation.

Unit-period is 1 year.

$U_1 = \$1,000$	$q_1 = 0$
$P_1 = \$550$	$t_1 = 1\frac{1}{2}$
$P_2 = \$550$	$t_2 = 3$

The equations are adapted as follows:

$$1,000 = \frac{550}{(1+i)^{1.5}} + \frac{550}{(1+i)^3}$$

$w = 1$
 $i = 0.04335$
 $R = wi = 1 \times 0.04335 = 0.04335$ or 4.34%.

(vi) Single payment with maturity of 12 months or less:

Assume creditor advances \$1,000, and customer agrees to make a single payment of \$1,100, 8 months from the date of consummation.

Unit-period is 8 months.

$U = \$1,000$	$P = \$1,100$
---------------	---------------

The equations are adapted as follows:

$$1,000 = \frac{1,100}{(1+i)}$$

$w = 1\frac{1}{2}$
 $i = 0.10000$
 $R = wi = 1\frac{1}{2} \times 0.10000 = 0.1500$ or 15.00%.

(vii) Single payment with maturity of more than 12 months.

Assume creditor advances \$1,000, and customer is to make one payment of \$1,212.42, 17 months from date of consummation.

Unit-period is 1 year.

$U = \$1,000$	$P = \$1,212.42$
---------------	------------------

The equations are adapted as follows:

$$1,000 = \frac{1,212.42}{(1+i)^{1.75}}$$

$w = 1$
 $i = 0.14386$
 $R = wi = 1 \times 0.14386 = 0.14386$ or 14.39%.

(2) Transaction involving multiple advances.

Assume a college loan in which a creditor is to make eight advances to the customer:

\$1,800 each September 1 for 4 years and \$1,000 each January 1 for 4 years. The customer is to make 50 regular equal monthly payments of \$240 beginning July 1, prior to the first advance in September.

Unit-period is 1 month.

$U_1 = \$1,800$	$q_1 = 2$
$U_2 = \$1,000$	$q_2 = 6$
$U_3 = \$1,800$	$q_3 = 14$
$U_4 = \$1,000$	$q_4 = 18$

$U_5 = \$1,800$	$q_5 = 26$
$U_6 = \$1,000$	$q_6 = 30$
$U_7 = \$1,800$	$q_7 = 38$
$U_8 = \$1,000$	$q_8 = 42$
$P_1 = \$240$	$t_1 = 0$
$P_2 = \$240$	$t_2 = 1$
$P_3 = \$240$	$t_3 = 2$
...	...
$P_{50} = \$240$	$t_{50} = 49$

The equations are adapted as follows:

$$\frac{1,800}{(1+i)^2} + \frac{1,000}{(1+i)^6} + \frac{1,800}{(1+i)^{14}} + \frac{1,000}{(1+i)^{18}} + \frac{1,800}{(1+i)^{26}} + \frac{1,000}{(1+i)^{30}} + \frac{1,800}{(1+i)^{38}} + \frac{1,000}{(1+i)^{42}} = 240 + \frac{240}{(1+i)^1} + \frac{240}{(1+i)^2} + \dots + \frac{240}{(1+i)^{49}}$$

$w = 12$
 $i = 0.02522$
 $R = wi = 12 \times 0.02522 = 0.3026$ or 30.26%.

In case multiple real values of R are obtained, use that value of R which is nearest to the value of R obtained by assuming that the number of unit-periods from the date of consummation or the date the finance charge begins to accrue, as applicable, to each advance is:

$$\frac{U_1 q_1 + U_2 q_2 + \dots + U_n q_n}{U_1 + U_2 + \dots + U_n}$$

(3) Transactions involving required deposit balances. (1) Required constant deposit balance:

$$800 + \frac{200}{(1+i)^3} = \frac{90}{(1+i)^1} + \frac{90}{(1+i)^2} + \dots + \frac{90}{(1+i)^{12}}$$

$w = 12$
 $i = 0.01852$
 $R = wi = 12 \times 0.01852 = 0.2222$ or 22.22%.

(1) Required variable deposit balance: Assume creditor advances \$5,000 and requires a \$1,000 deposit balance which is to be released in amounts of \$500 per quarter beginning at the end of the first quarter immediately following consummation. Customer is to make 6 equal monthly payments of \$900 beginning 1 month following consummation.

Assume creditor advances \$1,000 and requires that the customer maintain a deposit balance of \$200 during the 12-month loan. The customer is to make 12 equal monthly payments of \$90 starting 1 month from date of consummation. The deposit balance will be released to the customer upon final payment of the advance.

Unit-period is 1 month.

$U_1 = \$800$	$q_1 = 0$
$U_2 = \$200$	$q_2 = 12$
$P_1 = \$90$	$t_1 = 1$
$P_2 = \$90$	$t_2 = 2$
...	...
$P_{12} = \$90$	$t_{12} = 12$

The equations are adapted as follows:

Unit-period is 1 month.

$U_1 = \$4,000$	$q_1 = 0$
$U_2 = \$500$	$q_2 = 3$
$U_3 = \$500$	$q_3 = 6$
$P_1 = \$900$	$t_1 = 1$
$P_2 = \$900$	$t_2 = 2$
...	...
$P_6 = \$900$	$t_6 = 6$

The equations are adapted as follows:

$$4,000 + \frac{500}{(1+i)^3} + \frac{500}{(1+i)^6} = \frac{900}{(1+i)^1} + \frac{900}{(1+i)^2} + \dots + \frac{900}{(1+i)^6}$$

$w = 12$
 $i = 0.02993$
 $R = wi = 12 \times 0.02993 = 0.3592$ or 35.92%.

(11) Transaction where customer is required to make periodic deposits into a restricted account:

Assume creditor advances \$1,000, and customer is to make 12 equal monthly payments of \$110, \$90 of which is to be applied to repayment of the advance and the finance charge and \$20 of which is to be deposited into an account. The account will be released

to the customer upon final payment of the advance.

Unit-period is 1 month.

$U_1 = \$1,000$	$q_1 = 0$
$U_2 = \$240$	$q_2 = 12$
$P_1 = \$110$	$t_1 = 1$
$P_2 = \$110$	$t_2 = 2$
...	...
$P_{12} = \$110$	$t_{12} = 12$

The equations are adapted as follows:

$$1,000 + \frac{240}{(1+i)^{12}} = \frac{110}{(1+i)^1} + \frac{110}{(1+i)^2} + \dots + \frac{110}{(1+i)^{12}}$$

$w = 12$
 $i = 0.01482$
 $R = wi = 12 \times 0.01482 = 0.1778$ or 17.78%.

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 22,563]

PART 545—OPERATIONS

Branch Offices and Mobile Facilities

FEBRUARY 5, 1969.

Whereas, by Resolution No. 22,370, dated November 27, 1968, and duly published in the FEDERAL REGISTER on December 7, 1968 (33 F.R. 18240), this Board proposed to amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545), the substance of which proposal was set out in said publication; and

Whereas, all relevant material presented or available has been considered by the Board;

Now, therefore, be it resolved, that this Board hereby determines to adopt the amendments, as proposed, without change, effective March 14, 1969.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

1. Amend paragraphs (b) and (c) of § 545.14 to read as follows:

§ 545.14 Branch office.

(b) *Eligibility.* No application for permission to establish a branch office by a Federal association shall be considered or processed, except to determine the association's eligibility under the provisions of this paragraph (b), if, at the date on which such application is filed with the Board,

(1) The association has not been in operation for a period of at least 3 years;

(2) Less than 12 months have expired from the date of publication of the notice of application for the association's most recently approved branch, if not yet opened;

(3) The association does not submit in support of its application evidence giving reasonable assurance that the proposed branch office, if approved, will be opened within 21 months after the date on which the application is filed, or, if the proposed branch office is to be located in a shopping center having not less than 400,000 square feet of shopping space, within 36 months after such date;

(4) The association has on file any other application for permission to establish a branch office with respect to which action by the Board is pending;

(5) A period of at least 9 months has not elapsed since disapproval by the Board of an application by the association for permission to establish a branch office to serve any substantial part of the same area as determined by the Supervisory Agent; or

(6) The sum of reserves and surplus is less than 3 percent of savings accounts.

(c) *Application form; supporting information.* An application for permission to establish a branch office shall be in form prescribed by the Board. A Federal association may obtain from the Supervisory Agent the prescribed application form and "Outline of Information To Be Submitted in Support of an Application for Permission To Establish (Maintain) a Branch Office." Information shall be furnished in support of the application in accordance with such Outline designed to show: (1) There is or will be at the time the branch is opened a necessity for the proposed branch office in the community to be served by it; (2) there is a reasonable probability of usefulness and success of the proposed branch office; and (3) the proposed branch office can be established without undue injury to properly conducted existing local thrift and home-financing institutions. The application shall include an estimate of the annual income and expenses of the proposed branch office and of the annual volume of business to be transacted by it, and a statement of the functions to be performed at such office and of the personnel and office facilities to be provided for the operation of the office. If the sum of reserves and surplus is at least 3 percent but less than 4 percent of savings accounts, the association shall submit evidence with the application, in such form and upon such terms and conditions as the Board may prescribe, that: (1) Savings accounts will be pledged in an amount not less than the difference between 4 percent of savings accounts and the sum of reserves and surplus; and (2) the pledged accounts will be held in escrow by the Federal home loan bank of the district in which the association is located, until the sum of reserves and surplus is not less than 4 percent of savings accounts or until, in the judgment of the Board, the need for the pledge and escrow no longer exists. A branch office application shall be deemed to be complete when the foregoing requirements of this paragraph (c) have been met.

2. Amend § 545.14-4 to read as follows:
§ 545.14-4 Mobile facility.

(a) *General provisions.*—(1) *Requests for advice.* All requests by interested persons for advice or instruction with respect to any matter arising under this section shall be addressed to the Board's Supervisory Agent.

(2) *Definition of "Supervisory Agent."* As used in this section, the term "Supervisory Agent" means the President of the Federal home loan bank of the district in which the applicant association is located or any other officer or employee of such bank appointed by the Board as agent of the Board as provided by § 501.11 of the general regulations of the Federal Home Loan Bank Board (§ 501.11 of this chapter).

(b) *Eligibility.* No application for permission to establish a mobile facility by a Federal association shall be considered or processed, except to determine the association's eligibility under the provisions of this paragraph (b), if, at the date on which such application is filed with the Board,

(1) The association has not been in operation for a period of at least 3 years;

(2) Less than 12 months have expired from the date of publication of the notice of application for the association's most recently approved mobile facility, if not yet opened;

(3) The association does not submit in support of its application evidence giving reasonable assurance that the proposed mobile facility, if approved, will be opened within 15 months after the date on which the application is filed;

(4) The association has on file any other application for permission to establish a mobile facility with respect to which action by the Board is pending;

(5) A period of at least 9 months has not elapsed since disapproval by the Board of an application by the association for permission to establish a mobile facility to serve any substantial part of the same area as determined by the Supervisory Agent; or

(6) The sum of reserves and surplus is less than 3 percent of savings accounts.

(c) *Conditions for establishing and operating a mobile facility.* In order to provide savings and loan services in areas which are not otherwise provided with such services locally, a Federal association may establish and operate a mobile facility, subject to the following requirements and limitations:

(1) Prior to the establishment and operation of any such facility, the association shall obtain written approval by the Board of an application by the association for permission to do so;

(2) Such facility shall be operated only at locations approved by the Board, each of which shall at all times be appropriately identified at the site;

(3) The mobile facility shall be established and operated at two or more locations, each of which, at the time of filing of the application for permission to establish and operate the mobile facility, shall be more than 10 miles from the locations of any home or branch office or agency of any other institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation;

(4) Any such facility shall be open for business at the same location on the same day or days (not to exceed 2 days) of each week, during such hours, aggregating a total of not less than 4 hours a day, as the association's board of directors may from time to time determine;

(5) Any business of the association, as authorized by its board of directors, may be transacted at such facility, except that loans, other than loans to borrowers on the security of their savings accounts in the association, shall not be approved at such facility, and a detailed record of the transactions of each such facility shall be maintained as provided by § 545.20;

(6) The mobile equipment used in the establishment and operation of such facility shall not remain at any location while such facility is not open for business, except that such equipment may be

at any approved location on the night before and the night following a day on which such facility is open for business; and

(7) Without prior approval by the Board, operation of such facility shall not be continued at any location after the expiration of such period of time as the Board may prescribe with respect to operation of the facility at such location.

(d) *Application form; supporting information.* An application for permission to establish and operate a mobile facility shall be submitted in form prescribed by the Board and shall be supported in accordance with the prescribed "Outline of Information To Be Submitted in Support of Application for Permission to Establish and Operate a Mobile Facility." Such application shall show that there is a need for such facility at each proposed location and that it is not feasible to establish a full-time office at any such location. Further, if the sum of reserves and surplus is at least 3 percent but less than 4 percent of savings accounts the association shall submit evidence with the application in such form and upon such terms and conditions as the Board may prescribe, that: (1) Savings accounts will be pledged in an amount not less than the difference between 4 percent of savings accounts and the sum of reserves and surplus; and (2) the pledged accounts will be held in escrow by the Federal home loan bank of the district in which the association is located, until the sum of reserves and surplus is not less than 4 percent of savings accounts or until, in the judgment of the Board, the need for the pledge and escrow no longer exists.

(e) *Filing and amendment of application.* An application for permission to establish and operate a mobile facility shall be filed with the Board by delivering two copies thereof, together with two copies of all supporting information, to the Supervisory Agent. After such application has been filed with the Board, and prior to the date of advice from the Supervisory Agent to the applicant to publish notice of the filing of the application pursuant to paragraph (g) of this section, the applicant may file additional information in support of the application and may amend it; after the date of such advice, the applicant may not amend the application or, unless and until a hearing on the application is ordered, file any additional supporting information, unless requested by or on behalf of the Board.

(f) *Disapproval or deferral for supervisory reasons.* No application for permission to establish and operate a mobile facility shall be approved if, in the opinion of the Board, the policies, condition, or operation of the applicant association afford a basis for supervisory objection to the application.

(g) *Processing of application by Supervisory Agent; public notice; inspection.*—(1) *Public notice.* Upon determination by the Supervisory Agent that an application for permission to establish and operate a mobile facility is complete, and if it has been preliminarily

determined that there is no basis for supervisory objection to approval of the application, the Supervisory Agent shall advise the applicant, in writing, to publish, within 15 days from the date of such advice, in a newspaper printed in the English language and having general circulation in each community proposed to be served by the proposed mobile facility, a notice of the filing of the application in the following form:

NOTICE OF FILING OF APPLICATION FOR PERMISSION TO ESTABLISH AND OPERATE A MOBILE FACILITY

Notice is hereby given that, pursuant to the provisions of § 545.14-4 of the rules and regulations for the Federal Savings and Loan System, the _____ Federal Savings and Loan Association _____, has filed with the Federal Home Loan Bank Board an application for permission to establish and operate a mobile facility at the following locations: _____

_____ The
(City) (State)
application has been delivered to the office of the Supervisory Agent of the said Board located at the Federal Home Loan Bank of _____
(City) (Street Address)

_____ Any person may
(City) (State)

file communications in favor or in protest of said application at the aforesaid office of the Supervisory Agent within 20 days after the date of this publication. Under the said rules and regulations for the Federal Savings and Loan System, a hearing in Washington, D.C., may be held if, pursuant to this notice, any interested person expresses a written protest, which shall be filed in duplicate and supported by specific written objections, to said application and requests a hearing at which he expresses intention to appear, provided such protest and request are received at the aforesaid office of the Supervisory Agent within 20 days after the date of this publication. Any such written protest which is not coupled with a request for hearing will also be considered if received at the aforesaid office of the Supervisory Agent within 20 days of the date of this publication. The application, together with communications in favor or in protest thereof, are available for inspection by interested persons at the aforesaid office of the Supervisory Agent.

_____ Federal Savings and Loan Association, _____

(2) *Filing of communications by others.* Within 20 days after the date of publication of said notice, any person may file, at the office of the Supervisory Agent designated in the notice, communications in favor or in protest of the application.

(3) *Proof of publication.* Promptly after publication of the notice, the applicant shall transmit two copies thereof to the Supervisory Agent accompanied by two copies of a publisher's affidavit of publication.

(4) *Inspection.* The application together with communications in favor or in protest thereof shall be available at the office of the Supervisory Agent during regular working hours for inspection by interested persons following the date of publication of the notice as hereinabove provided. Prior to the issuance to the applicant of advice to publish a notice, the application and the fact that it has been filed shall be held as confidential.

(h) *Hearings.*—(1) *General provisions.* A hearing shall be held upon an application for permission to establish and operate a mobile facility in any case in which a hearing is ordered unless it is dispensed with as provided in the order for a hearing. A copy of an order for a hearing shall be mailed to the applicant and to all persons who have filed written statements protesting approval of the application. In any case in which the Board has rejected an application without a hearing, a hearing may be held, at the discretion of the Board, if such hearing is requested by the applicant within 30 days after receipt of advice that the Board has rejected the application. Notwithstanding any other provision of this section, the Board may at any time, in its discretion and on its own motion, order a hearing on an application for permission to establish and operate a mobile facility. Any interested person may appear, in person or by attorney, at any hearing held pursuant to this section and submit any evidence pertinent to the questions at issue.

(2) *Procedure.* After a hearing has been ordered, the order for such hearing, the application and supporting information, and any protest and information in support of any protest, shall be available at the Office of the Secretary to the Board for inspection during regular working hours. The hearing shall be held before a hearing officer who shall be a member of the staff of the General Counsel of the Federal Home Loan Bank Board and who shall be designated by the General Counsel or a Deputy or Associate General Counsel. The hearing officer shall have complete charge of the hearing; may receive, admit, allow, exclude, and deny petitions, briefs, and evidence, including the hearing of testimony according to the rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States; *Provided, however,* That such rules may be relaxed by the hearing officer in order to expedite the proceedings or promote the just determination of the ultimate issue; may make rulings and note exceptions, but shall not have power to grant any motion to dismiss the proceedings or other motion that involves final determination of the ultimate issue; may hear arguments; may adjourn the said hearing from time to time, if, in his judgment, it is desirable to the orderly conduct of the said hearing or to promote the just determination of the ultimate issue; shall order the preparation of a record, including a transcript of the testimony and evidence presented; and may do all such things and have all such powers as are necessary or proper for the orderly conduct of the hearing or to promote the just determination of the ultimate issue, but shall not have power to finally determine the ultimate issue. The hearing officer shall determine whether the filing of briefs after a hearing will be permitted, and if such filing is permitted, the hearing officer shall restrict the time for filing to a postmark date not later than 30 days after the conclusion of the hearing, unless for good cause a longer period is

allowed. The hearing officer shall not permit the filing of reply briefs.

(1) *Mobile facility incidental to conversion or merger.* A Federal association into which an existing institution is converted shall not thereafter maintain any mobile facility of the predecessor institution as a mobile facility of such Federal association, and a Federal association shall not maintain any mobile facility of another institution which is absorbed by merger, without prior written approval by the Board of an application by the association for permission to maintain such mobile facility. Such application shall be in form prescribed by the Board and shall be filed at the same time as a preliminary application for conversion is submitted to the Board pursuant to § 543.9 of this chapter or at the same time as an application for approval by the Board of a merger is submitted pursuant to § 546.2 of this chapter, and shall be processed in accordance with the provisions of this section with respect to applications for permission to establish and operate a mobile facility except that the provisions of this section with respect to hearing and public notice shall be applicable only in cases in which it is so determined by or on behalf of the Board, and the Supervisory Agent shall not advise an applicant association to publish notice pursuant to paragraph (g) of this section unless so instructed by or on behalf of the Board; and the eligibility requirements of paragraph (b) of this section shall not be applicable to such application.

[F.R. Doc. 69-1772; Filed, Feb. 11, 1969; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

THIABENDAZOLE

1. A petition (PP 8F0724) was filed with the Food and Drug Administration by Merck Sharp & Dohme Research Laboratories, a Division of Merck & Co., Rahway, N.J. 07065, proposing the establishment of a tolerance of 2 parts per million for residues of the fungicide thiabendazole (2-(4-thiazolyl)-benzimidazole) in or on the raw agricultural commodity citrus fruits (of which no

more than 0.04 part per million shall be present in the fruit after peel is removed).

Subsequently, the petition was amended by withdrawing the specification "(of which no more than 0.04 part per million shall be present in the fruit after peel is removed)."

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerance is being established.

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that:

a. Since the proposed usage is not reasonably expected to result in residues of the fungicide occurring in the edible tissues and byproducts of animals fed dried citrus pulp, tolerances are unnecessary regarding meat and milk. The usage is classified in the category specified in § 120.6(a)(3).

b. The tolerances established by this order will protect the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.242 is revised to read as follows to establish the tolerance regarding citrus fruits.

§ 120.242 Thiabendazole; tolerances for residues.

Tolerances are established for residues from postharvest use of the fungicide thiabendazole (2-(4-thiazolyl)-benzimidazole) in or on raw agricultural commodities as follows:

3 parts per million in or on bananas (of which not more than 0.4 part per million shall be in the pulp after the peel is removed and discarded).

2 parts per million in or on citrus fruits.

2. A related food additive petition (FAP 8H2298) was filed with the Food and Drug Administration by the aforementioned petitioner proposing the establishment of a food additive tolerance of 3.5 parts per million for residues of the subject fungicide in or on dried citrus pulp for livestock feed resulting from application of the fungicide to the growing raw agricultural commodity citrus fruits. Subsequently, the petition was amended to propose a tolerance of 8 parts per million for residues of the fungicide in or on dried citrus pulp.

Having evaluated the data in the petition (FAP 8H2298) and other relevant material, the Commissioner concludes that such a food additive tolerance should be established. Therefore, pursuant to the provisions of the Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated as cited above, § 121.260 is amended by deleting from the first sentence thereof the words "in the treatment of food-

producing animals," by deleting paragraph (b), and by adding a new paragraph (e) as follows:

§ 121.260 Thiabendazole.

(b) [Deleted]

(e) A tolerance of 8 parts per million is established for residues of the fungicide thiabendazole in or on dried citrus pulp from the postharvest application of the fungicide to the raw agricultural commodity citrus fruits.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably 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.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d)(2), 409(c)(1), 68 Stat. 512; 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(1))

Dated: February 5, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-1737; Filed, Feb. 11, 1969; 8:46 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Import Reg. 1, Rev. 4, Amdt. 1]

PART 6—IMPORT QUOTAS AND FEES

Subpart—Section 22 Import Quotas

LICENSES FOR IMPORTATION OF CERTAIN CHEESE AND OTHER PRODUCTS

Correction

In F.R. Doc. 69-796 appearing at page 923 in the issue of Wednesday, January 22, 1969, the last entry in the "Commodity" column of Appendix 1 on page 924 should read as follows: "Other countries (excluding New Zealand) (Licenses not required for imports from New Zealand for period January 1—June 30, 1969)".

RULES AND REGULATIONS

DELAWARE

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Kent	64.1	1.55	43.7	1.11	88.9	1.35
New Castle	64.1	1.55	43.7	1.11	88.9	1.35
Sussex	64.1	1.55	43.7	1.11	88.9	1.35
State	64.1	1.55	43.7	1.11	88.9	1.35

FLORIDA

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Alachua	49.4	1.53	41.5	1.10	41.5	1.20
Baker	51.6	1.53	41.5	1.10	41.5	1.20
Bay	42.5	1.53	41.5	1.10	41.5	1.20
Bradford	51.0	1.53	41.5	1.10	41.5	1.20
Brevard	68.8	1.53	41.5	1.10	41.5	1.20
Broward	52.9	1.53	41.5	1.10	41.5	1.20
Calhoun	50.4	1.53	41.5	1.10	41.5	1.20
Charlotte	50.4	1.53	41.5	1.10	41.5	1.20
Citrus	51.2	1.53	41.5	1.10	41.5	1.20
Clay	51.2	1.53	41.5	1.10	41.5	1.20
Collier	51.9	1.53	41.5	1.10	41.5	1.20
Columbia	48.0	1.53	41.5	1.10	41.5	1.20
Dade	48.0	1.53	41.5	1.10	41.5	1.20
De Soto	47.8	1.53	41.5	1.10	41.5	1.20
Duval	47.8	1.53	41.5	1.10	41.5	1.20
Dwight	50.7	1.53	41.5	1.10	41.5	1.20
Franklin	47.6	1.53	41.5	1.10	41.5	1.20
Franklin	52.1	1.53	41.5	1.10	41.5	1.20
Gadsden	46.5	1.53	41.5	1.10	41.5	1.20
Gilchrist	53.4	1.53	41.5	1.10	41.5	1.20
Glades	58.6	1.53	41.5	1.10	41.5	1.20
Gulf	51.6	1.53	41.5	1.10	41.5	1.20
Hamilton	34.1	1.53	41.5	1.10	41.5	1.20
Hardee	50.3	1.53	41.5	1.10	41.5	1.20
Harney	55.9	1.53	41.5	1.10	41.5	1.20
Hernando	48.9	1.53	41.5	1.10	41.5	1.20
Hillsborough	46.5	1.53	41.5	1.10	41.5	1.20
Holmes	53.1	1.53	41.5	1.10	41.5	1.20
Indian River	50.1	1.53	41.5	1.10	41.5	1.20
Jackson	48.9	1.53	41.5	1.10	41.5	1.20
Jefferson	49.6	1.53	41.5	1.10	41.5	1.20
Lake	47.4	1.53	41.5	1.10	41.5	1.20
Lafayette	47.6	1.53	41.5	1.10	41.5	1.20
Lees	53.3	1.53	41.5	1.10	41.5	1.20
Lee	49.3	1.53	41.5	1.10	41.5	1.20
Levy	47.4	1.53	41.5	1.10	41.5	1.20
Liberty	52.0	1.53	41.5	1.10	41.5	1.20
Madison	49.5	1.53	41.5	1.10	41.5	1.20
Manatee	53.8	1.53	41.5	1.10	41.5	1.20
Marion	58.2	1.53	41.5	1.10	41.5	1.20
Martin	47.7	1.53	41.5	1.10	41.5	1.20
Monroe	47.7	1.53	41.5	1.10	41.5	1.20
Nassau	47.7	1.53	41.5	1.10	41.5	1.20
Okaloosa	55.6	1.53	41.5	1.10	41.5	1.20
Okechobee	57.1	1.53	41.5	1.10	41.5	1.20
Orange	47.8	1.53	41.5	1.10	41.5	1.20
Osceola	47.6	1.53	41.5	1.10	41.5	1.20
Palm Beach	62.5	1.53	41.5	1.10	41.5	1.20
Polk	50.2	1.53	41.5	1.10	41.5	1.20
Putnam	51.0	1.53	41.5	1.10	41.5	1.20
St. Johns	43.7	1.53	41.5	1.10	41.5	1.20
St. Louis	45.6	1.53	41.5	1.10	41.5	1.20
St. Marks	57.2	1.53	41.5	1.10	41.5	1.20
St. Petersburg	57.6	1.53	41.5	1.10	41.5	1.20
Sumter	48.3	1.53	41.5	1.10	41.5	1.20
Volusia	48.6	1.53	41.5	1.10	41.5	1.20

CONNECTICUT

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Crowley	68.7	1.45	41.4	.99	47.8	1.10
Custer	61.6	1.47	20.5	.99	37.4	1.10
Delta	100.0	1.53	62.1	.97	60.0	1.10
Denver	52.3	1.55	30.0	.97	47.0	1.10
Donner	55.0	1.46	22.8	.99	23.5	1.10
Douglas	46.8	1.51	25.3	.97	22.0	1.10
Engle	53.2	1.45	22.0	.99	23.0	1.10
Ft. Price	44.9	1.46	18.5	.99	22.0	1.10
Garfield	64.8	1.47	38.5	.99	42.5	1.10
Garfield	82.9	1.53	37.5	.97	59.0	1.10
Grant	47.1	1.47	47.1	.97	47.1	1.10
Gunnison	37.9	1.47	37.9	.97	37.9	1.10
Hindsdale	54.6	1.47	38.5	.97	38.7	1.10
Jackson	80.1	1.46	42.6	.99	42.6	1.10
Kiowa	50.0	1.44	38.1	.99	38.1	1.10
Kitt Carson	50.0	1.42	23.6	.99	43.0	1.10
Lake	73.6	1.52	46.0	.97	58.0	1.10
Larimer	82.8	1.42	50.6	.99	60.0	1.10
Les Animas	62.0	1.46	29.2	.99	31.2	1.10
Lincoln	46.4	1.44	30.4	.99	28.0	1.10
Logan	77.2	1.47	34.3	.99	50.0	1.10
Mesa	94.5	1.53	48.9	.97	83.1	1.10
Mineral	57.0	1.45	38.5	.97	57.0	1.10
Montezuma	66.4	1.55	50.3	.97	60.0	1.10
Montross	101.3	1.53	59.8	.99	60.0	1.10
Morgan	90.0	1.42	45.2	.99	45.0	1.10
Otero	63.9	1.55	51.3	.99	63.5	1.10
Ozark	68.7	1.46	48.7	.97	68.7	1.10
Phillips	55.0	1.41	29.5	.99	29.5	1.10
Phillips	39.7	1.51	26.4	.99	26.0	1.10
Pitkin	80.0	1.44	52.4	.99	52.4	1.10
Prewers	78.2	1.46	30.0	.99	46.3	1.10
Pueblo	49.0	1.53	45.0	.99	40.3	1.10
Rio Blanco	54.6	1.51	36.5	.97	36.5	1.10
Rio Grande	62.5	1.50	55.3	.97	55.3	1.10
Bozart	62.5	1.49	29.3	.97	29.3	1.10
Saguache	70.0	1.55	40.7	.97	44.0	1.10
San Juan	84.3	1.41	29.3	.99	29.3	1.10
San Miguel	72.0	1.42	34.9	.99	35.0	1.10
Sedgewick	93.1	1.42	40.0	.99	45.0	1.10
Teller	80.0	1.41	34.2	.99	41.0	1.10
Washington	87.4	1.41	37.0	.99	38.3	1.10
Yuma	78.0	1.41	38.1	.99	38.3	1.10
State	78.0	1.41	38.1	.99	38.3	1.10

CONNECTICUT

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Fairfield	76.5	1.61	1.11	1.11	1.25	1.25
Hartford	72.1	1.61	1.11	1.11	1.25	1.25
Litchfield	72.1	1.61	1.11	1.11	1.25	1.25
Middlebury	72.1	1.61	1.11	1.11	1.25	1.25
New Britain	72.1	1.61	1.11	1.11	1.25	1.25
New Haven	72.1	1.61	1.11	1.11	1.25	1.25
New London	72.1	1.61	1.11	1.11	1.25	1.25
Tolland	72.1	1.61	1.11	1.11	1.25	1.25
Windham	72.1	1.61	1.11	1.11	1.25	1.25
State	78.0	1.61	1.11	1.11	1.25	1.25

INDIANA—Continued

County	Corn		Buckwheat		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Clinton	101.4	1.38	43.0	1.05	73.6	1.14
Crawford	75.0	1.41	45.0	1.00	78.0	1.14
Dearborn	76.7	1.42	43.0	1.00	66.3	1.14
Decatur	92.2	1.40	43.0	1.00	73.8	1.14
De Kalb	88.9	1.37	35.6	1.03	63.6	1.14
Delaware	88.9	1.38	38.8	1.02	63.6	1.14
DeWitt	90.7	1.41	37.1	1.08	75.0	1.14
Elkhart	87.4	1.39	38.4	1.05	57.4	1.14
Fayette	82.8	1.35	35.3	1.06	60.8	1.14
Floyd	78.2	1.42	43.7	1.06	59.4	1.14
Franklin	77.1	1.37	32.6	1.03	72.6	1.14
Fulton	90.6	1.42	38.2	1.00	63.7	1.14
Gibson	96.0	1.38	36.3	1.06	61.6	1.14
Grant	107.4	1.42	40.6	1.07	80.3	1.14
Greene	102.0	1.38	38.6	1.04	69.1	1.14
Greene	90.0	1.40	42.5	1.01	75.1	1.14
Hamilton	94.5	1.38	40.2	1.02	60.1	1.14
Hancock	90.7	1.38	41.9	1.02	68.0	1.14
Harrison	79.3	1.42	42.5	1.06	65.5	1.14
Hendricks	96.5	1.38	41.6	1.02	69.1	1.14
Henry	91.0	1.38	37.4	1.03	68.6	1.14
Howard	107.4	1.38	40.2	1.05	70.8	1.14
Huntington	88.2	1.37	37.3	1.03	67.8	1.14
Jackson	103.7	1.41	38.8	1.08	74.5	1.14
Jasper	93.3	1.38	42.1	1.03	74.6	1.14
Jay	78.7	1.38	38.2	1.03	60.2	1.14
Jefferson	83.3	1.42	38.5	1.01	69.3	1.14
Jennings	94.7	1.41	45.0	1.01	73.0	1.14
Johnson	102.0	1.39	40.3	1.01	69.3	1.14
Keokuk	104.0	1.41	40.3	1.05	81.4	1.14
Knott	78.0	1.38	40.2	1.02	69.1	1.14
Lagrange	80.2	1.37	34.4	1.08	55.2	1.14
Lake	93.4	1.39	38.7	1.11	63.2	1.14
La Porte	94.0	1.39	41.9	1.07	68.3	1.14
Lafayette	81.0	1.41	35.0	1.02	68.3	1.14
Madison	83.5	1.38	41.8	1.02	68.0	1.14
Marietta	85.9	1.38	42.3	1.02	67.8	1.14
Martin	90.3	1.38	37.1	1.01	62.9	1.14
Martin	90.3	1.41	38.3	1.02	69.1	1.14
Miami	90.3	1.41	42.1	1.02	69.1	1.14
Monroe	97.4	1.40	38.2	1.04	68.6	1.14
Montgomery	97.4	1.39	40.5	1.01	69.1	1.14
Morgan	103.1	1.38	40.5	1.03	74.6	1.14
Newton	103.1	1.37	40.5	1.03	63.2	1.14
Noble	103.1	1.37	35.1	1.03	55.2	1.14
Ohio	103.1	1.42	35.1	1.03	61.3	1.14
Orange	87.0	1.41	38.4	1.06	68.7	1.14
Owen	100.4	1.39	40.2	1.03	73.7	1.14
Park	73.9	1.42	38.2	1.03	60.2	1.14
Perry	73.9	1.41	38.2	1.07	64.7	1.14
Perry	94.1	1.41	38.1	1.05	64.7	1.14
Porter	94.1	1.39	41.2	1.06	63.6	1.14
Posey	94.1	1.38	38.5	1.07	73.3	1.14
Putnam	94.1	1.38	38.5	1.07	62.5	1.14
Randolph	84.8	1.42	43.0	1.03	74.3	1.14
Ripley	91.1	1.38	43.0	1.03	63.0	1.14
Rush	90.1	1.41	36.8	1.08	65.3	1.14
St. Joseph	83.0	1.39	40.0	1.01	77.8	1.14
Scott	83.0	1.42	40.5	1.05	59.2	1.14
Shelby	100.4	1.38	36.3	1.03	62.7	1.14
Shelby	100.4	1.39	45.3	1.01	74.2	1.14
Spencer	80.0	1.42	38.7	1.07	63.5	1.14
Stark	93.1	1.38	37.2	1.00	58.5	1.14
Stanton	79.0	1.42	37.2	1.00	58.5	1.14
Swain	94.6	1.39	41.9	1.02	63.5	1.14
Sullivan	74.6	1.42	35.0	1.07	61.3	1.14
Switzerland	102.7	1.37	41.2	1.07	81.8	1.14
Tipton	107.5	1.37	39.8	1.04	71.7	1.14
Tipton	107.5	1.38	41.7	1.04	72.3	1.14

ILLINOIS—Continued

County	Corn		Buckwheat		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Lawrence	94.0	1.41	36.3	1.05	67.1	1.13
Lee	105.1	1.39	45.5	1.13	62.9	1.13
Livingston	108.8	1.38	28.4	1.13	73.3	1.13
Logan	116.9	1.40	35.5	1.09	82.6	1.13
McDonough	104.5	1.38	31.5	1.07	71.2	1.13
McHenry	83.6	1.39	41.0	1.13	61.2	1.13
McLean	108.8	1.39	46.4	1.10	74.3	1.13
Macon	116.0	1.39	31.4	1.09	74.8	1.13
Macoupin	99.3	1.40	44.9	1.09	74.9	1.13
Madison	98.2	1.40	45.2	1.10	64.2	1.13
Mason	107.2	1.40	41.1	1.10	64.2	1.13
Marion	107.2	1.40	34.2	1.08	63.8	1.13
Marion	82.1	1.40	34.2	1.08	64.3	1.13
Massac	68.4	1.42	34.2	1.08	62.6	1.13
Massac	114.0	1.39	42.2	1.10	70.0	1.13
McDonough	83.0	1.39	39.3	1.09	65.3	1.13
McDonough	83.1	1.41	41.0	1.08	60.3	1.13
Montgomery	113.4	1.40	33.1	1.09	70.2	1.13
Morgan	118.3	1.38	37.5	1.08	69.1	1.13
Montgomery	103.8	1.37	43.2	1.13	67.6	1.13
Ogle	100.4	1.39	36.8	1.13	67.4	1.13
Peoria	72.7	1.41	38.0	1.07	67.4	1.13
Perry	120.0	1.38	32.6	1.09	77.5	1.13
Polk	64.3	1.40	41.3	1.05	61.3	1.13
Polk	63.3	1.42	38.9	1.07	56.8	1.13
Poplar	74.5	1.40	34.2	1.11	74.3	1.13
Putnam	100.0	1.40	34.2	1.07	64.3	1.13
Randolph	75.4	1.41	34.2	1.06	60.8	1.13
Randolph	78.2	1.41	40.3	1.10	75.0	1.13
Rock Island	101.7	1.36	47.4	1.11	71.4	1.13
Saline	85.5	1.41	37.7	1.08	64.5	1.13
Saline	89.1	1.40	37.7	1.08	64.5	1.13
Sangamon	117.6	1.40	37.3	1.08	72.2	1.13
Schuyler	98.4	1.39	29.7	1.09	66.8	1.13
Shelby	94.6	1.40	32.6	1.09	65.0	1.13
Shelby	102.2	1.39	40.6	1.08	74.1	1.13
Shelby	105.7	1.39	33.1	1.11	66.9	1.13
Stephenson	100.6	1.37	42.6	1.12	66.1	1.13
Stephenson	106.9	1.40	35.2	1.09	62.8	1.13
Union	80.6	1.41	33.1	1.11	65.4	1.13
Union	107.1	1.38	30.0	1.07	63.8	1.13
Wabash	91.0	1.41	35.0	1.07	66.9	1.13
Washington	103.6	1.38	34.7	1.10	78.9	1.13
Washington	67.5	1.41	37.5	1.07	68.7	1.13
Wayne	76.8	1.40	40.5	1.09	68.6	1.13
White	83.7	1.41	36.5	1.08	69.7	1.13
Whiteside	102.3	1.37	48.7	1.12	68.0	1.13
Will	88.9	1.40	42.1	1.13	63.9	1.13
Will	66.0	1.41	34.5	1.08	46.0	1.13
Winnebago	96.9	1.37	47.9	1.11	68.7	1.13
Woodford	108.8	1.40	33.1	1.11	63.1	1.13
State	101.6	1.39	42.9	1.11	62.1	1.13

INDIANA

Adams	87.6	1.37	44.3	1.02	60.7	1.14
Allen	82.9	1.37	30.8	1.02	60.8	1.14
Bartholomew	102.5	1.40	37.5	1.01	71.5	1.14
Beeson	105.0	1.38	42.1	1.06	73.5	1.14
Beckford	82.8	1.38	38.9	1.04	63.3	1.14
Boone	96.7	1.38	42.0	1.02	78.0	1.14
Brown	81.9	1.40	31.4	1.09	68.5	1.14
Brown	100.4	1.38	44.0	1.09	68.5	1.14
Carroll	96.5	1.38	40.7	1.05	62.9	1.14
Cass	84.6	1.42	40.8	1.14	61.3	1.14
Clark	102.3	1.38	37.0	1.09	73.5	1.14
Clay	102.3	1.38	37.0	1.09	73.5	1.14

IOWA—Continued

INDIANA—Continued

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Union	104.4	1.20	26.4	1.01	65.8	1.14
Vanderburgh	85.0	1.27	48.1	1.14	68.4	1.14
Vermillion	105.9	1.27	31.6	1.11	68.0	1.14
Vigo	105.1	1.28	46.2	1.12	79.2	1.14
Wabash	94.0	1.27	41.4	1.05	41.9	1.14
Warren	106.6	1.27	43.5	1.07	71.9	1.14
Washington	85.1	1.27	42.0	1.06	56.2	1.14
Wayne	83.0	1.27	42.0	1.05	71.9	1.14
Wells	88.7	1.27	38.1	1.02	64.2	1.14
White	101.7	1.27	40.2	1.07	74.8	1.14
Whiting	84.1	1.27	40.6	1.04	64.2	1.14
State	95.4	.....	26.6	.....	70.2	.....

IOWA

Adair	95.0	1.24	26.7	1.00	61.0	1.11
Adams	85.0	1.25	40.4	1.02	71.0	1.02
Albany	85.0	1.25	42.0	1.02	77.0	1.02
Alfonso	84.0	1.25	40.2	1.02	84.0	1.02
Appanoose	104.0	1.24	44.4	1.02	71.0	1.06
Archer	100.0	1.24	48.8	1.01	66.0	1.06
Black Hawk	102.0	1.22	37.0	1.00	85.0	1.06
Benton	83.0	1.23	44.9	1.01	57.0	1.06
Beverly	97.0	1.23	44.9	1.01	72.0	1.06
Bloomington	85.0	1.23	42.4	1.01	75.0	1.06
Boone	84.0	1.21	40.0	1.01	65.0	1.06
Butler	94.0	1.21	44.7	1.00	82.0	1.06
Calhoun	97.0	1.22	41.7	1.01	81.0	1.11
Cass	93.0	1.24	31.7	1.01	75.0	1.11
Cedar	106.0	1.24	48.4	1.04	88.0	1.06
Cerro Gordo	97.0	1.20	42.7	1.00	64.0	1.06
Chariton	91.0	1.21	37.0	1.00	76.0	1.10
Chickasaw	88.0	1.21	38.4	1.06	84.0	1.12
Chickasaw	81.0	1.24	37.0	1.02	67.0	1.00
Clay	90.0	1.20	43.4	1.02	82.0	1.06
Clayton	87.0	1.24	45.7	1.02	62.0	1.06
Clinton	106.0	1.26	50.0	1.02	85.0	1.06
Crawford	98.0	1.22	38.6	1.02	80.0	1.06
Dallas	98.0	1.23	48.3	1.00	80.0	1.03
Davis	81.0	1.25	30.4	1.02	70.0	1.10
DeWitt	85.0	1.24	37.0	1.00	68.0	1.06
DeWitt	85.0	1.24	36.0	1.02	61.0	1.06
Des Moines	105.0	1.26	38.4	1.05	84.0	1.07
Dickinson	87.0	1.29	37.0	1.02	65.0	1.06
Dubuque	86.0	1.25	45.5	1.02	65.0	1.06
East Des Moines	94.0	1.25	37.1	1.03	85.0	1.13
Emmett	95.0	1.28	41.0	1.03	61.0	1.07
Fayette	92.0	1.28	47.1	1.01	74.0	1.06
Floyd	93.0	1.20	61.5	1.02	70.0	1.06
Franklin	103.0	1.20	45.7	1.02	69.0	1.06
Frederick	95.0	1.25	37.0	1.03	80.0	1.06
Greene	100.0	1.22	47.0	1.00	64.0	1.09
Grundy	105.0	1.22	47.6	1.01	75.0	1.06
Guthrie	93.0	1.29	34.0	1.01	72.0	1.10
Hamilton	102.0	1.31	44.4	1.06	67.0	1.06
Hancock	105.0	1.29	44.1	1.03	64.0	1.06
Harrison	105.0	1.24	44.1	1.03	68.0	1.06
Harrison	105.0	1.24	34.2	1.03	92.0	1.13
Henry	80.0	1.24	33.0	1.02	83.0	1.08
Howard	80.0	1.23	62.0	1.03	60.0	1.06
Humboldt	101.0	1.20	49.5	1.01	70.0	1.08
Iowa	95.0	.....	44.2	.....	84.0	.....
Jackson	103.0	1.24	42.6	1.02	77.0	1.10
Jackson	98.0	1.24	41.0	1.06	69.0	1.06
Jasper	95.0	1.23	37.0	1.00	75.0	1.09

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Jefferson	93.0	1.35	32.0	1.02	86.0	1.09
Johnson	101.0	1.35	44.5	1.03	76.0	1.06
Jones	103.0	1.34	47.6	1.03	72.0	1.09
Knox	103.0	1.34	37.0	1.01	87.0	1.06
Kossuth	100.0	1.36	42.2	1.03	66.0	1.09
Lee	96.0	1.36	42.8	1.06	81.0	1.09
Linn	101.0	1.34	37.0	1.03	71.0	1.06
Louis	101.0	1.36	42.8	1.03	80.0	1.06
Lyon	80.0	1.34	37.0	1.00	67.0	1.12
Lyon	81.0	1.30	36.6	1.00	78.0	1.11
Madison	93.0	1.33	37.3	1.01	88.0	1.19
Madison	96.0	1.33	41.2	1.01	79.0	1.19
Marion	103.0	1.32	37.0	1.00	81.0	1.07
Marion	103.0	1.32	37.0	1.00	74.0	1.07
Marshall	92.0	1.35	37.0	1.03	85.0	1.13
McCook	91.0	1.33	37.0	1.03	65.0	1.06
Monroe	90.0	1.33	40.4	1.02	78.0	1.13
Monroe	90.0	1.34	37.0	1.01	64.0	1.19
Montgomery	94.0	1.35	35.4	1.03	82.0	1.13
Montgomery	101.0	1.35	44.6	1.03	68.0	1.09
O'Brien	87.0	1.29	45.7	1.01	76.0	1.19
Osceola	89.0	1.29	44.6	1.01	74.0	1.19
Paga	85.0	1.29	47.1	1.02	80.0	1.18
Palo Alto	85.0	1.32	51.4	1.02	79.0	1.13
Plymouth	85.0	1.30	45.8	1.01	74.0	1.28
Polk	92.0	1.35	36.2	1.01	61.0	1.09
Polk	98.0	1.35	35.2	1.01	72.0	1.09
Preble	80.0	1.35	41.9	1.01	65.0	1.06
Shelby	95.0	1.35	45.3	1.02	82.0	1.13
Shelby	102.0	1.35	45.3	1.02	61.0	1.06
Shelby	97.0	1.35	47.0	1.01	80.0	1.13
Shelby	84.0	1.32	45.9	1.01	70.0	1.06
Story	102.0	1.32	39.2	1.02	78.0	1.06
Story	102.0	1.32	39.2	1.01	75.0	1.06
Tama	81.0	1.33	37.0	1.01	70.0	1.15
Taylor	81.0	1.34	37.0	1.00	79.0	1.13
Union	81.0	1.34	38.0	1.00	87.0	1.09
Van Buren	87.0	1.34	37.0	1.01	78.0	1.10
Wapello	92.0	1.33	37.0	1.02	81.0	1.11
Warren	100.0	1.35	37.0	1.02	84.0	1.07
Washington	83.0	1.35	55.5	1.01	70.0	1.13
Wayne	101.0	1.31	37.1	1.03	92.0	1.13
Webster	92.0	1.35	37.1	1.03	62.0	1.06
West Des Moines	82.0	1.29	45.2	1.03	67.0	1.09
Winneshiek	82.0	1.32	46.5	1.02	79.0	1.09
Woodbury	86.0	1.32	45.4	1.01	85.0	1.11
Worth	94.0	1.29	48.7	1.03	63.0	1.09
Wright	102.0	1.30	42.5	1.02	69.0	1.09
State	95.1	.....	45.4	.....	80.2	.....

KANSAS

Allen	47.2	1.42	28.5	1.04	53.2	1.16
Anderson	55.4	1.41	50.4	1.04	53.1	1.17
Anderson	55.4	1.39	33.5	1.04	68.0	1.15
Atchison	48.7	1.43	33.9	1.03	31.8	1.17
Barber	69.7	1.40	27.3	1.03	42.3	1.14
Barton	45.9	1.42	54.7	1.04	54.7	1.16
Barton	71.2	1.37	26.7	1.04	73.3	1.16
Barton	44.1	1.41	35.3	1.02	44.6	1.16
Chase	56.8	1.39	36.3	1.04	48.8	1.15
Chautauque	45.3	1.44	23.9	1.04	29.8	1.18
Cherokee	43.4	1.44	33.9	1.04	42.8	1.18
Cheyenne	78.4	1.35	26.8	1.05	26.8	1.09
Clark	49.9	1.41	37.1	1.07	33.1	1.15
Clay	51.9	1.36	29.9	1.08	45.2	1.16

Mississippi—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)
Walthall	41.1	1.50		1.07	36.9	1.20
Warren	47.1	1.50		1.07	30.6	1.50
Washington	44.6	1.50	33.4	1.07	40.2	1.50
Wayne	38.8	1.50		1.07	34.1	1.50
Webster	48.7	1.50		1.07	38.4	1.50
Wilkinson	44.2	1.50		1.07	33.4	1.50
Winston	42.5	1.50	28.0	1.07	34.9	1.50
Yalobusha	51.2	1.50		1.07	40.2	1.50
Yazoo	40.9	1.50		1.07	41.3	1.50
State	44.1		36.5		38.5	

Missouri

Adair	67.5	1.37	32.0	1.03	61.2	1.12
Andrew	75.7	1.38	28.7	1.04	71.9	1.18
Atchison	85.0	1.37	33.1	1.02	74.0	1.12
Atterbury	63.8	1.40	41.0	1.06	67.0	1.17
Audrain	48.9	1.45	34.6	1.04	51.9	1.17
Barry	56.7	1.44	37.1	1.04	53.9	1.18
Barton	62.2	1.41	37.1	1.04	53.9	1.18
Beaumont	53.9	1.42	40.3	1.02	44.8	1.16
Bell	58.0	1.44	36.2	1.05	58.0	1.23
Bollinger	41.1	1.41	33.5	1.05	44.8	1.18
Boscawen	72.1	1.49	40.4	1.04	71.4	1.25
Boyer	67.1	1.44	39.0	1.04	68.9	1.25
Burnett	67.0	1.49	39.0	1.04	68.9	1.25
Caldwell	41.1	1.41	33.5	1.05	44.8	1.18
Callaway	44.5	1.43	37.8	1.07	37.5	1.10
Cameron	47.0	1.43	37.8	1.07	37.5	1.10
Cape Girardeau	49.9	1.43	37.8	1.07	37.5	1.10
Carroll	88.4	1.49	44.1	1.03	83.7	1.18
Carter	85.2	1.49	44.1	1.03	83.7	1.18
Cass	69.2	1.41	41.3	1.04	64.6	1.17
Cedar	51.2	1.29	31.3	1.03	45.2	1.17
Chariton	68.0	1.45	35.5	1.04	38.0	1.17
Christian	81.0	1.37	37.7	1.05	66.1	1.11
Clark	74.5	1.41	33.0	1.04	71.0	1.18
Clay	63.0	1.41	33.0	1.04	66.0	1.18
Clinton	61.3	1.42	34.1	1.05	52.8	1.11
Cole	41.1	1.41	33.5	1.11	55.3	1.13
Cooper	56.6	1.43	33.7	1.04	55.3	1.13
Crawford	53.9	1.44	32.6	1.05	45.5	1.17
Dallas	48.5	1.44	31.0	1.03	44.5	1.13
Daviess	72.6	1.39	30.3	1.04	67.7	1.17
De Kalb	53.2	1.44	30.6	1.09	38.5	1.11
Dewitt	43.4	1.45	30.6	1.09	37.4	1.11
Douglas	67.7	1.44	32.6	1.02	55.2	1.25
Dunklin	62.2	1.44	30.6	1.09	46.7	1.15
Franklin	61.4	1.42	41.8	1.07	43.1	1.13
Gasconade	73.0	1.38	36.0	1.02	66.4	1.16
Geney	56.7	1.44	37.8	1.04	47.6	1.17
Grundy	71.5	1.37	32.0	1.02	66.5	1.16
Hamilton	71.0	1.36	29.3	1.01	66.0	1.18
Henry	61.9	1.41	31.0	1.04	64.0	1.18
Hickory	47.0	1.38	28.6	1.02	43.2	1.15
Holt	83.8	1.45	33.2	1.02	63.9	1.15
Horseshoe	66.8	1.44	30.9	1.02	63.9	1.15
Howard	46.2	1.45	27.6	1.04	43.6	1.17
Harrison	45.0	1.44	27.6	1.04	43.6	1.17
Iron	73.0	1.41	29.4	1.04	70.0	1.18
Jackson	65.2	1.41	36.6	1.04	65.9	1.17
Jasper	61.2	1.42	41.2	1.04	55.9	1.20
Jefferson	62.2	1.41	30.9	1.04	57.6	1.18
Johnson	62.2	1.41	30.9	1.04	57.6	1.18
Knox	73.2	1.38	33.3	1.04	67.2	1.11
Laclede	47.1	1.49	31.8	1.07	43.2	1.10
Lafayette	52.1	1.44	28.6	1.04	45.9	1.19

Mississippi—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for competing diversion payments (dollars per bushel)
Benjamin	44.2	1.50		1.07	41.2	1.20
Bellevue	51.7	1.50	40.6	1.07	36.4	1.50
Calhoun	48.3	1.50		1.07	45.3	1.20
Carroll	40.0	1.50		1.07	39.4	1.50
Chickasaw	45.1	1.50	28.1	1.07	34.6	1.20
Choctaw	46.6	1.50	38.9	1.07	35.4	1.20
Chickasaw	48.5	1.50		1.07	38.7	1.20
Chickasaw	41.3	1.50		1.07	30.5	1.20
Choctaw	44.3	1.50	37.6	1.07	38.4	1.20
Choctaw	45.0	1.50	35.3	1.07	38.5	1.20
Copiah	47.0	1.50		1.07	38.3	1.20
Corning	41.2	1.50		1.07	36.5	1.20
De Soto	45.6	1.50		1.07	43.0	1.20
Forrest	38.4	1.50		1.07	34.0	1.20
Franklin	46.4	1.50		1.07	38.4	1.20
George	36.8	1.50		1.07	28.4	1.20
Greene	37.5	1.50		1.07	34.2	1.20
Greene	46.4	1.50		1.07	46.5	1.20
Hannock	43.0	1.50		1.07		
Harrison	43.3	1.50		1.07		
Hinds	45.7	1.50	23.5	1.07	37.6	1.20
Holmes	45.9	1.50	34.3	1.07		
Humphreys	37.6	1.50		1.07	42.9	1.20
Issaquena	48.2	1.50		1.07	42.8	1.20
Izumi	44.4	1.50		1.07	34.7	1.20
Jackson	42.7	1.50		1.07	26.5	1.20
Jasper	37.4	1.50		1.07	33.0	1.20
Jefferson	44.5	1.50		1.07	34.1	1.20
Jefferson Davis	38.7	1.50		1.07	34.6	1.20
Jennett	41.7	1.50		1.07	30.7	1.20
Kemper	38.5	1.50		1.07	41.9	1.20
Lafayette	42.8	1.50		1.07	28.8	1.20
Lamar	40.5	1.50		1.07	35.0	1.20
Lauderdale	28.3	1.50		1.07	35.3	1.20
Laverne	43.9	1.50		1.07	35.2	1.20
Leake	40.5	1.50	33.6	1.07	35.2	1.20
Leake	40.5	1.50	29.9	1.07	44.0	1.20
Leake	41.9	1.50		1.07	32.8	1.20
Lincoln	28.5	1.50		1.07	33.2	1.20
Madison	47.2	1.50	38.0	1.07	38.2	1.20
Madison	40.3	1.50		1.07	37.6	1.20
Marshall	41.3	1.50		1.07	38.2	1.20
Monroe	47.3	1.50		1.07	38.2	1.20
Montgomery	46.3	1.50		1.07	33.2	1.20
Newton	46.3	1.50		1.07	35.1	1.20
Northwest	45.8	1.50	38.9	1.07	38.9	1.20
Oktibbeha	46.0	1.50	33.0	1.07	33.0	1.20
Osborne	41.7	1.50		1.07	32.2	1.20
Pearl River	41.7	1.50		1.07	32.2	1.20
Perry	43.0	1.50		1.07	32.9	1.20
Pike	43.0	1.50		1.07	32.9	1.20
Prentiss	43.7	1.50	33.6	1.07	37.4	1.20
Quitman	43.7	1.50	35.1	1.07	43.9	1.20
Rankin	42.0	1.50		1.07	34.2	1.20
Scott	47.9	1.50		1.07	33.0	1.20
Sharkey	42.7	1.50	37.0	1.07	39.3	1.20
Simpson	42.2	1.50		1.07	34.0	1.20
Smith	42.6	1.50		1.07	34.5	1.20
Stone	42.6	1.50		1.07	34.5	1.20
Sunflower	44.3	1.50	36.0	1.07	45.2	1.20
Tallahatchie	42.3	1.50	28.1	1.07	40.6	1.20
Tate	50.7	1.50		1.07	34.6	1.20
Tippah	43.4	1.50		1.07	34.1	1.20
Tishomingo	41.9	1.50		1.07	43.5	1.20
Tunica	41.9	1.50		1.07	33.2	1.20
Union	48.4	1.50		1.07	33.2	1.20

MONTANA—Continued

MISSOURI—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Laramie.....	53.1	1.44	34.3	1.04	43.0	1.17
LeFlore.....	77.0	1.38	53.6	1.52	70.0	1.11
Lewis.....	66.0	1.40	53.8	1.09	47.2	1.10
Linn.....	70.0	1.38	53.9	1.03	49.0	1.16
Livingston.....	70.0	1.38	37.0	1.03	60.6	1.18
McCone.....	48.2	1.45	32.2	1.04	38.3	1.17
Medicine.....	71.2	1.39	38.0	1.04	58.2	1.15
Mineral.....	48.0	1.44	31.7	1.11	34.7	1.22
Missoula.....	55.5	1.43	33.0	1.06	76.2	1.13
Moore.....	75.0	1.39	38.7	1.01	41.0	1.15
Murphy.....	47.6	1.30	33.4	1.03	49.2	1.11
Nevada.....	55.5	1.43	33.4	1.03	50.2	1.11
North Dakota.....	66.1	1.42	37.1	1.09	31.7	1.13
Ohio.....	90.0	1.42	37.1	1.04	61.1	1.13
Park.....	65.0	1.30	33.9	1.05	70.2	1.13
Phillips.....	65.0	1.41	38.9	1.07	61.8	1.14
Richmond.....	55.0	1.42	35.3	1.03	50.6	1.14
San Juan.....	79.0	1.44	35.4	1.04	44.2	1.25
Sawyer.....	45.5	1.45	28.7	1.04	41.0	1.15
Shoshone.....	75.5	1.37	37.1	1.04	73.2	1.15
Silver Bow.....	46.5	1.45	33.6	1.06	32.0	1.19
Sweet Grass.....	85.3	1.42	33.6	1.06	41.5	1.17
Teton.....	75.0	1.43	34.7	1.10	31.1	1.25
Thompson.....	69.0	1.41	37.9	1.11	60.2	1.17
Tobacco.....	61.0	1.42	37.9	1.02	61.0	1.15
Tribe.....	41.0	1.44	35.8	1.10	39.6	1.12
Union.....	73.4	1.39	35.2	1.06	60.6	1.19
Wagon Wheel.....	74.7	1.41	38.1	1.04	71.0	1.15
Yellowstone.....	53.1	1.44	30.9	1.04	45.4	1.15
.....	53.8	1.44	29.9	1.08	40.2	1.11
.....	64.5	1.39	28.7	1.00	63.8	1.14
.....	70.7	1.39	38.0	1.06	65.2	1.12
.....	70.3	1.39	37.4	1.05	55.2	1.13
.....	75.9	1.40	34.7	1.04	64.7	1.15
.....	50.0	1.44	36.2	1.07	36.9	1.18
.....	48.5	1.45	32.2	1.09	41.9	1.25
.....	80.0	1.41	37.1	1.12	56.9	1.15
.....	55.3	1.43	35.0	1.04	54.2	1.17
.....	55.0	1.43	35.3	1.10	40.7	1.22
.....	75.1	1.42	35.3	1.13	57.5	1.16
.....	17.0	1.42	44.3	1.12	44.3	1.21
.....	56.8	1.49	31.6	1.03	43.0	1.17
.....	71.9	1.39	31.9	1.03	43.2	1.11
.....	71.9	1.39	32.9	1.09	56.2	1.11
.....	46.1	1.44	33.3	1.00	43.2	1.24
.....	71.2	1.39	33.1	1.00	46.0	1.13
.....	68.0	1.44	33.7	1.00	52.0	1.14
.....	42.0	1.37	35.7	1.01	42.4	1.17
.....	53.1	1.44	31.5	1.03	41.4	1.17
.....	37.7	1.42	33.4	1.04	53.0	1.15
.....	66.4	1.41	34.5	1.10	51.5	1.15
.....	53.0	1.43	35.0	1.12	56.2	1.21
.....	48.0	1.44	33.7	1.00	43.0	1.14
.....	47.8	1.44	33.7	1.05	44.5	1.14
.....	71.8	1.37	37.0	1.03	65.4	1.15
.....	47.6	1.44	33.1	1.00	41.8	1.17
.....	72.2	.....	34.5	.....	59.5	.....

MONTANA

Bismarck.....	1.44	46.3	0.51
Big Horn.....	1.44	33.9	.....
Bullock.....	1.44	73.0	.....
Broadwater.....	1.44	37.5	.....

NEBRASKA

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
A. S. S. Co.....	63.6	1.24	23.0	1.02	70.4	1.12
Arthur.....	43.9	1.23	25.6	1.03	28.9	1.08
Banner.....	43.7	1.40	25.4	1.01	22.3	1.00
Benson.....	74.1	1.24	.....	.....	22.3	1.10
Bonanza.....	74.1	1.24	33.9	1.03	54.7	1.00
Box Butte.....	53.2	1.39	.....	.....	28.7	1.00
Boyd.....	38.6	1.33	25.2	1.03	43.0	1.00
Burns.....	73.1	1.33	33.8	1.00	48.0	1.00
Butte.....	85.5	1.54	25.3	1.02	52.4	1.10
Burt.....	34.4	1.35	33.0	1.03	30.5	1.13

NEBRASKA—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Sheridan	34.4	1.28	26.4	1.05	34.6	1.00
Sherman	60.7	1.24	34.0	1.02	43.1	1.11
Short	55.9	1.40	35.4	1.05	67.5	1.11
Shurt	68.1	1.34	37.9	1.05	55.9	1.12
Stanton	88.1	1.34	37.2	1.04	64.9	1.13
Thayer	46.0	1.35	35.7	1.05	26.6	1.09
Thosmas	71.1	1.34	35.7	1.05	74.0	1.12
Tipton	60.4	1.34	29.5	1.01	59.9	1.09
Valley	85.5	1.35	33.4	1.05	78.9	1.13
Wadsworth	64.4	1.33	34.9	1.05	65.5	1.10
Waller	84.4	1.34	35.2	1.02	42.5	1.11
Webster	55.7	1.34	23.8	1.05	44.6	1.10
York	90.4	1.34	23.8	1.05	73.1	1.12
State	75.7	1.34	27.2	1.05	61.7	1.11

NEVADA

Churchill	75.1	1.37	60.3	1.08	40.1	1.11
Clark	74.1	1.37	59.0	1.08	67.5	1.11
Douglas	53.1	1.37	33.1	1.08	53.1	1.11
Elko	42.2	1.37	26.7	1.08	42.2	1.11
Esmeralda	35.8	1.37	35.8	1.08	27.3	1.11
Eureka	42.3	1.37	35.8	1.08	27.4	1.11
Hamboldt	35.8	1.37	35.8	1.08	42.3	1.11
Lander	62.2	1.37	32.6	1.08	45.1	1.11
Lyon	74.1	1.37	45.1	1.08	45.1	1.11
Mineral	45.1	1.37	45.1	1.08	45.1	1.11
Nye	42.3	1.37	42.3	1.08	42.3	1.11
Ormsby	75.3	1.37	56.1	1.08	31.0	1.11
Pershing	25.0	1.37	42.3	1.08	27.9	1.11
Storey	74.1	1.37	27.9	1.08	27.9	1.11
Washoe	74.1	1.37	33.0	1.08	33.0	1.11
White Pine	74.9	1.37	33.0	1.08	33.0	1.11
State	74.9	1.37	33.0	1.08	33.0	1.11

NEW HAMPSHIRE

Belknap	77.9	1.61	77.9	1.61	77.9	1.61
Carruth	70.1	1.61	70.1	1.61	70.1	1.61
Cheshire	71.2	1.61	71.2	1.61	71.2	1.61
Coos	71.4	1.61	71.4	1.61	71.4	1.61
Grant	61.8	1.61	61.8	1.61	61.8	1.61
Hillsborough	74.9	1.61	74.9	1.61	74.9	1.61
Merrimack	67.9	1.61	67.9	1.61	67.9	1.61
Rockingham	67.9	1.61	67.9	1.61	67.9	1.61
Stratford	67.9	1.61	67.9	1.61	67.9	1.61
Sullivan	67.9	1.61	67.9	1.61	67.9	1.61
State	67.9	1.61	67.9	1.61	67.9	1.61

NEW JERSEY

Atlantic	67.9	1.57	48.2	1.11	40.3	1.25
Bergen	75.0	1.57	52.3	1.11	50.1	1.25
Burlington	68.2	1.57	46.2	1.11	52.5	1.25
Camden	68.1	1.57	50.4	1.11	44.9	1.25
Cape May	75.3	1.57	52.3	1.11	51.0	1.25
Essex	67.9	1.57	48.9	1.11	53.2	1.25
Gloucester	67.9	1.57	48.9	1.11	47.7	1.25
Hudson	74.0	1.57	48.1	1.11	57.6	1.25
Hunterdon	75.0	1.57	52.3	1.11	57.6	1.25
Mercer	75.0	1.57	52.3	1.11	59.7	1.25

NEBRASKA—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Burtis	79.1	1.34	30.8	1.03	72.5	1.12
Cass	78.6	1.35	31.2	1.04	71.0	1.14
Cedar	62.3	1.33	34.2	1.03	108.7	1.10
Chase	58.5	1.37	26.1	1.05	41.7	1.09
Cherry	24.0	1.35	21.3	1.03	20.0	1.09
Chrysemas	37.9	1.38	27.0	1.02	27.0	1.09
Clay	108.0	1.34	27.9	1.03	68.3	1.13
Colfax	74.5	1.34	30.1	1.03	69.2	1.13
Cumming	78.1	1.34	26.8	1.03	76.1	1.13
Custer	67.1	1.35	29.8	1.03	49.1	1.09
Dakota	71.9	1.33	30.2	1.03	63.0	1.09
Dawson	33.0	1.39	23.1	1.05	30.0	1.09
Dawson	100.4	1.34	25.5	1.02	60.2	1.09
Deuel	71.9	1.39	23.0	1.05	63.2	1.10
Dixon	66.3	1.33	27.8	1.03	77.8	1.13
Dodge	83.0	1.34	31.1	1.03	71.3	1.13
Douglas	45.8	1.35	24.8	1.04	35.3	1.09
Dundy	62.0	1.34	27.7	1.03	45.9	1.13
Fillmore	51.5	1.34	27.5	1.03	53.4	1.11
Franklin	44.8	1.35	27.5	1.03	36.3	1.09
Frontier	69.9	1.35	27.5	1.03	49.1	1.10
Furnas	64.8	1.35	27.0	1.04	65.6	1.10
Gage	70.0	1.35	28.0	1.04	35.7	1.09
Garfield	57.8	1.34	28.0	1.03	47.0	1.09
Gardner	57.8	1.34	28.0	1.03	47.0	1.10
Gosper	51.4	1.35	25.3	1.03	47.9	1.10
Grant	62.5	1.35	26.4	1.03	59.5	1.10
Grady	107.4	1.34	26.0	1.03	71.3	1.11
Hall	108.8	1.34	27.7	1.03	74.8	1.12
Harrison	75.0	1.34	24.8	1.03	53.9	1.11
Hart	40.7	1.37	26.4	1.05	31.4	1.09
Harrison	69.0	1.37	27.4	1.05	36.4	1.09
Hick	41.1	1.35	21.4	1.02	48.4	1.09
Holmes	22.6	1.35	25.3	1.03	25.3	1.09
Horn	78.6	1.34	30.8	1.03	62.0	1.13
Huffman	58.9	1.35	28.2	1.04	68.0	1.14
Jackson	63.9	1.35	28.2	1.04	70.7	1.11
Kearney	100.7	1.34	26.4	1.03	31.8	1.09
Kelley	33.8	1.35	26.3	1.03	36.0	1.09
Kerr	53.2	1.33	27.4	1.03	31.7	1.09
Kiowa	53.1	1.32	29.9	1.03	51.0	1.10
Lincoln	60.3	1.34	31.0	1.04	70.6	1.14
Loup	60.3	1.35	23.7	1.03	38.6	1.09
Logan	50.3	1.36	23.7	1.03	44.2	1.09
Logan	61.9	1.36	23.4	1.03	42.9	1.09
Loop	30.0	1.35	24.7	1.03	41.6	1.09
Madison	70.0	1.34	30.1	1.03	60.0	1.11
Madison	98.9	1.34	26.2	1.03	67.5	1.12
Merrick	75.7	1.40	27.0	1.09	62.2	1.09
Morrill	68.0	1.34	25.9	1.03	57.1	1.10
Nemaha	74.7	1.35	28.8	1.04	72.2	1.14
Nemaha	75.2	1.34	25.8	1.02	82.2	1.11
Nebraska	74.3	1.34	28.3	1.04	64.4	1.14
Nebraska	60.5	1.37	27.5	1.04	64.4	1.15
Perkins	45.2	1.37	27.2	1.05	31.0	1.09
Phelps	97.5	1.34	25.3	1.01	66.3	1.10
Pierce	29.1	1.33	26.9	1.03	58.8	1.11
Platte	75.3	1.34	28.2	1.03	67.4	1.11
Polk	93.0	1.34	30.9	1.03	74.9	1.12
Red Willow	73.5	1.36	29.4	1.09	49.0	1.09
Richardson	69.1	1.36	29.5	1.04	75.7	1.15
Rock	48.8	1.33	22.0	1.04	34.8	1.09
Saline	73.7	1.34	27.4	1.04	64.0	1.14
Sarpy	86.0	1.35	21.6	1.03	75.0	1.13
Seward	88.3	1.34	23.1	1.03	73.8	1.13
Scotts Bluff	51.1	1.34	22.0	1.03	45.2	1.09
Seward	50.4	1.34	27.1	1.03	71.9	1.12

NEW YORK—Continued

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Franklin	54.0	1.56	50.1	1.11	Franklin	54.0	1.56
Fulton	72.2	1.56	32.7	1.11	Fulton	72.2	1.56
Genesee	76.3	1.56	32.7	1.11	Genesee	76.3	1.56
Greene	73.4	1.56	35.0	1.11	Greene	73.4	1.56
Hamilton	71.3	1.56	42.9	1.11	Hamilton	71.3	1.56
Herkimer	60.8	1.56	36.1	1.11	Herkimer	60.8	1.56
Jefferson	57.8	1.56	36.6	1.11	Jefferson	57.8	1.56
Lewis	76.3	1.56	46.3	1.11	Lewis	76.3	1.56
Livingston	53.6	1.56	30.8	1.11	Livingston	53.6	1.56
Madison	75.4	1.56	52.1	1.11	Madison	75.4	1.56
Monroe	73.6	1.56	36.2	1.11	Monroe	73.6	1.56
Montgomery	73.6	1.56	36.2	1.11	Montgomery	73.6	1.56
Nassau	73.6	1.56	36.2	1.11	Nassau	73.6	1.56
New York City	82.1	1.56	45.1	1.11	New York City	82.1	1.56
Niagara	80.0	1.56	35.6	1.11	Niagara	80.0	1.56
Ontario	75.5	1.56	44.2	1.11	Ontario	75.5	1.56
Oran	77.2	1.56	50.8	1.11	Oran	77.2	1.56
Orange	67.6	1.56	37.4	1.11	Orange	67.6	1.56
Oriskany	51.6	1.56	47.0	1.11	Oriskany	51.6	1.56
Oswego	78.9	1.56	38.1	1.11	Oswego	78.9	1.56
Putnam	47.7	1.56	45.5	1.11	Putnam	47.7	1.56
Rensselaer	77.5	1.56	35.4	1.11	Rensselaer	77.5	1.56
Richmond	62.6	1.56	37.4	1.11	Richmond	62.6	1.56
Rockland	54.0	1.56	35.1	1.11	Rockland	54.0	1.56
St. Lawrence	78.3	1.56	38.4	1.11	St. Lawrence	78.3	1.56
Saratoga	77.4	1.56	38.4	1.11	Saratoga	77.4	1.56
Schoharie	93.1	1.56	36.9	1.11	Schoharie	93.1	1.56
Schuyler	77.0	1.56	35.4	1.11	Schuyler	77.0	1.56
Seneca	74.7	1.56	45.3	1.11	Seneca	74.7	1.56
Stonewall	73.0	1.56	35.9	1.11	Stonewall	73.0	1.56
Suffolk	71.0	1.56	35.9	1.11	Suffolk	71.0	1.56
Sullivan	70.0	1.56	35.9	1.11	Sullivan	70.0	1.56
Tioga	73.7	1.56	33.3	1.11	Tioga	73.7	1.56
Tompkins	73.5	1.56	35.8	1.11	Tompkins	73.5	1.56
Ulster	75.6	1.56	36.4	1.11	Ulster	75.6	1.56
Warren	63.0	1.56	35.1	1.11	Warren	63.0	1.56
Washington	79.2	1.56	35.8	1.11	Washington	79.2	1.56
Wayne	79.0	1.56	40.7	1.11	Wayne	79.0	1.56
Westchester	74.9	1.56	45.7	1.11	Westchester	74.9	1.56
Wyoming	78.0	1.56	45.7	1.11	Wyoming	78.0	1.56
Yates	78.4	1.56	45.8	1.11	Yates	78.4	1.56
State	74.7	1.56	45.8	1.11	State	74.7	1.56

NORTH CAROLINA

Alamance	63.5	1.55	45.6	1.11
Alexander	57.3	1.55	37.1	1.11
Allegany	72.2	1.55	33.6	1.11
Ashe	55.6	1.55	38.8	1.11
Avery	71.5	1.55	35.7	1.11
Beaufort	88.1	1.55	36.5	1.11
Bladen	82.4	1.55	34.6	1.11
Blount	78.2	1.55	41.2	1.11
Brunswick	69.0	1.55	36.1	1.11
Buncombe	65.6	1.55	36.6	1.11
Burke	69.0	1.55	41.3	1.11
Cabarrus	54.8	1.55	38.3	1.11
Caldwell	61.8	1.55	36.9	1.11
Camden	95.0	1.55	41.0	1.11
Carroll	61.4	1.55	37.7	1.11
Catawba	65.1	1.55	36.4	1.11
Chatham	61.1	1.55	43.1	1.11
Cherokee	61.1	1.55	43.1	1.11

NEW JERSEY—Continued

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Middlesex	76.0	1.57	52.3	1.25
Monmouth	76.0	1.57	57.0	1.25
Morris	74.1	1.57	62.9	1.25
Osage	67.5	1.57	56.0	1.25
Passaic	67.5	1.57	55.4	1.25
Salem	72.3	1.57	60.9	1.25
Somerset	72.7	1.57	58.9	1.25
Sussex	74.7	1.57	62.4	1.25
Union	67.0	1.57	55.4	1.25
Warren	76.0	1.57	63.5	1.25
State	74.7	1.57	58.5	1.25

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Bernardino	61.4	1.53	53.7	1.15
Catron	65.0	1.53	53.1	1.14
Chaves	66.7	1.53	50.2	1.14
Colfax	59.6	1.53	49.4	1.14
Curry	65.3	1.53	45.0	1.14
De Baca	66.3	1.53	42.0	1.14
Doña Ana	72.4	1.53	67.4	1.14
Eddy	62.9	1.53	58.9	1.14
Grant	67.8	1.53	53.9	1.14
Guanajuato	46.0	1.53	47.5	1.14
Harding	59.1	1.53	55.3	1.15
Hidalgo	87.4	1.53	60.2	1.15
Lea	64.8	1.53	57.0	1.15
Lincoln	28.8	1.53	35.1	1.15
Luna	87.6	1.53	58.8	1.14
McKinley	17.9	1.53	28.0	1.14
Mora	30.7	1.53	35.0	1.14
Otero	60.3	1.53	44.3	1.14
Quay	46.8	1.53	29.0	1.14
Rio Arriba	28.7	1.53	23.0	1.14
Roswell	60.3	1.53	47.5	1.14
Sandoval	34.5	1.53	27.9	1.14
San Juan	36.2	1.53	26.0	1.14
Santa Fe	55.5	1.53	45.0	1.14
Shera	55.7	1.53	63.0	1.14
Socorro	44.8	1.53	45.9	1.14
Taos	26.7	1.53	42.1	1.14
Torrans	45.0	1.53	48.0	1.14
Union	25.6	1.53	40.0	1.14
Valencia	29.1	1.53	37.1	1.14
State	52.2	1.53	53.4	1.14

NEW YORK

Albany	55.0	1.56	34.3	1.25
Albany	57.1	1.56	36.0	1.25
Cattaraugus	72.2	1.56	57.7	1.25
Cayuga	51.2	1.56	45.9	1.25
Chemung	51.2	1.56	40.1	1.25
Chemung	51.2	1.56	38.7	1.25
Chenango	68.4	1.56	40.7	1.25
Columbia	45.1	1.56	31.5	1.25
Columbia	73.0	1.56	41.1	1.25
Cortland	68.8	1.56	41.4	1.25
Delaware	66.0	1.56	37.4	1.25
Dutchess	76.1	1.56	41.0	1.25
Erse	78.1	1.56	47.5	1.25
Essex	55.6	1.56	39.1	1.25

SOUTH CAROLINA—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Williamsburg	55.5	1.55	31.2	1.11	27.1	1.23
York	53.8	1.55	28.5	1.11	30.5	1.23
York State	53.8	1.55	28.7	1.11	32.5	1.23

SOUTH DAKOTA						
County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Aurora	36.8	1.28	22.4	1.05	20.7	1.05
Beauregard	35.4	1.27	20.8	1.05	34.2	1.05
Benson	35.0	1.34	31.8	1.05	22.1	1.05
Ben Hur	45.6	1.29	32.2	1.02	45.0	1.05
Brookings	45.5	1.27	28.3	1.04	40.1	1.05
Butte	41.2	1.27	22.8	1.02	22.1	1.05
DeSmet	30.9	1.28	25.9	1.01	40.0	1.05
DeWitt	27.5	1.28	31.4	1.05	31.4	1.05
Flourish	49.1	1.24	34.9	1.05	28.9	1.05
Charles Mix	38.1	1.30	33.1	1.05	33.1	1.05
Clay	28.9	1.27	28.7	1.00	45.4	1.07
Clayton	41.3	1.31	31.3	1.04	28.8	1.05
Codington	32.3	1.32	33.3	1.04	38.4	1.05
Custer	47.0	1.27	26.2	1.03	21.1	1.05
Dayton	43.8	1.27	32.0	1.03	20.8	1.05
Deuel	45.9	1.27	34.9	1.04	37.9	1.05
Dewey	33.9	1.27	30.1	1.04	32.5	1.05
Douglas	43.0	1.25	28.1	1.06	18.5	1.05
Edwards	37.1	1.28	28.5	1.00	44.9	1.05
Edwards	40.1	1.28	28.5	1.02	22.2	1.05
Fall River	33.3	1.29	28.4	1.03	22.7	1.05
Faulk	31.0	1.27	27.1	1.03	32.1	1.05
Gregory	36.2	1.28	32.1	1.01	43.6	1.05
Haskell	31.8	1.23	33.6	1.05	18.4	1.05
Hamlin	45.9	1.27	32.6	1.05	32.4	1.05
Hanson	33.2	1.28	30.1	1.02	33.1	1.07
Hanson	44.3	1.28	33.1	1.04	22.5	1.05
Harding	29.2	1.34	27.4	1.05	38.7	1.05
Hughes	30.2	1.30	31.9	1.01	28.2	1.05
Hutchinson	46.8	1.29	32.3	1.05	35.2	1.05
Hyde	32.3	1.29	28.5	1.05	10.5	1.05
Jackson	34.7	1.27	33.7	1.02	33.9	1.05
Jerauld	35.0	1.27	29.2	1.00	28.6	1.05
Joseph	35.0	1.27	33.7	1.02	33.2	1.05
Kingsbury	43.5	1.27	34.0	1.03	35.2	1.05
Lake	33.7	1.26	34.7	1.02	45.7	1.05
Laurens	34.9	1.30	34.3	1.05	17.3	1.05
Lincoln	39.7	1.30	30.3	1.02	60.2	1.10
Lynn	30.6	1.29	27.9	1.01	32.5	1.05
McCook	47.1	1.29	36.0	1.02	46.0	1.05
McPherson	36.4	1.29	34.2	1.05	23.1	1.05
Marshall	40.3	1.27	34.2	1.05	22.0	1.05
Meade	28.7	1.33	30.7	1.05	26.5	1.05
Mellette	34.5	1.32	30.1	1.05	26.5	1.05
Miner	28.5	1.28	30.6	1.03	43.1	1.05
Minnehaha	36.8	1.29	41.8	1.02	45.4	1.05
Moody	38.6	1.28	37.2	1.05	46.9	1.05
Pennington	25.3	1.34	24.2	1.05	18.9	1.05
Perrine	27.7	1.33	23.9	1.05	16.7	1.05
Peterson	34.1	1.33	30.8	1.02	27.1	1.05
Roberts	47.3	1.27	24.9	1.03	33.7	1.05
Sabourin	29.0	1.28	24.0	1.02	34.1	1.05
Sully	25.0	1.36	31.4	1.04	36.9	1.05
Spink	38.1	1.32	31.3	1.04	36.9	1.05
Stanton	36.4	1.32	31.0	1.05	28.3	1.05
Sumner	32.9	1.32	27.3	1.05	28.1	1.05
Todd	32.1	1.32	27.3	1.05	28.1	1.05
Tripp	32.1	1.32	27.3	1.05	28.1	1.05
Turner	30.5	1.30	24.1	1.01	35.4	1.05

PENNSYLVANIA—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Union	71.8	1.56	48.0	1.11	51.1	1.23
Venango	44.9	1.56	52.0	1.11	51.1	1.23
Warren	69.3	1.56	48.0	1.11	51.1	1.23
Washington	63.3	1.56	44.0	1.11	51.1	1.23
Wayne	66.1	1.56	44.0	1.11	51.1	1.23
Westmoreland	66.3	1.56	44.0	1.11	51.1	1.23
Wyoming	70.8	1.56	52.0	1.11	51.1	1.23
York	71.7	1.56	52.0	1.11	51.1	1.23
York State	71.8	1.56	52.0	1.11	51.1	1.23

RHODE ISLAND						
County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Bristol	53.1	1.61	49.2	1.25	49.2	1.25
Kent	53.1	1.61	49.2	1.25	49.2	1.25
Newport	53.1	1.61	49.2	1.25	49.2	1.25
Providence	53.1	1.61	49.2	1.25	49.2	1.25
Washington	53.1	1.61	49.2	1.25	49.2	1.25
Washington State	53.1	1.61	49.2	1.25	49.2	1.25

SOUTH CAROLINA						
County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Abbeville	34.2	1.55	33.5	1.11	33.5	1.23
Aiken	27.6	1.55	34.5	1.11	32.4	1.23
Allendale	29.2	1.55	33.0	1.11	34.7	1.23
Anderson	42.5	1.55	33.5	1.11	26.3	1.23
Bamberg	40.7	1.55	31.8	1.11	34.8	1.23
Bartholomew	27.8	1.55	31.9	1.11	25.3	1.23
Beaufort	44.8	1.55	33.9	1.11	33.6	1.23
Calhoun	33.2	1.55	30.7	1.11	30.1	1.23
Charleston	65.1	1.55	36.3	1.11	34.1	1.23
Charleston	30.6	1.55	30.9	1.11	25.6	1.23
Cherokee	34.9	1.55	33.4	1.11	28.0	1.23
Christchurch	41.4	1.55	30.7	1.11	33.4	1.23
Clarendon	60.4	1.55	35.0	1.11	28.7	1.23
Colleton	52.9	1.55	30.8	1.11	34.1	1.23
Darlington	58.5	1.55	32.7	1.11	27.6	1.23
Dillon	31.9	1.55	33.5	1.11	30.0	1.23
Dorchester	43.9	1.55	31.9	1.11	28.4	1.23
Edgefield	42.1	1.55	32.7	1.11	28.4	1.23
Fairfield	37.9	1.55	34.3	1.11	31.5	1.23
Florence	32.5	1.55	32.5	1.11	31.8	1.23
Georgetown	37.9	1.55	32.5	1.11	29.9	1.23
Greenville	42.1	1.55	33.9	1.11	25.2	1.23
Greenwood	62.8	1.55	38.4	1.11	33.9	1.23
Hampton	64.0	1.55	32.1	1.11	30.4	1.23
Horry	51.9	1.55	37.1	1.11	30.8	1.23
Jasper	45.5	1.55	37.0	1.11	34.4	1.23
Kershaw	31.0	1.55	32.1	1.11	29.7	1.23
Lancaster	35.6	1.55	32.4	1.11	29.7	1.23
Law	58.0	1.55	37.5	1.11	30.4	1.23
Lexington	42.1	1.55	34.1	1.11	29.6	1.23
McCormick	31.8	1.55	33.1	1.11	25.0	1.23
Marion	55.0	1.55	34.3	1.11	28.6	1.23
Marlboro	53.5	1.55	32.2	1.11	29.2	1.23
Newberry	28.7	1.55	44.0	1.11	34.8	1.23
Oconee	42.7	1.55	37.6	1.11	31.3	1.23
Orangeburg	59.0	1.55	34.2	1.11	28.5	1.23
Pickens	28.1	1.55	34.5	1.11	33.0	1.23
Richland	61.3	1.55	39.0	1.11	30.4	1.23
Sabala	41.3	1.55	29.0	1.11	38.5	1.23
Spartanburg	38.4	1.55	36.9	1.11	32.4	1.23
Sumter	59.2	1.55	36.9	1.11	32.3	1.23
Union	31.7	1.55	35.8	1.11	33.7	1.23

TENNESSEE—Continued

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Marion	59.2	1.00	25.5	1.08	45.5	1.30
Marshall	50.7	1.31	24.8	1.08	44.0	1.30
Maury	52.8	1.32	24.5	1.08	44.0	1.30
Meigs	60.1	1.32	27.4	1.08	48.9	1.30
Monroe	65.1	1.33	29.4	1.08	47.3	1.30
Montgomery	62.7	1.49	32.3	1.08	46.3	1.30
Moore	52.3	1.31	24.8	1.08	42.3	1.30
Morgan	57.1	1.32	27.2	1.08	41.9	1.30
O'Brien	44.6	1.31	21.9	1.08	37.9	1.30
Overton	49.2	1.49	21.9	1.08	40.5	1.30
Perry	73.0	1.31	33.5	1.08	51.3	1.30
Pickett	64.0	1.32	33.5	1.08	45.4	1.30
Polk	64.1	1.32	29.5	1.08	43.7	1.30
Putnam	59.3	1.32	29.5	1.08	40.5	1.30
Rhea	57.6	1.33	27.9	1.08	45.4	1.30
Rhea County	67.0	1.49	36.5	1.08	49.7	1.30
Robertson	53.3	1.32	25.7	1.08	44.5	1.30
Rutherford	54.7	1.32	25.7	1.08	44.5	1.30
Scott	60.3	1.32	27.0	1.08	41.3	1.30
Seymour	65.8	1.34	29.5	1.08	50.1	1.30
Shelby	49.7	1.47	29.9	1.10	44.3	1.30
Shelby County	53.7	1.50	27.5	1.08	40.9	1.30
Stewart	56.0	1.49	35.4	1.08	46.3	1.30
Sumner	72.6	1.54	38.5	1.08	58.2	1.30
Swain	55.6	1.50	31.2	1.08	46.6	1.30
Sumner County	53.8	1.47	35.0	1.08	45.5	1.30
Tipton	54.5	1.59	28.0	1.08	45.5	1.30
Trigg	65.8	1.54	36.0	1.08	54.5	1.30
Union	58.4	1.33	27.0	1.08	33.4	1.30
Van Buren	58.0	1.33	23.2	1.08	40.4	1.30
Warren	65.1	1.33	23.2	1.08	37.3	1.30
Washington	78.8	1.54	40.1	1.08	62.5	1.30
Wayne	59.0	1.49	24.4	1.08	50.5	1.30
Weakley	67.6	1.47	27.3	1.08	38.6	1.30
White	68.6	1.51	25.8	1.08	38.6	1.30
Williamson	54.7	1.50	30.4	1.08	47.1	1.30
Wilson	59.3	1.50	31.4	1.08	45.5	1.30
State	61.7	1.50	31.4	1.08	45.5	1.30

TEXAS

Anderson	31.7	1.49	18.7	1.14	33.3	1.37
Andrews	41.7	1.49	28.8	1.14	38.0	1.35
Angelina	29.9	1.49	29.9	1.14	34.7	1.35
Araucario	59.0	1.49	20.5	1.03	29.7	1.31
Archer	33.1	1.49	23.4	1.11	37.0	1.30
Armstrong	59.0	1.49	20.5	1.03	29.7	1.31
Austin	35.3	1.49	23.4	1.11	41.2	1.30
Austin County	71.9	1.49	29.5	1.02	53.8	1.30
Bailey	24.8	1.49	18.5	1.10	22.5	1.27
Baughman	33.7	1.49	23.0	1.15	46.4	1.28
Baylor	22.8	1.49	23.0	1.02	34.1	1.23
Bee	33.5	1.49	18.7	1.15	45.1	1.34
Bell	35.9	1.49	25.4	1.13	44.2	1.27
Benton	35.9	1.49	25.4	1.13	44.4	1.28
Brewster	23.3	1.49	20.8	1.13	27.9	1.25
Brown	21.5	1.49	15.4	1.02	25.4	1.20
Brown County	31.8	1.49	19.7	1.11	34.9	1.27
Brownsville	33.6	1.49	35.1	1.06	34.8	1.28
Brazoria	35.2	1.49	31.1	1.05	32.8	1.32
Brazos	36.7	1.49	31.1	1.17	35.2	1.30
Brewster	34.5	1.49	34.5	1.03	42.1	1.30
Briscoe	63.6	1.49	34.8	1.02	71.5	1.30

SOUTH DAKOTA—Continued

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Union	66.6	1.31	32.4	1.03	42.0	1.10
Wagner	23.5	1.31	35.2	1.00	33.5	1.06
Washington	25.1	1.33	28.5	1.06	19.4	1.06
Yankton	41.5	1.39	32.4	1.01	37.8	1.10
Zachary	23.7	1.33	28.5	1.06	17.2	1.06
State	45.1	1.33	31.9	1.06	32.0	1.06

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Anderson	54.4	1.33	32.3	1.08	28.7	1.20
Becker	51.4	1.30	23.7	1.08	40.8	1.20
Benet	60.9	1.49	22.6	1.08	38.6	1.20
Big Lake	70.7	1.51	31.3	1.08	55.6	1.20
Blount	78.4	1.54	36.9	1.08	49.3	1.20
Bradley	65.1	1.52	30.4	1.08	41.9	1.20
Campbell	64.3	1.52	30.4	1.08	41.9	1.20
Canon	59.6	1.53	24.7	1.08	45.6	1.20
Carroll	59.6	1.51	27.7	1.08	42.4	1.20
Carter	58.5	1.48	27.7	1.08	42.4	1.20
Chas. De Witt	71.7	1.54	36.6	1.08	58.9	1.20
Chas. De Witt County	54.9	1.49	36.4	1.08	58.9	1.20
Chester	68.5	1.48	40.3	1.08	43.2	1.20
Clatsop	73.2	1.53	28.7	1.08	38.7	1.20
Clay	58.5	1.51	28.4	1.08	40.6	1.20
Cook	64.5	1.54	38.9	1.08	48.7	1.20
Coffee	62.4	1.50	22.5	1.08	46.7	1.20
Crocker	62.4	1.48	22.5	1.08	42.3	1.20
Cumby	62.4	1.52	22.4	1.08	32.7	1.20
Dawson	62.4	1.50	22.4	1.08	34.3	1.20
De Smet	61.9	1.47	22.0	1.08	44.3	1.20
De Kalb	52.9	1.51	23.1	1.08	47.7	1.20
Dickson	52.9	1.47	26.7	1.08	50.5	1.20
Dyer	52.9	1.47	26.7	1.08	38.0	1.20
Egbert	62.5	1.49	26.7	1.08	39.3	1.20
Emery	62.5	1.49	26.7	1.08	39.3	1.20
Franklin	68.1	1.53	26.7	1.08	42.3	1.20
Gibson	51.0	1.47	26.0	1.08	48.8	1.20
Glass	51.0	1.49	26.0	1.08	40.3	1.20
Grant	66.7	1.54	33.9	1.08	44.3	1.20
Grundy	62.3	1.51	37.0	1.08	47.7	1.20
Hamilton	62.3	1.54	36.9	1.08	50.5	1.20
Haskell	57.3	1.54	36.9	1.08	38.0	1.20
Haskell County	70.3	1.54	27.0	1.08	39.3	1.20
Haskell County	54.9	1.48	35.1	1.08	42.6	1.20
Hickman	53.4	1.49	31.3	1.08	38.9	1.20
Hickman County	63.4	1.54	32.1	1.08	37.1	1.20
Hilgerson	61.0	1.48	30.4	1.08	51.8	1.20
Hilgerson County	62.5	1.48	30.4	1.08	42.3	1.20
Holmes	62.5	1.48	30.4	1.08	51.8	1.20
Holmes County	60.7	1.48	27.1	1.08	45.6	1.20
Houston	59.7	1.49	26.4	1.08	41.5	1.20
Humphreys	59.0	1.49	26.4	1.08	41.5	1.20
Humphreys County	63.9	1.51	26.2	1.08	39.0	1.20
Jackson	67.3	1.54	34.3	1.08	41.9	1.20
Jefferson	81.2	1.54	37.7	1.08	42.3	1.20
Johnson	66.8	1.53	37.0	1.08	46.7	1.20
Kearney	71.0	1.47	26.0	1.08	61.3	1.20
Lake	58.8	1.47	26.0	1.08	42.3	1.20
Lauderdale	47.0	1.49	27.2	1.08	40.5	1.20
Lawrence	57.9	1.49	26.6	1.08	33.4	1.20
Lewis	54.5	1.49	27.0	1.08	45.0	1.20
Linn	64.1	1.53	41.3	1.08	41.7	1.20
London	65.9	1.52	37.0	1.08	40.7	1.20
Madison	54.8	1.49	34.1	1.08	41.0	1.20
Madison County	52.6	1.50	34.1	1.08	45.0	1.20
Madison County	58.0	1.48	35.7	1.08	44.2	1.20

VERMONT—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Lamington	42.7	1.55	38.1	1.11	37.1	1.23
Madison	66.7	1.55	45.1	1.11	37.1	1.23
Madison	72.9	1.55	45.6	1.11	42.1	1.23
Middlebury	46.5	1.55	38.8	1.11	42.1	1.23
Middlesex	71.9	1.55	46.5	1.11	46.9	1.23
Montpelier	46.8	1.55	44.9	1.11	37.1	1.23
Norfolk	82.4	1.55	53.7	1.11	54.8	1.23
Newport	56.8	1.55	53.7	1.11	37.1	1.23
Newport News	85.8	1.55	43.6	1.11	35.3	1.23
Northampton	74.8	1.55	43.8	1.11	45.8	1.23
Northumberland	83.4	1.55	43.3	1.11	53.9	1.23
Northway	48.8	1.55	40.3	1.11	37.9	1.23
Orange	85.5	1.55	46.4	1.11	35.7	1.23
Pago	54.2	1.55	47.3	1.11	42.4	1.23
Pittsford	54.6	1.55	45.8	1.11	37.6	1.23
Pittsford	41.2	1.55	35.0	1.11	35.0	1.23
Princeton	61.1	1.55	44.5	1.11	42.8	1.23
Princeton	44.1	1.55	44.5	1.11	42.8	1.23
Princeton	58.3	1.55	45.0	1.11	45.4	1.23
Putney	42.0	1.55	40.7	1.11	45.0	1.23
Ripton	55.0	1.55	47.1	1.11	45.8	1.23
Ripton	78.8	1.55	51.7	1.11	43.5	1.23
Roxbury	47.2	1.55	43.2	1.11	39.4	1.23
Roxbury	50.0	1.55	46.7	1.11	41.2	1.23
Rockingham	70.7	1.55	42.2	1.11	41.8	1.23
Russell	50.0	1.55	45.6	1.11	40.3	1.23
Scott	57.6	1.55	45.6	1.11	38.2	1.23
Shelburne	42.2	1.55	43.7	1.11	38.2	1.23
Shelburne	75.4	1.55	44.1	1.11	35.0	1.23
Southampton	78.6	1.55	44.7	1.11	35.0	1.23
Stafford	56.9	1.55	45.4	1.11	44.7	1.23
Stark	65.4	1.55	45.0	1.11	46.1	1.23
Stark	70.8	1.55	45.7	1.11	37.4	1.23
Tasewell	60.8	1.55	43.0	1.11	38.2	1.23
Virginia	103.5	1.55	45.8	1.11	53.0	1.23
Washington	55.2	1.55	44.6	1.11	42.4	1.23
Washington	74.4	1.55	43.3	1.11	44.6	1.23
Westmoreland	83.3	1.55	48.7	1.11	41.6	1.23
Windsor	59.8	1.55	43.5	1.11	34.8	1.23
Wyke	78.6	1.55	42.8	1.11	37.0	1.23
York	60.1	1.55	42.8	1.11	42.7	1.23
State	64.1	1.55	46.2	1.11	46.3	1.23

WASHINGTON

County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Adams	118.1	1.51	38.0	1.13	58.9	1.14
Asotin	60.4	1.51	38.0	1.13	38.0	1.14
Benton	78.9	1.51	32.9	1.11	61.2	1.14
Chelan	58.0	1.51	32.9	1.11	32.9	1.14
Clark	78.0	1.51	43.0	1.13	43.0	1.14
Colubia	78.4	1.51	37.0	1.11	37.0	1.14
Columbia	78.4	1.51	37.0	1.11	37.0	1.14
Cowlitz	78.4	1.51	37.0	1.11	37.0	1.14
Douglas	110.0	1.51	38.0	1.13	38.0	1.14
Ferry	66.4	1.51	37.8	1.11	37.8	1.14
Franklin	86.4	1.51	37.8	1.11	37.8	1.14
Garfield	78.8	1.51	37.8	1.11	37.8	1.14
Grainger	111.1	1.51	47.2	1.13	55.7	1.14
Grant	38.8	1.51	37.8	1.11	37.8	1.14
Greys Harbor	86.3	1.51	37.8	1.11	37.8	1.14
Island	40.9	1.51	37.8	1.11	37.8	1.14
Jefferson	40.9	1.51	37.8	1.11	37.8	1.14
King	40.9	1.51	37.8	1.11	37.8	1.14
Kingston	40.9	1.51	37.8	1.11	37.8	1.14
Kittitas	51.8	1.51	37.8	1.11	37.8	1.14

VERMONT—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Grand Isle	79.2	1.61	35.9	1.11	30.8	1.25
Lamoille	69.0	1.61	35.9	1.11	30.8	1.25
Orange	72.0	1.61	35.9	1.11	30.8	1.25
Orleans	62.0	1.61	35.9	1.11	30.8	1.25
Orleans	67.0	1.61	35.9	1.11	30.8	1.25
Washington	74.0	1.61	35.9	1.11	30.8	1.25
Windham	69.5	1.61	35.9	1.11	30.8	1.25
Windsor	68.3	1.61	35.9	1.11	30.8	1.25
State	68.3	1.61	35.9	1.11	30.8	1.25

VIRGINIA						
County	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Accomack	77.3	1.52	42.3	1.11	45.7	1.23
Albemarle	53.2	1.52	41.5	1.11	41.4	1.23
Albemarle	62.6	1.52	41.5	1.11	41.4	1.23
Amelia	46.5	1.52	32.1	1.11	32.1	1.23
Arlington	46.7	1.52	32.1	1.11	32.1	1.23
Arlington	43.8	1.52	41.6	1.11	41.5	1.23
Augusta	63.0	1.52	43.0	1.11	43.1	1.23
Bath	63.4	1.52	42.4	1.11	42.4	1.23
Bedford	59.2	1.52	49.7	1.11	49.3	1.23
Bland	64.0	1.52	42.6	1.11	38.2	1.23
Botetourt	69.3	1.52	44.4	1.11	41.3	1.23
Brunswick	49.9	1.52	41.3	1.11	41.3	1.23
Buckingham	43.8	1.52	46.5	1.11	46.5	1.23
Camden	43.7	1.52	41.7	1.11	41.7	1.23
Cambridge	59.0	1.52	50.9	1.11	50.9	1.23
Caroline	64.2	1.52	47.4	1.11	47.4	1.23
Carroll	78.3	1.52	48.2	1.11	48.2	1.23
Charles City	42.3	1.52	45.1	1.11	45.1	1.23
Charlotte	55.5	1.52	44.9	1.11	44.9	1.23
Chesapeake	57.6	1.52	44.5	1.11	44.5	1.23
Chesapeake	60.3	1.52	47.9	1.11	47.9	1.23
Clarke	62.8	1.52	47.1	1.11	47.1	1.23
Clermont	40.3	1.52	45.4	1.11	45.4	1.23
Culpeper	73.4	1.52	45.6	1.11	45.6	1.23
Cummins	58.6	1.52	42.6	1.11	42.6	1.23
Danvers	64.3	1.52	45.9	1.11	45.9	1.23
Essex	67.3	1.52	47.2	1.11	47.2	1.23
Fairfax	47.3	1.52	45.2	1.11	45.2	1.23
Fauquier	52.9	1.52	43.6	1.11	43.6	1.23
Floyd	62.0	1.52	41.4	1.11	41.4	1.23
Fryburn	52.9	1.52	40.3	1.11	40.3	1.23
Fredricks	76.3	1.52	40.3	1.11	40.3	1.23
Giles	69.3	1.52	45.9	1.11	45.9	1.23
Gloucester	52.4	1.52	42.9	1.11	42.9	1.23
Goodland	52.4	1.52	41.7	1.11	41.7	1.23
Greene	73.7	1.52	41.7	1.11	41.7	1.23
Greene	62.5	1.52	38.3	1.11	38.3	1.23
Hall	58.6	1.52	43.6	1.11	43.6	1.23
Hamilton	61.0	1.52	44.9	1.11	44.9	1.23
Hanover	51.0	1.52	47.3	1.11	47.3	1.23
Henry	45.6	1.52	47.3	1.11	47.3	1.23
Highland	62.0	1.52	41.7	1.11	41.7	1.23
Isle of Wight	83.3	1.52	46.4	1.11	46.4	1.23
James City	76.8	1.52	47.3	1.11	47.3	1.23
King & Queen	60.6	1.52	46.1	1.11	46.1	1.23
King George	75.0	1.52	43.6	1.11	43.6	1.23
King William	60.7	1.52	46.1	1.11	46.1	1.23
Lancaster	81.0	1.52	43.6	1.11	43.6	1.23
Lee	62.4	1.52	45.5	1.11	45.5	1.23
Lee	53.2	1.52	42.1	1.11	42.1	1.23
Loudoun	53.2	1.52	42.1	1.11	42.1	1.23
Lynch	53.2	1.52	42.1	1.11	42.1	1.23

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Summers	54.0	1.54	38.7	1.08	.....	1.25
Taylor	60.0	1.54	40.4	1.08	.....	1.25
Tucker	60.0	1.54	40.4	1.08	.....	1.25
Tyler	60.0	1.54	40.4	1.08	.....	1.25
Upshur	60.0	1.54	40.4	1.08	.....	1.25
Wayne	41.1	1.54	34.2	1.08	.....	1.25
Webster	42.0	1.54	.....	1.08	.....	1.25
Wetzel	64.0	1.54	43.4	1.08	.....	1.25
Wood	64.0	1.54	43.4	1.08	.....	1.25
Wyoming	43.0	1.54	35.3	1.08	.....	1.25
State	56.0	1.54	42.3	1.08	44.3	1.25

WISCONSIN

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Adams	64.4	1.39	45.5	1.02	39.0	1.00
Ashland	53.7	1.39	38.4	1.04	27.0	1.00
Barron	70.5	1.37	41.1	1.05	27.0	1.00
Bayfield	56.2	1.35	30.5	1.04	27.0	1.00
Brown	84.2	1.41	46.5	1.04	27.0	1.00
Burnett	83.7	1.38	43.7	1.05	30.0	1.00
Burnside	64.5	1.37	38.0	1.07	27.0	1.00
Calumet	55.1	1.41	30.6	1.04	27.0	1.00
Clark	77.5	1.39	40.4	1.04	27.0	1.00
Columbia	89.0	1.49	54.1	1.04	29.0	1.00
Crawford	100.2	1.49	61.7	1.02	30.0	1.00
Dane	87.8	1.49	48.1	1.05	30.0	1.00
Dodge	96.0	1.49	53.0	1.05	30.0	1.00
Door	75.2	1.42	43.8	1.09	27.0	1.00
Douglas	48.2	1.37	37.7	1.09	27.0	1.00
Dunn	74.5	1.39	41.1	1.05	28.0	1.00
Eschscholtz	75.5	1.39	39.4	1.05	28.0	1.00
Faivre	81.2	1.41	32.5	1.09	27.0	1.00
Fennell	88.0	1.49	48.6	1.05	30.0	1.00
Fond du Lac	91.1	1.41	53.0	1.05	30.0	1.00
Forest	92.6	1.38	47.9	1.02	30.0	1.00
Grant	92.6	1.39	52.0	1.05	30.0	1.00
Green	79.2	1.40	45.2	1.04	28.0	1.00
Green Lake	91.9	1.40	48.4	1.03	28.0	1.00
Iowa	46.3	1.40	34.4	1.03	27.0	1.00
Iron	78.8	1.39	41.7	1.03	28.0	1.00
Jackson	92.1	1.40	46.6	1.05	28.0	1.00
Jefferson	75.4	1.39	41.7	1.05	28.0	1.00
Juniata	92.7	1.41	41.7	1.05	28.0	1.00
Kenosha	83.0	1.42	42.3	1.12	28.0	1.00
La Crosse	90.2	1.39	42.1	1.05	28.0	1.00
Ladyette	91.5	1.39	43.3	1.05	27.0	1.00
Lamfon	71.6	1.41	41.4	1.00	27.0	1.00
Linn	82.4	1.43	50.9	1.04	27.0	1.00
Manitowish	74.7	1.40	45.2	1.01	27.0	1.00
Marquette	68.1	1.40	44.1	1.03	27.0	1.00
Marquette	82.7	1.41	44.1	1.02	27.0	1.00
Menomonie	79.1	1.40	55.6	1.10	30.0	1.00
Menominee	82.7	1.41	55.6	1.09	30.0	1.00
Monroe	73.0	1.39	30.5	1.18	27.0	1.00
Neenah	43.8	1.41	30.5	1.09	27.0	1.00
Oconto	88.1	1.43	46.5	1.03	30.0	1.00
Ontonagon	87.0	1.41	57.0	1.06	30.0	1.00
Outagamie	83.0	1.38	46.5	1.06	30.0	1.00
Parkin	79.5	1.37	46.2	1.07	30.0	1.00
Pierce	68.5	1.37	33.1	1.07	30.0	1.00
Potter	73.9	1.40	47.3	1.02	27.0	1.00
Pribe	63.8	1.39	38.7	1.02	27.0	1.00
Rock	54.3	1.41	41.3	1.10	28.0	1.00

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Allegheny	61.4	1.01	35.3	1.16	.....	1.14
Berkeley	40.6	1.01	40.6	1.10	.....	1.14
Benton	44.8	1.01	42.6	1.11	.....	1.14
Boss	60.1	1.01	38.0	1.09	.....	1.14
Butler	.....	1.01	.....	1.09	.....	1.14
Chatham	44.5	1.01	39.5	1.09	.....	1.14
Clay	54.9	1.01	41.6	1.11	.....	1.14
Clinton	53.0	1.01	44.1	1.11	.....	1.14
Columbia	64.1	1.01	41.6	1.11	.....	1.14
Doddridge	43.9	1.01	45.6	1.11	.....	1.14
Dorchester	47.0	1.01	41.0	1.13	.....	1.14
Franklin	76.0	1.01	46.3	1.10	.....	1.14
Garrettsville	71.4	1.01	42.0	1.14	.....	1.14
Greene	79.1	1.01	40.2	1.11	.....	1.14
Harrison	82.4	1.01	53.3	1.13	51.6	1.14
Washington	110.5	1.01	53.7	1.11	.....	1.14
Wetzel	87.8	1.01	51.0	1.11	.....	1.14
Whitman	92.1	1.01	60.9	1.15	60.9	1.14
Yamhill	95.4	1.01	65.5	1.15	79.1	1.14
State	.....	.....	.....	.....	.....	.....

WEST VIRGINIA

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Barbour	68.0	1.54	27.5	1.08	.....	1.25
Berkley	60.1	1.54	44.0	1.08	.....	1.25
Bonhoe	38.8	1.54	.....	1.08	.....	1.25
Boone	50.0	1.54	.....	1.08	.....	1.25
Brooke	55.2	1.54	41.8	1.08	.....	1.25
Cabell	43.3	1.54	38.9	1.08	.....	1.25
Calloway	48.0	1.54	33.1	1.08	.....	1.25
Clay	43.5	1.54	.....	1.08	44.4	1.25
Doddridge	60.0	1.54	.....	1.08	44.4	1.25
Fayette	51.0	1.54	34.2	1.08	.....	1.25
Gaines	53.0	1.54	.....	1.08	.....	1.25
Grant	57.6	1.54	39.1	1.08	.....	1.25
Greenbrier	54.6	1.54	43.3	1.08	.....	1.25
Hamshire	53.6	1.54	37.5	1.08	.....	1.25
Hancock	46.4	1.54	38.3	1.08	.....	1.25
Hart	59.2	1.54	40.2	1.08	44.4	1.25
Harrison	62.1	1.54	37.7	1.08	.....	1.25
Jackson	57.0	1.54	44.6	1.08	.....	1.25
Jefferson	51.4	1.54	.....	1.08	.....	1.25
Kanawha	43.6	1.54	20.4	1.08	.....	1.25
Lewis	62.0	1.54	.....	1.08	.....	1.25
Logan	40.2	1.54	.....	1.08	.....	1.25
Madison	31.2	1.54	.....	1.08	.....	1.25
Marion	33.0	1.54	.....	1.08	.....	1.25
Martin	42.3	1.54	.....	1.08	.....	1.25
Mason	41.3	1.54	.....	1.08	.....	1.25
Mingo	50.4	1.54	.....	1.08	.....	1.25
Morgan	50.0	1.54	.....	1.08	.....	1.25
Murphy	32.0	1.54	.....	1.08	.....	1.25
Nichols	42.7	1.54	.....	1.08	.....	1.25
Ohio	42.1	1.54	.....	1.08	.....	1.25
Putnam	40.1	1.54	.....	1.08	.....	1.25
Randolph	42.1	1.54	.....	1.08	.....	1.25
Roane	39.9	1.54	.....	1.08	.....	1.25
Summers	65.9	1.54	42.1	1.08	.....	1.25
Taylor	55.0	1.54	.....	1.08	.....	1.25
Tucker	35.0	1.54	.....	1.08	.....	1.25
Upshur	58.0	1.54	.....	1.08	.....	1.25
Wayne	54.5	1.54	.....	1.08	.....	1.25
Webster	53.4	1.54	.....	1.08	.....	1.25
Wetzel	66.0	1.54	40.3	1.08	55.7	1.25
Whitman	51.4	1.54	34.7	1.08	.....	1.25
Wood	51.5	1.54	40.8	1.08	44.4	1.25
Wyoming	70.0	1.54	40.8	1.08	.....	1.25
Yamhill	55.8	1.54	38.4	1.08	.....	1.25
State	50.0	1.54	.....	1.08	.....	1.25

WISCONSIN—Continued

County	Corn		Barley		Grain sorghum	
	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)	Projected yield (bushels per acre)	Rate for computing diversion payments (dollars per bushel)
Richland.....	87.7	1.39	47.1	1.03	39.0	1.00
Rock.....	99.5	1.40	50.5	1.06	39.0	1.00
Rusk.....	65.3	1.38	38.5	1.04	27.0	1.00
St. Croix.....	76.2	1.38	44.5	1.07	39.0	1.00
Sauk.....	91.0	1.40	46.4	1.03	39.0	1.00
Sawyer.....	60.9	1.38	38.1	1.05	27.0	1.00
Shawano.....	76.2	1.41	41.1	1.02	27.0	1.00
Sheboygan.....	85.7	1.41	49.0	1.05	27.0	1.00
Taylor.....	68.2	1.39	42.2	1.02	27.0	1.00
Trempealeau.....	81.6	1.38	42.6	1.03	39.0	1.00
Vernon.....	80.0	1.37	46.0	1.01	39.0	1.00
Vilas.....	33.2	1.41	36.4	.97	27.0	1.00
Walworth.....	98.2	1.40	52.3	1.08	39.0	1.00
Washburn.....	56.6	1.37	33.7	1.07	27.0	1.00
Washington.....	87.2	1.40	51.8	1.06	27.0	1.00
Waukesha.....	87.4	1.40	50.9	1.06	39.0	1.00
Waupaca.....	79.5	1.41	47.4	1.03	39.0	1.00
Wausara.....	67.2	1.40	47.0	1.03	39.0	1.00
Winnebago.....	82.5	1.41	46.9	1.04	39.0	1.00
Wood.....	71.3	1.39	48.5	1.02	27.0	1.00
State.....	80.4		52.7		33.2	

WYOMING

Albany.....	1.44	30.0	.99		1.08
Big Horn.....	1.44	55.0	.99	52.8	1.08
Cambell.....	1.44	27.2	.85	12.6	1.08
Carbon.....	1.44	40.4	1.01		1.08
Converse.....	1.44	36.3	.92	27.5	1.08
Crook.....	1.44	28.1	.87	24.6	1.08
Fremont.....	1.44	54.1	1.01	49.3	1.08
Goshen.....	1.44	35.5	.96	21.6	1.08
Hot Springs.....	1.44	51.2	1.01		1.08
Johnson.....	1.44	35.3	.87		1.08
Laramie.....	1.44	28.5	.97	20.9	1.08
Lincoln.....	1.44	38.4	1.01	34.0	1.08
Natrona.....	1.44	38.0	1.01	34.1	1.08
Niobrara.....	1.44	27.2	.94	19.5	1.08
Park.....	1.44	57.9	.99	51.7	1.08
Platte.....	1.44	33.2	.96	44.2	1.08
Sheridan.....	1.44	29.9	.84	35.5	1.08
Sublette.....	1.44	30.0	1.01		1.08
Sweetwater.....	1.44	38.6	1.01	38.9	1.08
Teton.....	1.44	50.4	1.01		1.08
Uinta.....	1.44	44.9	1.01		1.08
Washakie.....	1.44	59.4	.99	51.7	1.08
Weston.....	1.44	28.1	.93	16.6	1.08
State.....		40.8		24.3	

(Sec. 16(f), 79 Stat. 1190, 16 U.S.C. 590p(1); sec. 105(e), 79 Stat. 1188, as amended, 7 U.S.C. 1441 note)

Effective date: Upon date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 30, 1969.

LIONEL C. HOLM,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1566; Filed, Feb. 11, 1969; 8:45 a.m.]

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

[Valencia Orange Reg. 260]

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

Limitation of Handling

§ 908.560 Valencia Orange Regulation 260.

(a) Findings. (1) Pursuant to the marketing agreement as amended, and Order No. 908, as amended (7 CFR Part

908, 33 F.R. 19829) 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 February 3, 1969.

(b) Order. (1) During the period February 14, 1969, through January 31, 1970, no handler shall handle any Valencia oranges grown in District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the oranges in any type of container may measure smaller than 2.20 inches in diameter.

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

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

Dated: February 7, 1969.

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

[F.R. Doc. 69-1792; Filed, Feb. 11, 1969; 8:50 a.m.]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On January 22, 1969, notice of rule making was published in the FEDERAL REGISTER (34 F.R. 941) regarding proposed expenses and the related rate of assessment for the period August 1, 1968, through July 31, 1969, pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended

(7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Indian River Grapefruit Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 912.208 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Indian River Grapefruit Committee during the period August 1, 1968, through July 31, 1969, will amount to \$25,000.

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

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1968, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: February 6, 1969.

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

[F.R. Doc. 69-1756; Filed, Feb. 11, 1969; 8:47 a.m.]

PART 913—GRAPEFRUIT GROWN IN INTERIOR DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On January 24, 1969, notice of rule making was published in the FEDERAL REGISTER (34 F.R. 1169) regarding proposed expenses and the related rate of assessment for the period beginning August 1, 1968, and ending July 31, 1969, pursuant to the marketing agreement and Order No. 913 (7 CFR Part 913) regulating the handling of grapefruit grown in the Interior District in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Interior Grapefruit Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 913.204 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Interior Grapefruit Marketing Committee during the period August 1, 1968, through July 31, 1969, will amount to \$32,500.

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

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1968, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: February 6, 1969.

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

[F.R. Doc. 69-1757; Filed, Feb. 11, 1969; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

PART 1443—OILSEEDS

Subpart—Castor Oil Purchase Program Regulations (1968)

EDITORIAL NOTE: A footnote is added to the last sentence of § 1443.104(a), appearing in F.R. Doc. 69-1029 at page 1230 of the issue for Saturday, January 25, 1969, and reads as follows:

¹ Table I filed as part of the original document. Copies may be obtained from the office mentioned in § 1443.101.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 68-AL-19]

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

Revocation of Additional Control Areas, Transition Area, Control Zone, and Reporting Points

On October 26, 1968, F.R. Doc. 68-13089 was published in the FEDERAL

REGISTER (33 F.R. 15860) amending Parts 71 and 75 of the Federal Aviation Regulations by designating certain controlled airspace for the safety of aircraft conducting instrument flight rule operations in the north slope of Alaska. These amendments were effective December 12, 1968, and included the extension of B-26 from Fort Yukon, Alaska, to Barter Island and the extension of J-120 and its associated control area from Fort Yukon to Barter Island. By subsequent rule-making actions, the effective date of F.R. Doc. 68-13089 was extended to January 20, 1969 (F.R. Doc. 68-14587, 33 F.R. 18135), (F.R. 68-15102, 33 F.R. 18930), and (F.R. Doc. 69-290, 34 F.R. 250).

Because of inclement weather, air traffic control communications have been interrupted to the extent that air traffic control service is unavailable to aircraft operating in the north slope area in accordance with instrument flight rules (IFR) with the exception of those operating along B-26 and J-120. However, the air support of the entire north slope must continue even though IFR conditions prevail. In lieu of air traffic control service, such air traffic activity will be conducted in accordance with air traffic rules. In addition, pilots will be requested to operate in accordance with special procedures contained on page 75, Vol. 6, No. 13 of the Alaska AIRGI, effective January 9, 1969, until further notice. To permit compliance with the appropriate air traffic rules, the controlled airspace and associated rule-making actions must be revoked until air traffic control service can be provided. As these services may become available on short notice, it is desirable that the controlled airspace and associated rule-making actions be redesignated concurrently with the air traffic control service. Accordingly, action is taken herein to revoke the actions taken in Airspace Docket No. 68-AL-19, with the exception of B-26 and J-120 and its associated control area.

Action to reinstate the controlled airspace and associated rule-making actions will be the subject of a rule without notice when air traffic control service can be made available. Notice of the availability of this service will be published in a Notice to Airmen.

Since these amendments are in the interest of safety, the Administrator has determined that notice and public procedure thereon is impracticable and may become effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 2100 G.m.t., February 7, 1969, as hereinafter set forth.

1. In § 71.163 (33 F.R. 2051, 13089, 14587, 18135, 18930, 34 F.R. 250) the following additional control areas are revoked.

- a. Fairbanks/Olktok, Alaska.
- b. Sagwon/Flaxman Island, Alaska.
- c. Bettles/Prudhoe Bay, Alaska.
- d. Bettles/Umiat, Alaska.
- e. Umiat/Point Barrow, Alaska.
- f. Umiat/Prudhoe Bay, Alaska.

2. In § 71.171 (33 F.R. 2058, 13089, 14587, 18135, 18930, 34 F.R. 250) the

Prudhoe Bay, Alaska, control zone is revoked.

3. In § 71.181 (33 F.R. 2137, 13089, 14587, 18135, 18930, 34 F.R. 250) the Prudhoe Bay, Alaska, transition area is revoked.

4. In § 71.211 (33 F.R. 2292, 13089, 14587, 18135, 34 F.R. 250) the following are revoked as Alaskan low altitude reporting points.

- Chandalar, Alaska, RBN.
- Prudhoe, Alaska, RBN.
- Sagwon, Alaska, RBN.
- Umiat, Alaska, RBN.

5. In § 71.213 (33 F.R. 2294, 13089, 14587, 18135, 34 F.R. 250) the following Alaskan high altitude reporting points are revoked.

- Prudhoe, Alaska, RBN.
- Sagwon, Alaska, RBN.

(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 Washington, D.C., on February 7, 1969.

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

[F.R. Doc. 69-1787; Filed, Feb. 11, 1969; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER I—MILITARY PERSONNEL

PART 888—ENLISTMENT IN THE REGULAR AIR FORCE

Miscellaneous Amendments

Subchapter I of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

1. In § 888.2 a new subparagraph (7) is added to paragraph (f). This subparagraph reads as follows:

§ 888.2 Definitions.

(f) *Classification and screening tests.*

(7) Armed Services Vocational Aptitude Battery (ASVAB).

2. In § 888.4 paragraph (c) is revised by adding a note immediately following paragraph. It reads as follows:

§ 888.4 Enlistment criteria.

(c) *Mental testing.* * * *

NOTE: Armed Services Aptitude Battery (ASVAB) may be used in place of AQE.

3. Section 888.6 is amended by revising Note 2 following the table. This note now reads as follows:

§ 888.6 Place of enlistment and initial assignment.

NOTE 2: Do not request approval for prior service enlistments unless vacancy exists at base of enlistment and on the Prior Service Required Skills List.

4. Section 888.7 is revised. It reads as follows:

§ 888.7 Term of enlistment.

Enlist all applicants for terms of 4 years.

5. Section 888.8 is amended by revising second entry of first Table and revising second Table of this section. The revisions read as follows:

§ 888.8 Grade determination.

Presents General Billy Mitchell Award Certificate, letter from CAP-USAF, Maxwell AFB AL, or a letter from CAP unit commander showing successful completion of the CAP Training Program.

PRIOR SERVICE ENLISTEES

If applicant enlists—	And applicant last served in—	Then enlistment grade in which last separated but in no case higher than— (NOTE)—
Prior to 1st anniversary of DOS.	The Regular Air Force	MSgt. (E-7) if enlisting in a required skill or 8Sgt. (E-6) if enlisting for formal training. Sgt. (E-4).
On or after 1st anniversary of DOS but before 2d anniversary of DOS.	Other than the Regular Air Force.	Sgt. (E-4).
On or after 2d anniversary of DOS.	The Regular Air Force.	A1C (E-3).
	Other than the Regular Air Force.	A1C (E-3).
	Any of the Armed Forces.	A1C (E-3).

NOTE: Enlistment grade cannot exceed the grade in which last separated.

6. Section 888.10 is amended by deleting paragraph (b) and changing the paragraphs to read as follows:

§ 888.10 Nonprior service program.

(b) Enlistees are ordered and assigned to a Training Center in accordance with separate instructions issued by Hq Air Training Command.

7. Section 888.11 is revised by adding a new paragraph (e). It reads as follows:

§ 888.11 Prior service program.

(e) Special provisions for WAF applicants. (1) A prior service WAF applicant eligible for grade E-4, E-5, E-6, or E-7 may enlist in her AFSC regardless of whether or not it is on the Prior Service Required Skills List.

8. A new § 888.15a is added:

§ 888.15a College graduate enlistment program.

(a) To permit college graduates to enter the Regular Air Force in an enlisted status and serve in career field compatible with their academic achievements, a special program is authorized. An applicant desiring to participate must:

(1) Meet all qualifications for enlistment as prescribed in this part.

(2) Enlist in the Regular Air Force utilizing either normal enlistment procedures or the Delayed Enlistment Program (Part 907 of this chapter).

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, except as otherwise noted) [AFM 33-3, Nov. 9, 1966, Change 7, Jan. 29, 1969]

By order of the Secretary of the Air Force.

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

[F.R. Doc. 69-1733; Filed, Feb. 11, 1969; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 205—DUMPING GROUNDS REGULATIONS

Entrance to Seaports

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 205.80 establishing and governing the use of dumping grounds and prohibited dumping grounds in waters adjacent to and waters constituting the approaches and entrances to certain ports is hereby amended with respect to paragraph (c) revoking subparagraphs (6), (7), and (8) effective upon publication in the FEDERAL REGISTER, since there is no further need for the areas, as follows:

§ 205.80 Entrance to seaports.

- (c) *Prohibited dumping grounds* * * *
- [Revoked]
 - [Revoked]
 - [Revoked]

[Regs., Jan. 24, 1969, ENGOW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

For the Adjutant General.

HAROLD SHARON,
Chief, Legislative and Precedent
Branch, Office of the Comptroller, TAGO.

[F.R. Doc. 69-1734; Filed, Feb. 11, 1969; 8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18037; FCC 69-109]

PART 73—RADIO BROADCAST SERVICES

Calibration of Power Output Meters on TV Transmitters and Maintenance Log

Report and order. In the matter of amendment of § 73.689(b) (1) and (2) of

the Commission's rules and regulations concerning calibration of power output meters on TV transmitters, and § 73.672 Maintenance log, Docket No. 18037.

1. The Commission has before it for consideration its notice of proposed rule making, released February 26, 1968 (FCC 68-195), proposing to amend its rules concerning the calibration of the power output meters on television broadcast transmitters in order to assure a more strict adherence to the requirements of its rules. In the notice it was proposed to require calibration of the output power meter at 80, 100, and 110 percent of the authorized operating power as often as is necessary to insure operation within the prescribed power tolerance, and in any event, at intervals of no more than 6 months.

2. Comments were received from the National Association of Broadcasters (NAB), Mid-America Television Co. (Mid-America) licensee of KRCG-TV, Jefferson City, Mo., and KMOB-TV, Sedalia, Mo., and the Broadcast Equipment Section of the Electronic Industries Association (EIA). NAB states that they are in accord with the Commission's attempt to clarify the calibration requirements of the output meter for TV transmitters. They point out, however, that many TV transmitters, both VHF and UHF are not capable of operating at 110 percent of authorized power because virtually no reserve power was designed into many of the transmitters or because aging components such as tubes in the final amplifier stage render the transmitter incapable of producing 110 percent of the authorized power. It is claimed that it would be unreasonable to require that transmitters be calibrated at the 110 percent point and suggest that the rule be so worded that the calibration point be made at the highest attainable power up to 110 percent. The comments of Mid-America and EIA were in substantial agreement with that of NAB. In addition, EIA claimed that adjusting some transmitters to 80 percent of the authorized power would require the adjustment of some operating parameters such as plate, screen, and grid voltages.

3. The Commission's rules require that the power output of each television station be maintained as close as practical to the authorized power and sets forth upper and lower limits between which the output shall be maintained. It can be understood that in cases where the transmitter is designed so close to the rated or authorized output power and that there is virtually no reserve power available, it may not be possible to obtain sufficient output for calibration at 110 percent of the authorized power. Therefore, the amendment adopted herein will permit calibration at less than 110 percent of the authorized transmitter power in such cases; *Provided*, That the output meter shall be marked at the point of calibration of maximum power output between 100 and 110 percent of authorized power, and the station will be considered to be in violation of this rule if that output power is exceeded. It is true

that in some cases calibration at the 80 percent of authorized power output may require changes in the normal transmitter adjustments in order to reduce the output power to this level. But, it is also true that output power could drop below the 80 percent tolerance for other reasons such as aging of tubes or other components. It is important that the output power meter be properly calibrated at these points so that the operator will be alerted in case of malfunctions, and can take corrective action before an actual violation of the rules occurs. Therefore, the rule adopted herein requires that the calibration be made at 80 percent of the authorized power output.

4. The rule adopted herein also requires that the results of this calibration be entered in the station's maintenance log (§ 73.672).

5. Accordingly, pursuant to the authority contained in sections 4(i) and 303(e) of the Communications Act of 1934, as amended: *It is ordered*, That effective March 17, 1969, Part 73 of the Commission's rules and regulations is amended as set forth below.

6. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: February 5, 1969.

Released: February 7, 1969.

FEDERAL COMMUNICATIONS COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

1. In § 73.672(a), the present subparagraph (7) is redesignated subparagraph (8) and a new subparagraph (7) is added to read as follows:

§ 73.672 Maintenance log.

(a) * * *
(7) Whenever the calibration of the output power meter is made as required by § 73.689(b) (1) and (2) with a brief description of the method and results.

2. In § 73.689(b), subparagraphs (1) and (2)(ii) are amended to read as follows:

§ 73.689 Operating power.

(b) Maintenance—(1) *Visual transmitter*. The operating power shall be maintained as near as is practicable to the authorized power and shall not be less than 80 percent nor more than 110 percent of the authorized power at any time, except as provided in subparagraph (3) of this paragraph. The peak power shall be monitored at the output terminals of the transmitter with a peak reading meter whose indications are proportional to peak voltage, current or power. The range and electrical accuracy of the meter and the physical characteristics of the meter scale shall be adequate to permit a determination that the power output does not exceed the pre-

scribed tolerance. The meter shall be calibrated with the transmitter operating at 80, 100, and 110 percent of the authorized power as often as may be necessary to insure compliance with the requirements of this paragraph and in any event at intervals of no more than 6 months. In cases where the transmitter is incapable of operating at 110 percent of the authorized power output, the calibration may be made at a power output between 100 and 110 percent of the authorized power output. However, where this is done, the output meter shall be marked at the point of calibration of maximum power output, and the station will be deemed to be in violation of this rule if that power is exceeded. If any component in the power measuring circuit is replaced, the meter shall be recalibrated upon completion of such repairs. The upper and lower limits of permissible power deviation as determined by the prescribed calibration, shall be shown upon the meter either by means of adjustable red markers incorporated in the meter or by red marks placed upon the meter scale or glass face. These markings shall be checked and changed, if necessary, each time the meter is calibrated.

(2) *Aural transmitter*. * * *

(ii) When determined by the direct method, the operating power of the transmitter shall be monitored at the output terminals of the transmitter with a transmission line meter whose indications are proportional to voltage, current, or power. The range and electrical accuracy of the meter and the physical characteristics of the meter scale shall be adequate to permit a determination that the power output does not exceed the prescribed tolerance. The meter shall be calibrated with the transmitter operating at 80, 100, and 110 percent of the authorized power as often as may be necessary to insure compliance with the requirements of this paragraph and in all cases at intervals of no more than 6 months. In cases where the transmitter is incapable of operating at 110 percent of the authorized power output, the calibration may be made at a power output between 100 and 110 percent of the authorized power output. However, where this is done, the output meter shall be marked at the point of calibration of maximum power output, and the station will be deemed to be in violation of this rule if that power is exceeded. If any component in the power measuring circuit is replaced, the meter shall be recalibrated upon completion of such repairs. The upper and lower limits of permissible power deviation as determined by the prescribed calibration, shall be shown upon the meter either by means of adjustable red markers incorporated in the meter or by red marks placed upon the meter scale on glass face. These markings shall be checked and changed, if necessary, each time the meter is calibrated.

[F.R. Doc. 69-1782; Filed, Feb. 11, 1969; 8:49 a.m.]

¹ Commissioner Robert E. Lee absent.

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1020]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 6th day of February 1969.

It appearing, that an acute shortage of plain boxcars with inside length of 50 feet or longer and boxcars with inside length of 40 feet or longer with side-door openings of 8 feet or wider exists throughout the United States; that shippers located on lines of carriers owning a substantial number of these type cars are being deprived of such cars required for loading, resulting in a very severe emergency thus creating a great economic loss; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of such boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1020 Service Order No. 1020.

(a) *Distribution of boxcars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Withdraw from distribution and return to owners empty, except as otherwise provided in subparagraph (2) or (3) of this paragraph, all plain boxcars which are listed in the Official Railway Equipment Register, ICC R.E.R. 370, issued by E. J. McFarland, or reissues thereof, as having mechanical designation XM, with inside length of 50 feet or longer, or with inside length 40 feet or longer and with side-door openings 8 feet wide or wider, or equipped with plug doors regardless of length.

(2) Boxcars described in subparagraph (1) of this paragraph available empty at a station other than a junction with the owner may be loaded to stations on or via the owner, or to any station which is

closer to the owner than the point where loaded.

(3) Boxcars described in subparagraph (1) of this paragraph available empty at a junction with the owner must be delivered to the owner at that junction, either loaded or empty.

(4) Boxcars described in subparagraph (1) of this paragraph must not be backhauled empty, except from cleaning or repair facilities, or normal car distribution points, for the purpose of obtaining a load as authorized in subparagraphs (2) and (3) of this paragraph herein, nor held empty more than 24 hours awaiting placement for loading.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., February 10, 1969.

(d) *Expiration date.* This order shall expire at 11:59 p.m., March 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order 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]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-1764; Filed, Feb. 11, 1969; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Certain National Wildlife Refuges in Idaho

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations except for special conditions listed.

All areas open to fishing are designated by signs and delineated on maps available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

IDAHO

DEER FLAT NATIONAL WILDLIFE REFUGE

Deer Flat National Wildlife Refuge, Route 1, Box 335, Nampa, Idaho 83651.

Sport fishing is permitted on the entire refuge year-round except as stipulated under Special Conditions.

Special Conditions:

1. Fishing is not permitted on the public hunting area during the migratory waterfowl hunting season.

2. Boats with motors may be used during daylight hours only (interpreted here to be 1 hour before sunrise to 1 hour after sunset) from February 1 through September 30.

3. Shore line fishing is prohibited on the islands of the Snake River sector from February 1 to May 31.

KOOTENAI NATIONAL WILDLIFE REFUGE

Kootenai National Wildlife Refuge, Star Route No. 1, Bonners Ferry, Idaho 83805.

Sport fishing is permitted on portions of Kootenai River, Deep Creek, and Myrtle Creek within the refuge year-round except during the migratory waterfowl hunting season.

MINIDOKA NATIONAL WILDLIFE REFUGE

Minidoka National Wildlife Refuge, Route 4, BSFW, Rupert, Idaho 83350.

Sport fishing is permitted on the entire refuge year-round except as stipulated under Special Conditions.

Special Conditions:

1. Fishing is not permitted on Lake Walcott during the migratory waterfowl hunting season.

2. Boats with or without motors may be used during daylight hours only (interpreted here to be 1 hour before sunrise to 1 hour after sunset) from April 1 through September 30.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through April 30, 1970.

TRAVIS S. ROBERTS,
Deputy Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 3, 1969.

[F.R. Doc. 69-1741; Filed, Feb. 11, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 777]

PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

Notice of Proposed Rule Making

Notice is hereby given pursuant to section 4a, Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 553), that the Agricultural Stabilization and Conservation Service proposes to issue amendment 2 to the Republication of the Processor Wheat Marketing Certificate Regulations (33 F.R. 14676).

Consideration will be given to all written comments or suggestions in connection with the proposed amendment filed in duplicate with the Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, during the 30-day period beginning with the date this notice is published in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the Office of the Director at the above address during regular business hours (7 CFR 1.27(b)).

It is proposed to change the rate of interest charges applicable under the regulations to 8 percent per annum. This change is deemed necessary in view of recent upward adjustments in interest rates announced by commercial banks and other lending institutions.

It is also proposed that processors producing beverage distilled spirits be required to purchase certificates by the 30th calendar day after the end of the month in which the beverage distilled spirits were marketed or removed for sale or consumption or the spirits removed from the barrel, whichever occurred first. This change is consistent with the requirement which has been proposed for other wheat processors.

The proposed amendment of 7 CFR Part 777 would read as follows:

1. The interest rate is changed to read "eight percent per annum" rather than "six percent per annum" in the applicable sections as follows:

- § 777.7(b), the last sentence;
- § 777.11(b), subparagraph (2);
- § 777.11(c), the last sentence of subparagraph (3) and subparagraph (4);
- § 777.11(e), subparagraph (2);
- § 777.12(g), the sixth sentence;
- § 777.19(f), subparagraph (2);
- § 777.19(j), the last sentence.

2. In § 777.11(e), the first sentence of subparagraph (1) is revised to read as follows:

§ 777.11 Time and manner of acquiring surrendering certificates.

(e) *Beverage distilled spirits.* . . .

(1) He will acquire certificates from Commodity Credit Corporation and surrender the certificates for the wheat processed into beverage distilled spirits and placed in a barrel for aging as required under this part, on or before the 30th calendar day after the end of the month in which such barrel of aged beverage distilled spirits is marketed or removed from the warehouse for sale or consumption or the spirits are removed from such barrel, whichever occurs first, or such later date as may be approved by the Administrator for good cause shown by the food processor. . . .

Signed at Washington, D.C., on February 5, 1969.

LIONEL C. HOLM,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1791; Filed, Feb. 11, 1969; 8:50 a.m.]

[7 CFR Part 814]

MAINLAND CANE SUGAR AREA

Notice of Hearing on Proposed Allotment of 1969 Sugar Quota

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended), and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.) the Secretary of Agriculture has, after due notice (33 F.R. 17109) and hearing, found that allotment of the 1969 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar, and has established preliminary allotments of a portion of such quota, until the date allotments of the 1969 calendar year sugar quota for the Mainland Cane Sugar Area are prescribed on the basis of a subsequent hearing.

Notice is hereby given that a public hearing will be held in New Orleans, La., at the Whitney Bank Building on February 27, 1969, at 10 a.m., c.s.t., for the purpose of receiving evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the above-mentioned quota for the entire calendar year 1969 among persons who process and market sugar produced from sugarcane grown in the Mainland Cane Sugar Area. It will be appropriate at the hearing to present evidence on the basis of which the Secretary may affirm, modify, or change the finding which has been made with respect to

necessity for allotment and make or withhold allotment of any such quota in accordance therewith.

In addition, the subjects and issues of this hearing include (1) the manner in which consideration should be given to the statutory factors as well as the need for establishing allotments as may be necessary to avoid unreasonable carry-over of sugar, as provided in section 205(a) of the Act; (2) the manner in which marketings within allotments shall be restricted; and (3) a provision for the transfer of allotments.

Notice also is given hereby that it will be appropriate at the hearing to present evidence on the basis of which the Secretary may revise or amend the allotment of the quota or proration thereof for the purposes of (1) allotting any increase or decrease in the quota; (2) prorating any deficit in the allotment for any allottee; and (3) substituting revised estimates or final data for estimates of such data wherever estimates are used in the formulation of an allotment of the quota.

Signed at Washington, D.C., on February 6, 1969.

LIONEL C. HOLM,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1790; Filed, Feb. 11, 1969; 8:50 a.m.]

Consumer and Marketing Service

[7 CFR Part 965]

TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment hereinafter set forth which were recommended by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965. Said marketing order regulates the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley) and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in four copies with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Washington, D.C. 20250, not later than 7 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

§ 965.210 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, during the fiscal period ending July 31, 1969, will amount to \$400.

(b) There shall be no assessments charged during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Order No. 965 (7 CFR Part 965).

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

Dated: February 6, 1969.

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

[F.R. Doc. 69-1758; Filed, Feb. 11, 1969; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Patent Office

[37 CFR Part 6]

TRADEMARK RULES OF PRACTICE

Classification of Goods and Services

The Patent Office is considering a change in the Trademark rules of practice of the Patent Office (Title 37, Code of Federal Regulations) relating to classification of goods and services under the Trademark Act (15 U.S.C. 1112).

All persons who desire to present their views, objections, recommendations or suggestions in connection with the proposed change are invited to do so in writing on or before April 15, 1969, on which date a hearing will be held at 10 a.m., in Room 3D48, Building 3-4, 2011 Jefferson Davis Highway, Arlington, Va. All persons wishing to be heard orally are requested to notify the Commissioner of Patents of their intended appearance.

The proposed change would establish the "International Classification of Goods and Services to which Trademarks are Applied" (The subject of the "Agreement of Nice concerning the international classification of goods and services to which trade marks are applied. Done at Nice, on June 15, 1957" (550 U.N.T.S. 45), as revised at Stockholm, on July 14, 1967) as the primary and sole classification of goods and services for registration of trademarks and service marks beginning on July 1, 1969.

The Patent Office has been studying the International Classification for the past 2 years and has since March 5, 1968, indicated the appropriate international class on all published applications, newly issued registrations and renewals as a subsidiary classification. Based on this experience it is now believed that adoption of the international schedule as the primary and sole classification is desir-

able both from the standpoint of the Office and the public. The international schedule is in use in more than 50 countries and is the subject of the aforementioned Nice Agreement, to which 24 countries are parties. The Nice Agreement provides for an International Committee of Experts whose task is to keep the classification up-to-date through a simple and rapid procedure.

Specifically, it is proposed that all applications for registration of trademarks and service marks having a filing date later than June 30, 1969, be classified according to the International Classification for all purposes set forth in the Trademark Act.

Applications which are pending at the close of business on June 30, 1969, would continue to carry the classification set forth in existing § 6.1 (37 CFR 6.1) as the principal classification for all purposes in the Trademark Act. However, the Office will mark all such published applications and registrations with the appropriate international class as a subsidiary classification under the program which was started on March 5, 1968. Renewals according to the provisions of section 9 of the Trademark Act of 1946 (15 U.S.C. 1059) will be similarly marked with the appropriate international class as a subsidiary classification. Except for this program, it is not now proposed that existing registrations be reclassified. It should be noted in this regard that approximately 53 percent of the trademark search file is indexed alphabetically without regard to class. The remaining 47 percent of the file is set up under approximately 50 headings (e.g., common prefixes such as SAN, GOLD, etc., and numerals, letters, design features, etc.) under each of which the marks are organized by class. This portion of the search file would be maintained as at present, i.e., classified according to the present schedule of classes. However, an additional file drawer or drawers would be set up in which all registrations issued or renewed subsequent to June 30, 1969, would be organized by class according to the international schedule.

For an interim period (i.e., until all marks pending as of June 30, 1969, have been disposed of) the Trademark sections of the Official Gazette which are organized by class (i.e., Publications for opposition purposes, Registrations issued on the Principal Register and Registrations issued on the Supplemental Register) will include two parts, one part for applications published or marks issued on the basis of applications filed prior to July 1, 1969, organized by class according to the existing schedule of classes; the other for applications published or marks issued on the basis of applications filed after June 30, 1969, organized by class according to the new international schedule.

None of the above changes would apply to certification marks and collective membership marks which would continue to be classified as set forth in §§ 6.2 and 6.3 (37 CFR 6.2 and 6.3) of the Trademark rules of practice.

Reference should be made to the Official Gazette of January 30 and May 21, 1968, for further information about the

International Classification, including the availability of the English edition of an alphabetical list of goods and services which is a valuable aid in using the international system.

Notice is hereby given, therefore, that under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 792; 35 U.S.C. 6), and in section 30 of the Trademark Act of 1946, as amended (Oct. 9, 1962, 76 Stat. 773; 15 U.S.C. 1112), the Patent Office proposes to revise § 6.1 of Title 37, Code of Federal Regulations, to read as follows:

§ 6.1 Schedule of classes of goods and services.

Goods

1. Chemical products used in industry, science, photography, agriculture, horticulture, forestry; artificial and synthetic resins; plastics in the form of powders, liquids or pastes, for industrial use; manures (natural and artificial); fire extinguishing compositions; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry.

2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; coloring matters, dyestuffs; mordants; natural resins; metals in foil and powder form for painters and decorators.

3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring, and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

4. Industrial oils and greases (other than edible oils and fats and essential oils); lubricants; dust laying and absorbing compositions; fuels (including motor spirit) and illuminants; candles, tapers, night-lights and wicks.

5. Pharmaceutical veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping teeth, dental wax; disinfectants; preparations for killing weeds and destroying vermin.

6. Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, rolled and cast building materials; rails and other metallic materials for railway tracks; chains (except driving chains for vehicles); cables and wires (nonelectric); locksmiths' work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; other goods in nonprecious metal not included in other classes; ores.

7. Machines and machine tools; motors (except for land vehicles); machine couplings and belting (except for land vehicles); large size agricultural implements; incubators.

8. Hand tools and instruments; cutlery, forks, and spoons; side arms.

9. Scientific, nautical, surveying and electrical apparatus and instruments (including wireless), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; coin or counter-free apparatus; talking machines; cash registers; calculating machines; fire-extinguishing apparatus.

10. Surgical, medical, dental, and veterinary instruments and apparatus (including artificial limbs, eyes and teeth).

11. Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air, or water.

13. Firearms; ammunition, and projectiles; explosive substances; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks, and spoons); jewelry, precious stones, horological and other chronometric instruments.

15. Musical instruments (other than talking machines and wireless apparatus).

16. Paper and paper articles, cardboard and cardboard articles; printed matter, newspapers and periodicals, books; bookbinding material; photographs; stationery, adhesive materials (stationery); artists' materials; paint brushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than apparatus); playing cards; printers' type and clichés (stereotype).

17. Gutta percha, indiarubber, balata and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks, and rods, being for use in manufacture; materials for packing, stopping or insulating; asbestos, mica and their products; hose pipes (nonmetallic).

18. Leather and imitations of leather, and articles made from these materials and not included in other classes; skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials, natural and artificial stone, cement, lime, mortar, plaster and gravel; pipes of earthenware or cement; roadmaking materials; asphalt, pitch and bitumen; portable buildings; stone monuments; chimney pots.

20. Furniture, mirrors, picture frames; articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials, or of plastics.

21. Small domestic utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (other than paint brushes); brushmaking materials; instruments and material for cleaning purposes; steelwool; glassware, porcelain and earthenware, not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (hair, capoc, feathers, seaweed, etc.); raw fibrous textile materials.

23. Yarns, threads.

24. Tissues (piece goods); bed and table covers; textile articles not included in other classes.

25. Clothing, including boots, shoes, and slippers.

26. Lace and embroidery, ribands and braid; buttons, press buttons, hooks and eyes, pins and needles; artificial flowers.

27. Carpets, rugs, mats and matting; linoleums and other materials for covering floors; wall hangings (nontextile).

28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.

29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves, pickles.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard; pepper, vinegar, sauces, spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; food-stuffs for animals, malt.

32. Beer, ale and porter; mineral and aerated waters and other nonalcoholic

drinks; syrups and other preparations for making beverages.

33. Wines, spirits and liqueurs.

34. Tobacco, raw or manufactured; smokers' articles; matches.

SERVICES

35. Advertising and business.

36. Insurance and financial.

37. Construction and repair.

38. Communication.

39. Transportation and storage.

40. Material treatment.

41. Education and entertainment.

42. Miscellaneous.

Dated: February 5, 1969.

EDWARD J. BRENNER,
Commissioner of Patents.

Approved:

JOHN F. KINCAID,
Assistant Secretary
for Science and Technology.

[F.R. Doc. 69-1732; Filed, Feb. 11, 1969;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 81]

AIR QUALITY CONTROL REGIONS

Designation of Metropolitan Buffalo Intrastate Air Quality Control Region; Consultation With Appropriate State and Local Authorities

Pursuant to authority delegated by the Secretary and redelegated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Metropolitan Buffalo Intrastate Air Quality Control Region (New York) as set forth in the following new § 81.24 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of New York and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at the U.S. Courthouse, Room 416, 68 Court Street, Buffalo, N.Y., beginning at 10 a.m., February 28, 1969.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of later sessions and may con-

vene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203, of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81 a new § 81.24 is proposed to be added to read as follows:

§ 81.24 Metropolitan Buffalo Intrastate Air Quality Control Region.

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

In the State of New York:
Erie County.
Niagara County.

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

Dated: February 7, 1969.

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

[F.R. Doc. 69-1769; Filed, Feb. 11, 1969;
8:48 a.m.]

[42 CFR Part 81]

AIR QUALITY CONTROL REGIONS

Designation of Greater Metropolitan Cleveland Intrastate Air Quality Control Region; Consultation With Appropriate State and Local Authorities

Pursuant to authority delegated by the Secretary and redelegated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Greater Metropolitan Cleveland Intrastate Air Quality Control Region (Ohio) as set forth in the following new § 81.23 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Ohio and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at the Auditorium, 31st Floor, Federal Office Building, 1240 East 9th Street, Cleveland, Ohio, beginning at 10 a.m., February 26, 1969.

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

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203, of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81 a new § 81.22 is proposed to be added to read as follows:

§ 81.22 Greater Metropolitan Cleveland Intrastate Air Quality Control Region.

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

In the State of Ohio:
Lorain County.
Cuyahoga County.
Lake County.
Geauga County.
Portage County.
Summit County.
Medina County.
Stark County.

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

Dated: February 7, 1969.

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

[F.R. Doc. 69-1770; Filed, Feb. 11, 1969;
8:48 a.m.]

[42 CFR Part 81]

AIR QUALITY CONTROL REGIONS

Designation of Metropolitan Pittsburgh Intrastate Air Quality Control Region; Consultation With Appropriate State and Local Authorities

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

missioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Metropolitan Pittsburgh Intrastate Air Quality Control Region (Pennsylvania) as set forth in the following new § 81.23 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Pennsylvania and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at the Federal Office Building, 1000 Liberty Avenue, Room 2214, Pittsburgh, Pa., beginning at 10 a.m., February 27, 1969.

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

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203, of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81 a new § 81.23 is proposed to be added to read as follows:

§ 81.23 Metropolitan Pittsburgh Intrastate Air Quality Control Region.

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

In the State of Pennsylvania:
Allegheny County.
Armstrong County.
Butler County.
Beaver County.
Lawrence County.
Washington County.
Westmoreland County.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law

90-148, 81 Stat. 490, 504, 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: February 7, 1969.

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

[F.R. Doc. 69-1771; Filed, Feb. 11, 1969;
8:48 a.m.]

**DEPARTMENT OF
TRANSPORTATION**

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 68-EA-139]

FEDERAL AIRWAY

Proposed Extension

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the United States portion of VOR Federal airway No. 96 from Waterville, Ohio, with a 1,200-foot AGL floor direct to Windsor, Ontario, Canada. This proposed airway segment would increase safety and efficiency in clearing aircraft departing to the southwest from the Detroit Wayne, Willow Run and Detroit City Airports.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

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

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1855(c)).

Issued in Washington, D.C., on February 4, 1969.

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

[F.R. Doc. 69-1788; Filed, Feb. 11, 1969;
8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 15086; FCC 69-96]

ALLOCATION OF CERTAIN FREQUENCY BAND

Order Terminating Proceeding

In the matter of amendment of Part 2 of the Commission's rules concerning the allocation of the frequency band 1435-1535 MHz.

1. Based on representations made in early 1963 on behalf of the National Center for Atmospheric Research and the Princeton University Observatory, the Commission adopted and issued a notice of proposed rule making in this proceeding on its own initiative. The proceeding proposed an amendment to Part 2 of the rules so as to provide for the use of frequencies in the 1435-1535 MHz band for communications in connection with high altitude balloon experiments considered to be of major importance to the scientific community.

2. It was found possible to meet the communication requirement referred to above through authorizations granted in the Commission's Experimental (Research) Radio Service on frequencies coordinated with other users of the band, and the National Academy of Sciences has recently advised that the proposed reallocation is not needed. *Accordingly, it is ordered*, That the notice of proposed rule making is withdrawn and that this proceeding is terminated.

Adopted: February 5, 1969.

Released: February 7, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-1783; Filed, Feb. 11, 1969;
8:49 a.m.]

[47 CFR Part 73]

[Docket No. 18339; RM-1339]

FM BROADCAST STATIONS

Table of Assignments; Rhinelander, Wis.; Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.202 Table of assignments, FM Broadcast Stations. (Porterville, Calif.; Bottineau, N. Dak.; Rhinelander, Wis.; Scobey, Mont.; and Humboldt, Iowa), Docket No. 18389, RM-1335, RM-1338, RM-1339, RM-1347, RM-1351.

1. In a notice of proposed rule making, released November 29, 1968, in this proceeding (FCC 68-1147), the Commission invited comments on a number of proposals to amend the FM Table of Assignments, including the assignment of Channel 248 to Rhinelander, Wis. The time for filing comments was designated

¹ Commissioner Robert E. Lee absent.

as January 10, 1969, and that for replies as January 20, 1969. On January 16, 1969, the time was extended to February 10, 1969, for the filing of reply comments.

2. On February 4, 1969, Charles F. Duvall, Esq., Counsel for the Oneida Broadcasting Co., which filed comments opposing the proposal, filed a request for extension of time to February 20, 1969, in which to file reply comments. Mr. Duvall states that one of the owners and officers of Oneida has been delayed in obtaining certain material for filing with the reply comments due to a business trip to the West Coast, followed by an attack of influenza that has kept him confined to his home. He therefore finds it necessary to request an extension to February 20, 1969. Counsel for Charles K. Heath, the petitioner seeking the assignment, has consented to a grant of this request.

3. We are of the view that additional time is warranted and would serve the public interest. *Accordingly, it is ordered*, That the time for filing reply comments in this proceeding in the matter of RM-1339 only, is extended to and including February 20, 1969.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: February 6, 1969.

Released: February 7, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] GEORGE S. SMITH,
Chief, Broadcast Bureau.

[F.R. Doc. 69-1784; Filed, Feb. 11, 1969;
8:49 a.m.]

[47 CFR Part 73]

[Docket No. 18282; FCC 69-108]

TELEVISION BROADCAST STATIONS

Table of Assignments, Rochester, N.Y.; Report and Order Terminating Proceeding

In the matter of amendment of § 73.606(b) of the Commission's rules, Television Table of Assignments (Rochester, N.Y.), Docket No. 18282, RM-1243.

1. This proceeding was instituted by notice of proposed rule making (FCC 68-799) on July 31, 1968, at the request of the Rochester Area Educational Television Association, Inc. (RAETA), to consider reserving Channel 61, the only unused television channel assigned to Rochester, N.Y., for a second noncommercial educational station there. RAETA now operates educational Station WXXI on Channel 21, the only reserved educational assignment at Rochester.¹ Besides Channel 61, Rochester has four

¹ RAETA also requested consideration of an alternative proposal to assign and reserve Channel 71 for educational use only at Rochester. The Notice informed that this proposal could not now be considered because of its conflict with other outstanding Commission proposals to use the upper 14 UHF channels for a new class of local, low-powered TV sta-

other unreserved assignments, occupied by three on-the-air commercial VHF stations and a commercial UHF station under construction. No additional channels below Channel 70 are available which could be assigned to Rochester.

2. Opposing comments were filed jointly by Dean William Meckling and Professor Marcus Alexis of the College of Business Administration, University of Rochester. They request that Channel 61 not be closed for commercial application by adoption of the RAETA reservation proposal and inform that they are members of a Rochester citizens group which plans to apply for authority to construct and operate a commercial station on Channel 61 to meet unsatisfied inner-city television needs of Rochester. They attach supporting letters from organizations in Rochester—the Northeast District Council, Inc., the Ibero-American Action League, Inc., the Genesee Valley Chapter of the New York Civil Liberties Union, the Baden Street Settlement, the Urban League of Rochester, Inc., and the Rochester Business Opportunities Corp.

3. RAETA filed comments in which it informs of a meeting held by its representatives with Dean Meckling, Professor Alexis, and others of their group to explore the depth of their planning for commercial use of Channel 61 to serve inner-city needs of Rochester, as well as the areas in which both groups might cooperate if this goal was accomplished. As a result of this meeting and developments, RAETA states that it does not wish its petition for reservation of Channel 61 to stand in the way of the goals for use of Channel 61 expressed in the Meckling-Alexis comments. RAETA therefore requests that its proposal for reservation of Channel 61 be placed in deferred status for a reasonable period of time—12 months is suggested—to give the Meckling-Alexis group or another opportunity to apply for use of Channel 61 for a commercial station to serve inner-city needs of Rochester. It emphasizes that its request should not be construed as a direct endorsement of the Meckling-Alexis group, but rather of the worthiness of their stated goals. RAETA believes that if an application is filed for Channel 61 within the time suggested its reservation proposal should be dismissed and that, otherwise, it should then be considered on its merits. RAETA stresses that, in any event, there is a vital need for an additional reserved channel for educational use in Rochester, and it urges that, if, for any reason, Channel 61 becomes unavailable, another channel, such as proposed Channel 71, should be made available for this purpose. For this reason, RAETA has filed copies of its comments herein in both the docketed rule making proceedings noted in footnote 1, supra, where proposals for use of the upper 14 UHF channels are under study.

tions (Docket No. 14229) or to reallocate them to the land mobile services (Docket No. 18262), as well as a Canadian proposal to revise its UHF assignment table.

PROPOSED RULE MAKING

4. In light of the RAETA and opposing comments, as well as the RAETA request, the Commission believes that it would be premature to attempt to reach a public interest judgment on the reservation proposal for Channel 61 at Rochester at this time. It also now appears that, whether or not RAETA will decide to pursue this reservation proposal, is dependent on whether application is made within the next 12 months by commercial interests for authority to use Channel 61 to serve inner-city needs for Rochester. In these circumstances, we think it best to terminate this pro-

ceeding on the RAETA proposal, both in the interest of administrative efficiency and of removing any cause for confusion or uncertainty as to the availability of Channel 61 for commercial, as well as educational, application. We do consider RAETA reasonable, however, in requesting that we proceed to consider its reservation proposal further if commercial interests do not implement their plans to apply for the channel in the next 12 months. In that event, we would be receptive to a new request to hold rule making on its reservation proposal.

5. Accordingly, the petition (RM-

1243) is dismissed and this proceeding is terminated.

Adopted: February 5, 1969.

Released: February 7, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-1785; Filed, Feb. 11, 1969;
8:49 a.m.]

² Commissioner Robert E. Lee absent; Commissioner Johnson not participating.

Notices

DEPARTMENT OF STATE

Agency for International Development LATIN AMERICA HOUSING GUARANTIES

Refund of Interest Escrow Accounts

Pursuant to section 224 of the Foreign Assistance Act of 1961, as amended, and delegations of authority issued thereunder, the Agency for International Development (A.I.D.) hereby announces the following action to be taken with respect to guarantees of loan investments for housing projects in Latin America:

1. That on each completed project for which an interest escrow account has been established, A.I.D. has agreed that it will, upon written request of the Depositor, extend its existing guaranty to assure payment to the Investor of interest on the guaranteed loan investment which may become due in the event of a default, in order that the Depositor may then apply to the Investor for release of such interest escrow account to the Depositor: *Provided, however,* That twenty percent (20%) of the amount released from such interest escrow account be deposited to the credit of the Central Reserve Fund maintained by the agency in connection with housing guaranty projects.

2. That on each of such partially completed projects for which an interest escrow account has been established, A.I.D. has similarly agreed that it will upon written request of the Depositor, extend its existing guaranty to assure payment to the Investor of interest on the guaranteed loan investment which may become due in the event of a default, in order that the Depositor may then apply to the Investor for release of such interest escrow account to the Depositor: *Provided, however,* That twenty percent (20%) of the amount released from such interest escrow account be deposited to the credit of the Central Reserve Fund maintained by the agency in connection with housing guaranty projects; and will further agree to extend its existing guaranty to cover interest payments which may become due to the Investor in the event of default with respect to dwelling units which have not been completed and/or placed under the guaranty, provided: (a) That the Borrower agree to escrow an amount equal to not less than two and seven-tenths per centum (2.7%) of the sales price of such dwelling units in a depository satisfactory to A.I.D. for a period of not less than twelve (12) months subsequent to the date such dwelling unit is completed and placed under the guaranty; such escrow to be for the purpose of assuring performance of the Builder's Warranty obligations to the homebuyer; and (b) that the Borrower make ar-

rangements satisfactory to A.I.D. assuring that should such project terminate prematurely, the termination would take place in an orderly fashion.

3. That on projects requiring establishment of an interest escrow account which are not yet under construction, and/or such projects on which no A.I.D. guaranteed loan investments have been made prior to the date of this notice, A.I.D. will agree upon written request of the Sponsor to extend its existing guaranty to cover interest payments which may become due to the Investor in the event of default with respect to all or any portion of the A.I.D. guaranteed loan investment: *Provided,* That the Borrower complies with the conditions described under 2(a) and 2(b) above.

The effective date of this notice is the date of publication thereof.

Dated: February 3, 1969.

STANLEY BARUCH,
Director, Housing and Urban
Development Division, Office
of Development Resources.

[F.R. Doc. 69-1742; Filed, Feb. 11, 1969;
8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 2152]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Manage- ment; Correction

In F.R. Doc. 68-15084 appearing on pages 18944-18946 of the issue of December 19, 1968 the following changes should be made:

Under T. 11 S., R. 9 E., sec. 6 should be changed to read "sec. 6, lots 2 to 5, inclusive, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ".

Under T. 3 S., R. 11 E., sec. 24 should be changed to read "sec. 24, lots 1, 2, and 3, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ ".

Following T. 5 S., R. 13 E., land description T. 2 S., R. 14 E., was omitted and should be inserted and read "T. 2 S., R. 14 E., sec. 31, lots 1 and 2 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ".

Under T. 6 S., R. 18 E., sec. 18 should be changed to read "sec. 18, S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ".

Last paragraph of paragraph 3 last line "353,704.40 acres" should be changed to read "353,815.48 acres".

FRED J. WEILER,
State Director.

FEBRUARY 5, 1969.

[F.R. Doc. 69-1751; Filed, Feb. 11, 1969;
8:47 a.m.]

[Serial No. A 2153]

ARIZONA

Notice of Classification of Public Lands for Transfer Out of Federal Ownership and for Multiple-Use Management; Correction

In F.R. Doc. 68-15086 appearing on pages 18947-18948 of the issue of December 19, 1968 the following changes should be made:

To correct an acreage calculation error, under second paragraph of paragraph 2 in third line "59,925.90 acres" should be changed to read "60,621.06 acres".

Under paragraph 3b following T. 7 S., R. 13 E., land description T. 6 S., R. 15 E., was omitted and should be inserted and read "T. 6 S., R. 15 E., sec. 25, lots 1 to 4, inclusive, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$ ".

Under T. 7 S., R. 16 E., sec. 14 should be changed to read "sec. 14, N $\frac{1}{2}$ N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$ ". Also, sec. 26 should be changed to read "sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ".

Under T. 8 S., R. 16 E., sec. 12 should be changed to read "sec. 12, W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ ".

Under T. 7 S., R. 17 E., sec. 6 should be changed to read "sec. 6, lots 1 to 5, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ". Also, following sec. 8 land description secs. 17 and 18 were omitted and should be inserted and read "sec. 17 and sec. 18, lots 1 to 4, inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$ and E $\frac{1}{2}$ ".

Under paragraph 3b last township reading T. 6 S., R. 17 E., should be changed to read "T. 8 S., R. 17 E".

To correct an acreage calculation error, under paragraph 3b last paragraph last line, "51,677.73 acres" should be changed to read "53,483.41 acres". Also, under first paragraph of paragraph 2, ninth line from the end, "totaling 51,677.73 acres" should be changed to read "totaling 53,483.41 acres".

FRED J. WEILER,
State Director.

JANUARY 22, 1969.

[F.R. Doc. 69-1752; Filed, Feb. 11, 1969;
8:47 a.m.]

Fish and Wildlife Service CHIEF, DIVISION OF FINANCIAL ASSISTANCE

Redelegation of Authority

To: Chief, Division of Financial Assistance;
From: Assistant Director for Resource Development, Bureau of Commercial Fisheries;
Subject: Delegation of Authority.

The authority of the Director, Bureau of Commercial Fisheries, contained in

the following section of Part 241.1, General Program Delegation of the Departmental Manual and redelegated to me in writing by the Director's memorandum dated September 20, 1967, is hereby redelegated to the Chief, Division of Financial Assistance:

(a) 241.1.1 The authority of the Director, Bureau of Commercial Fisheries, with respect to the execution of all documents and related material concerning fishery loans, fishing vessel mortgage and loan insurance or fishing vessel construction-differential subsidies.

(b) 241.1.2 The authority included in Part 241.1.1 does not include the authority to approve fisheries loan authorizations.

The delegation of authority to the Chief, Branch of Loans and Grants, dated September 20, 1967 (F.R. Doc. 67-11313; 32 F.R. 13466) is revoked.

RUSSELL T. NORRIS,
*Assistant Director for Resource
Development, Bureau of Com-
mercial Fisheries.*

[F.R. Doc. 69-1776; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. S-457]

KENNETH W. ERB

Notice of Loan Application

FEBRUARY 6, 1969.

Kenneth W. Erb, Route 1, Box 68 B2, Brookings, Ore. 97415, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 30.9-foot registered length wood vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1777; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. S-458]

**FREDERICK H. AND SYLVIA E.
KARTHAUSER**

Notice of Loan Application

FEBRUARY 6, 1969.

Frederick H. Karthaus and Sylvia E. Karthaus, Post Office Box 194, Chino, Wash. 98614, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 50.9-foot registered length steel vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1778; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. S-455]

MANIS L. AND ROZELL L. ROGERS

Notice of Loan Application

FEBRUARY 6, 1969.

Manis L. Rogers and Rozell L. Rogers, Box 45, Ilwaco, Wash. 98624, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 35-foot registered length wood vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evi-

dence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1779; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. S-459]

GRANT D. WOODRUFF

Notice of Loan Application

FEBRUARY 6, 1969.

Grant D. Woodruff, Box 685, Port Orford, Ore. 97465, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 37.1-foot registered length wood vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1780; Filed, Feb. 11, 1969;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SERVICE TRADE, CAPITAL EXPENDITURES, CHANGES IN FIXED ASSETS, AND RENTAL PAYMENTS

Notice of Determination

In accordance with title 13, United States Code, sections 181, 224, and 225 and due notice of consideration having been published January 8, 1969 (34 F.R. 270), I have determined that certain 1968 annual data for service trade are needed to provide a sound statistical basis for the formation of policy by various governmental agencies and are also appli-

cable to a variety of public and business needs. This survey is a continuation of similar surveys conducted every 5 years, and makes available data on capital expenditures, changes in fixed assets, and rental payments. These items are included in 1968 as supplemental data for the 1967 Census of Business. These data are not publicly available on a timely basis from nongovernmental or other governmental sources.

Reports will be required only from a selected sample of service firms in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above. Reports will be requested from sample establishments on the basis of their receipts size, selection in Census list sample mail panel, and location in Census sample areas.

Report forms will be furnished to the firms covered by the survey and will be due 15 days after receipt. Copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that an annual survey be conducted for the purpose of collecting these data.

Dated: January 30, 1969.

A. ROSS ECKLER,
Director, Bureau of the Census.

[F.R. Doc. 69-1719; Filed, Feb. 11, 1969;
8:45 a.m.]

Business and Defense Services Administration

HOWARD UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00118-33-46500. Applicant: Howard University, Department of Pathology, 520 W Street NW., Washington, D.C. 20001. Article: Ultramicrotome, Model "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for sectioning sections of bone-containing tissue for electron microscopy. Research is part of an investigation concerning calcification and bone formation. Comments: No comments have been received with respect to this article. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as the foreign article is intended to be used, is being manufactured in the United States. Reasons: (1) The

foreign article has a thin-sectioning capability down to at least 50 angstroms. The only known comparable domestic ultramicrotome is the Model MT-2 which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 has a specified minimum thickness capability of 100 angstroms. Since the purposes for which the foreign article is intended to be used require the thinnest possible attainable sections, the additional thin-sectioning capability of the foreign article is a pertinent characteristic. (2) The purposes for which the foreign article is intended to be used involve long series of thin sections, with consistent accuracy and uniformity. We have been advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated October 29, 1968, that the attainment of such series of sections requires the thermal advance which is incorporated in the foreign article, whereas the mechanical advance of the Sorvall MT-2 is less efficient in this respect. (3) The research project in which the foreign article is intended to be used includes experiments on bone and bone-containing tissue, for which a high cutting speed is necessary for attaining uniform and accurate sections. (See HEW memorandum cited above.) The foreign article provides a range of cutting speeds from 0.5 to 10 millimeters per second, whereas the Sorvall MT-2 has a cutting speed range from 0.09 to 3.2 millimeters per second.

For the foregoing reasons, we find that the Sorvall MT-2 ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1721; Filed, Feb. 11, 1969;
8:45 a.m.]

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00120-00-66700. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Spare parts for prevost projector. Manufacturer: Prevost, Italy. Intended use of article: The article will be used as spare parts for an existing prevost projector. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The application relates to a set of spare parts for a prevost projector already in possession of the applicant.

The Department of Commerce knows of no similar parts being manufactured in the United States, which are interchangeable with or adaptable to the instrument in which the foreign articles are intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1722; Filed, Feb. 11, 1969;
8:45 a.m.]

MEDICAL COLLEGE OF VIRGINIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00126-33-46500. Applicant: Medical College of Virginia, 1200 East Broad Street, Richmond, Va. 23219. Article: Ultramicrotome, LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in connection with studies designed to gain an understanding of the ultrastructure of the pathology of a variety of clinical and experimental induced renal lesions. The specific aims of the program are as follows:

1. To study the ultrastructure of the normal human kidney through the evaluation of tissue obtained from healthy related living volunteer donors during surgical removal of their kidney for transplantation.
2. To study the ultrastructural derangements of acute tubular necrosis by analyzing renal biopsies of freshly transplanted kidneys which subsequently develop oliguria.
3. To obtain more information concerning the nature of renal homograft

rejection through the analysis of sequential biopsies by exploring the nature of the lesions induced by passive transfer into the squirrel monkey of human sera obtained following transplant nephrectomy for rejection.

4. To correlate structural arteriolar changes with those observed by micro-radiological techniques in rejecting transplants in the dog.

5. To study the nature of cardiac transplant rejection in the dog.

6. To determine the rapidity of ultra-structural changes in rat kidneys on isolated perfusion.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: (1) The only known comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). For the purpose for which the foreign article is intended to be used, the applicant requires an ultramicrotome capable of cutting sections of biological specimens down to 50 angstroms. The thin-sectioning capability of cutting sections down to 50 angstroms. The thin-sectioning capability of the Sorvall Model MT-2 is specified as 100 angstroms. The better thin-sectioning capability of the foreign article is pertinent because the thinner the section that can be examined under an electron microscope, the more it is possible to take advantage of the ultimate resolving power of the electron microscope. (2) The foreign article has a thermal advance, whereas the Sorvall Model MT-2 has a gear driven mechanical advance. For the purposes for which the foreign article is intended to be used, the applicant requires a long series of ultrathin sections. We are advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated December 4, 1968, that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required.

For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1723; Filed, Feb. 11, 1969; 8:45 a.m.]

NEW YORK MEDICAL COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00123-33-46040. Applicant: New York Medical College, Fifth Avenue and 106th Street, New York, N.Y. 10029. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for biomedical research which includes the study of ultrathin sections of inflamed skin which are of exceedingly low contrast. Furthermore, investigations of mitochondria include the examination of negatively stained preparations, with their consequent demand on instrument flexibility. The total program of ultra-structural research is directed towards demonstration of biological organization at the molecular level and requires the utmost in resolution and general instrument capability available in an electron microscope. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the applicant placed the order for the foreign article. Reasons: Prior to July 1, 1968, the only electron microscope being manufactured in the United States was the Model EMU-4 which was manufactured by the Radio Corporation of America (RCA). The RCA EMU-4 provided a resolution of 8 angstroms, whereas the foreign article provides a resolution of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolution.) For the purposes for which the foreign article is intended to be used, we find that the additional resolution provided by the foreign article is a pertinent characteristic. In addition, the RCA EMU-4 had only two accelerating voltages of 50 and 100 kilovolts, whereas the foreign article has accelerating voltages of 20, 40, 60, 80, and 100 kilovolts. It has been experimentally established that the lower accelerating voltage of the foreign article affords optimum contrast for unstained specimens and that for negatively stained specimens, the optimum contrast is afforded by voltages inter-

mediate between 50 and 100 kilovolts. Since the research program in which the foreign article is intended to be used involves both negatively stained and unstained specimens, the additional accelerating voltages of the foreign article are pertinent characteristics.

For these reasons, we find that the RCA EMU-4 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant placed the order for the foreign article.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1725; Filed, Feb. 11, 1969; 8:45 a.m.]

POLYTECHNIC INSTITUTE OF BROOKLYN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00128-61-46500. Applicant: Polytechnic Institute of Brooklyn, 333 Jay Street, Brooklyn, N.Y. 11201. Article: Ultramicrotome, LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for the preparation of ultrathin sections of biological materials; mainly imbedded bacteria from soil. The study of thin sections of bacteria—electromicroscopical morphology, electromicroscopical autoradiography, and enzymatic digestion of bacterial organelles will aid in learning more about this new category of unusual soil micro-organisms called helicoidal polyspheroids. Also the microtome will be used for sectioning of various biological materials, e.g. tissues. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is

being manufactured in the United States. Reasons: (1) The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 has a guaranteed minimum thickness capability of 100 angstroms. The better thin sectioning capability of the foreign article is pertinent because the thinner the section that can be examined under an electron microscope, the more is it possible to take advantage of the ultimate resolving power of the electron microscope. (2) The foreign article has a thermal advance, whereas the Sorvall Model MT-2 has a gear driven mechanical advance. For the purposes for which the foreign article is intended to be used, the applicant requires a long series of ultrathin sections. We are advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated December 11, 1968, that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required.

For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1726; Filed, Feb. 11, 1969; 8:45 a.m.]

RUTGERS STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00170-33-46040. Applicant: Rutgers, The State University, Institute of Microbiology, New Brunswick, N.J. 08903. Article: Electron microscope, Model JEM-120 and accessories. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for the following investigations:

1. The localization of organelles associated with the secretion of enzymes by yeast and bacteria.

2. The study of the ultramicroscopic structure of actinomycetes, mainly motile actinomycetes.

3. The architecture of virions of actinophages, and human viruses. Also, the article will be used to follow the attachment of specific antibodies on molecules of nucleic acids acting as antigens.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which the article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a maximum accelerating voltage of 120 kilovolts. The most closely comparable domestic electron microscope is the Model EMU-4B manufactured by the Radio Corporation of America (RCA). The RCA Model EMU-4B has a maximum accelerating voltage of 100 kilovolts. The higher accelerating voltage affords more penetrating power for the electron beam, which is necessary in investigating the properties of thicker specimens and, therefore, is pertinent for the purposes for which the foreign article is intended to be used.

For the reason, we find that the RCA Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1727; Filed, Feb. 11, 1969; 8:45 a.m.]

ST. LUKE'S HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00200-00-46040. Applicant: St. Luke's Hospital, 11311 Shaker Boulevard, Cleveland, Ohio 44104. Article: Anticontamination trap for JEM-7 electron microscope. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used in conjunction with an existing JEM-7 electron microscope to study ultrastructural aspects of experi-

mental injury and repair of the lung.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory to an electron microscope, which was purchased from the original manufacturer of the electron microscope, and is now in the possession of the applicant.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or can be adapted to the instrument with which the foreign article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1728; Filed, Feb. 11, 1969; 8:45 a.m.]

STATE UNIVERSITY OF NEW YORK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00156-65-001100. Applicant: State University of New York at Stony Brook, Stony Brook, Long Island, N.Y. 11790. Article: Particle size analyzer. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used by the Department of Material Sciences in an approved graduate program concerning the investigation of the physical properties of materials. The experiments being conducted are for determining, under a broad spectrum of temperature conditions, the electrical resistivity of high conductivity materials. Also, the effect of oxidized surfaces on body properties are being investigated. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended to be used to study microphotographs of the oxidized surfaces of high conductivity materials for determining imperfection sizes as part of an analysis in the investigation of the physical properties of materials. We are

advised by the National Bureau of Standards (NBS), in a memorandum dated November 8, 1968, that there is no known domestic instrument which is capable of fulfilling the purposes for which the foreign apparatus is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1730; Filed, Feb. 11, 1969; 8:45 a.m.]

STATE UNIVERSITY OF NEW YORK Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00201-98-19095. Applicant: State University of New York at Stony Brook, Stony Brook, Long Island, N.Y. 11790. Article: Black and white isodensitometer system, Model 565-6M. Manufacturer: Joyce Loebel & Co., Ltd., United Kingdom (England). Intended use of article: The article will be used to reduce to meaningful information basic data of stress analysis obtained on film by photographing optical fringes generated by photoelastic models or moiré gratings. The basic fringes data on film must be reduced by plotting minute changes in the optical density as a function of position. This can be accomplished by this instrument, permitting education and research in photoelasticity, viscoelasticity, moiré methods, plasticity, plates and shells, wave propagation, etc. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which the article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is capable of high levels of precision when comparing optical densities which differ very slightly. For the purposes for which the foreign article is intended to be used, the applicant requires an instrument which can compare very small differences in optical density. We are advised by the

National Bureau of Standards (NBS), in its memorandum dated January 13, 1969, that the ability to detect and measure very small density difference is a pertinent characteristic of the foreign article. NBS also advises that there is no known instrument comparable to the foreign article that is available from domestic manufacturers.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1730; Filed, Feb. 11, 1969; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00144-33-46500. Applicant: University of California at Los Angeles, 405 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Ultramicrotome, Model LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for studies concerning the metabolism of important macromolecules such as proteins, nucleic acids, and mucopolysaccharides in ocular tissues, by means of quantitative electron microscopic autoradiography. This technique permits the localization and quantitation of radioactively tagged macromolecules in sections of chemically fixed cells after they have been labeled in the living animal. In addition, the applicant is studying cell morphology in both the developing and mature retina. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article has a minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall), which provides a minimum thickness capability of 100 angstroms. The better thin sectioning capability of the foreign article is pertinent because the thinner the section that can be examined under an electron microscope, the more it is possible to take advantage of the ultimate resolving power of the elec-

tron microscope. (2) The foreign article has a thermal advance, whereas the Sorvall Model MT-2 has a gear driven mechanical advance. For the purposes for which the foreign article is intended to be used, the applicant requires a long series of ultrathin sections. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 11, 1968, that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required.

For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1731; Filed, Feb. 11, 1969; 8:46 a.m.]

UNIVERSITY OF HAWAII

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00139-33-46040. Applicant: University of Hawaii Medical School, c/o Leahi Hospital, 3675 Kilauea Avenue, Honolulu, Hawaii 96816. Article: Electric microtome knife sharpener, Model "MN-61". Manufacturer: Sakura Finetechnical Co., Ltd., Japan. Intended use of article: The article will be used to maintain special histotechnical knives employed at the institution. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as the article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended for refinishing special histochemical ultramicrotome knives having a length of 250 millimeters. In addition to having the capability to handle 250-millimeter ultramicrotome knives, the foreign article is completely automatically operated and is designed for use with an oil-abrasive combination. In nonautomatic operation.

the pressure of the hone on the knife and the speed of the hone are subject to considerable variation because these depend on the hand movements of the operator. The oil-abrasive combination avoids the problems of rust which are inherent in water-abrasive combinations. We are advised by the Department of Health, Education, and Welfare that the above-described three characteristics of the foreign article are pertinent to the purposes for which the foreign article is intended to be used.

The Department of Commerce knows of no comparable ultramicrotome knife sharpener being manufactured in the United States, which combines these three characteristics in a single apparatus.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 69-1720; Filed, Feb. 11, 1969; 8:45 a.m.]

UNIVERSITY OF MISSOURI

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00135-33-46040. Applicant: University of Missouri—St. Louis, 8001 Natural Bridge Road, St. Louis, Mo. 63121. Article: Electron microscope, Model JEM-50. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used in the laboratories of four of the core courses of biology. In these courses students will be taught to prepare tissues for electron microscopy and the techniques of sectioning and shadowing biological materials. This instrument, although not sufficiently powerful to be of much use as a research tool, is entirely adequate to allow students to monitor their preparations and thus gain experience with the theory and practice of electron microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a small air-cooled electron microscope which can be readily moved from one location to another and operated by plugging into any ordinary electrical outlet. It permits rapid observation of a large num-

ber of prepared samples at various locations in the teaching laboratory. For training students in the theory and practice of electron microscopy, these characteristics are pertinent. The only known comparable domestic electron microscope is the Model EMU-4B manufactured by the Radio Corporation of America (RCA). The RCA Model EMU-4B is a relatively complex high resolution instrument designed primarily for advanced research. Furthermore, the domestic instrument requires a fixed installation with water-cooling facilities.

For the foregoing reasons, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[P.R. Doc. 69-1724; Filed, Feb. 11, 1969; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
AMDAL CO.

Notice of Withdrawal of Petition for Food Additive Spectinomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Amdal Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill. 60064, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of August 22, 1968 (33 F.R. 11943), proposing the issuance of a regulation to provide for the safe use of spectinomycin (from spectinomycin dihydrochloride pentahydrate) injectable in turkey poults as an aid in the prevention of mortality associated with Arizona group infection. The petition provides that 1-3-day-old turkey poults be administered a single injection. The firm has been informed that under the proposed conditions of use, spectinomycin would not be a food additive in that there is no reasonable expectation that it would, either directly or indirectly, become a component or otherwise affect the characteristics of food.

Dated: February 5, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[P.R. Doc. 69-1738; Filed, Feb. 11, 1969; 8:46 a.m.]

HAZLETON LABORATORIES, INC.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2392) has been filed by Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, proposing that the viscosity specifications for the tri-(monylphenyl) phosphite-formaldehyde resins identified in paragraph (c)(4)(iii) of § 121.2562 *Rubber articles intended for repeated use* (21 CFR 121.2562) be changed to specify a minimum viscosity of 20,000 centipoises rather than the presently prescribed range of 20,000-30,000 centipoises.

Dated: February 4, 1969.

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

[P.R. Doc. 69-1739; Filed, Feb. 11, 1969; 8:46 a.m.]

MONSANTO CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2391) has been filed by Monsanto Co., Hydrocarbons and Polymers Division, 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, proposing that § 121.2566 *Antioxidants and/or stabilizers for polymers* (21 CFR 121.2566) be amended to provide for the additional safe use of the hydrogenated 4,4'-isopropylidenediphenol-phosphite ester resins (identified in that section) as antioxidants and/or stabilizers in rigid polyvinyl chloride bottles intended for contact with foods of types VIII and IX as described in table 1 of § 121.2526(c).

Dated: February 4, 1969.

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

[P.R. Doc. 69-1740; Filed, Feb. 11, 1969; 8:46 a.m.]

Office of Education

RECEIPT OF PUBLIC LAW 81-815 APPLICATIONS

Notice of Cutoff Date, Fiscal Year 1969

Pursuant to the authority vested in me by section 3 of Public Law 81-815 (20 U.S.C. 633) and 45 CFR 114.2, notice is hereby given of the following cutoff date:

For the purpose of sections 3 and 14 of Public Law 81-815, June 25, 1969, is hereby set as the date during fiscal year 1969 on or before which complete applications for payments to which an applicant may be entitled under the Act from

such funds as may be available for such purposes shall be filed.

Dated: February 4, 1969.

PETER P. MUIRHEAD,
Acting U.S. Commissioner
of Education.

[F.R. Doc. 69-1736; Filed, Feb. 11, 1969;
8:47 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HUD OFFICERS AND EMPLOYEES Delegations and Redelegations of Authority

The suspension of certain delegations and redelegations of authority to HUD officers and employees, effective February 4, 1969 (34 F.R. 1740, Feb. 5, 1969), shall not preclude:

A. The exercise of authority by HUD officers and employees under delegations outstanding as of February 3, 1969, to the Assistant Secretary for Mortgage Credit and Federal Housing Commissioner, and redelegations thereunder, except the redelegated authority to approve initial reservations of funds or to increase such fund reservations.

B. The exercise of authority by HUD officers and employees under delegations outstanding as of February 3, 1969, to the Assistant Secretary for Renewal and Housing Assistance and the Assistant Secretary for Metropolitan Development, and redelegations thereunder, to execute contracts pursuant to approved applications for financial assistance or take actions under such contracts, including actions in connection with financing transactions.

(Secs. 3, 7, Department of HUD Act, 42 U.S.C. 3532, 3535)

Effective date. This notice is effective as of February 4, 1969.

GEORGE ROMNEY,
Secretary of Housing
and Urban Development.

[F.R. Doc. 69-1858; Filed, Feb. 11, 1969;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

ENCAPSULATED CALIFORNIUM-252 NEUTRON SOURCES

Notice of AEC Loan Program

1. The U.S. Atomic Energy Commission hereby announces a program to make available on loan small quantities of californium-252 as encapsulated neutron sources. Californium-252 is considered to hold promise for applications in such fields as medicine, geological and mineral exploration, hydrology, oceanography, process control, activation analysis, and radiography. The AEC plans to continue this program over a limited period until sufficient data are obtained

to indicate the potential market for californium-252.

2. Californium-252 is in limited supply and the AEC may be required to select a small number of users from a larger group of qualified applicants. The AEC will exercise its judgment on the best placement of the material to get full coverage of the potential field of applications, and the extent of information required for certain types of activities. Thus, potential users are encouraged to make their interests known to AEC as early as possible.

3. The AEC will provide the encapsulated sources to the users, i.e., Savannah River Plant, without charge. The users would study the potential for applications in their facilities at their expense. Users will be required to (1) possess the necessary license to receive, possess, and transport the encapsulated sources, (2) provide the results of the studies at no cost to the AEC for public dissemination, and (3) extend to the AEC appropriate data and patent rights.

4. Persons interested in this program should communicate with the Manager, U.S. Atomic Energy Commission, Savannah River Operations Office, Post Office Box A, Aiken, S.C. 29801.

Effective date. This notice is effective upon publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 6th day of February 1969.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 69-1718; Filed, Feb. 11, 1969;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20490; Order 69-2-23]

DOMESTIC AIR EXPRESS ET AL.

Order of Tentative Approval Regarding Control Relationships

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of February 1969.

By application filed December 31, 1968, Domestic Air Express (DAX), Asiatic Forwarders, Inc. (AFI), Asiatic Trans-Pacific, Inc. (ATP), Asiatic International Corp. (AIC), Asiatic Trans-Pacific of Guam (ATP-Guam), and James Cummins request approval, under section 408 of the Federal Aviation Act of 1958, as amended (the Act), of control relationships resulting from DAX's proposed acquisition of 45 percent of the issued and outstanding stock of AFI, AIC, and ATP and of options on the remaining 55 percent of the stock of these three companies from Mr. Cummins.

The purchase price to be paid by DAX for the Asiatic Forwarders companies will be based upon an evaluation of net-after-tax earnings of such companies for the 3 calendar years ending December 31, 1971, but not to exceed a fixed amount. A condition to DAX's obligation

to purchase Cummins' stock is that at closing, DAX shall take title to all of the stock which is subject to the options, it being understood that DAX shall not be required to purchase and close with respect to less than all of the Asiatic Forwarders companies' stock. The agreement is also conditioned upon Board approval and upon a further condition that the Department of Defense shall not have expressed any formal, affirmative objections to the agreement or to the transactions contemplated thereunder and shall not have advised DAX or AFI or the Board that it will withdraw its selection of AFI to transport by air used household goods of Department of Defense personnel.

DAX is a domestic air freight forwarder. AFI is one of seven indirect air carriers of used household goods presently relieved from certain provisions of the Act to the extent necessary to transport by air used household goods of personnel of the Department of Defense upon tender by that Department, for a period running through October 14, 1969, unless sooner terminated by the Board.¹

AFI also operates as an exempt surface freight forwarder, under section 402(b) of the Interstate Commerce Act, of household goods, unaccompanied baggage, used automobiles and specialized articles between points in foreign countries as well as in interstate commerce for civilian agencies, individual shippers, and national commercial accounts. At present AFI holds no operating authority from the ICC.² AFI also currently holds FMC authority as an independent ocean freight forwarder.³

ATP engages in the business of acting as agents for forwarders and carriers authorized to handle household goods and baggage by surface for the Department of Defense. It is not a carrier, but is an organization which furnishes traffic management and local agency support only.

AIC engages in the same operations, to and from Japan only, that AFI engages in elsewhere. It holds no operating authority from any Government agency as a carrier.⁴

¹ Order 68-10-32, Oct. 8, 1968.

² However, since the Routed-Thru-Pac decisions of the ICC (Feb. 29, 1968, FF 316), the Commission has concluded that the forwarding of unaccompanied baggage and used automobiles of householders when handled "separately" from the used household goods of the householder, nullifies the exemption of section 402(b) of the Interstate Commerce Act and subjects the freight forwarder's entire operations to Part IV of said Act so as to require a permit. Consequently, pursuant to that decision, AFI has filed an application with the Commission seeking authority as a regulated forwarder under Part IV for those articles handled as an "exempt" surface forwarder. Applicants advise that they expect the Commission to grant such application in due course.

³ The FMC does not consider such forwarders to be common carriers.

⁴ Applicants assert that ATP was organized as a separate company so that it would be subject to taxes as a separate company under the laws of Japan.

ATP-Guam, a wholly owned subsidiary of AFI, also holds independent ocean freight forwarding authority from the FMC. It presently operates in Guam only and performs packing services in Guam for AFI and other forwarders and carriers.⁵

The applicants assert that the proposed transaction will increase the financial stability of AFI and will strengthen AFI through management services and financial assistance rendered by DAX so that AFI may even more effectively fulfill not only the requirements of the Department of Defense in the handling of used household goods for DoD personnel, but also the needs of the nonmilitary Government, individual and national accounts of AFI in the latter's ocean and exempt surface forwarding activities. The applicants state that the proposed transaction will not substantially alter the current operations of the Asiatic Group except that the companies will operate as subsidiaries of DAX.

The applicants state that if the instant transaction is approved by the Board, AFI's application for domestic air freight forwarder authority will be withdrawn.

No comments with respect to the application have been received.

Upon consideration of the foregoing, it is concluded that AFI is an air carrier within the meaning of section 408(a) of the Act and that DAX's acquisition of AFI is subject to that section. However, we have tentatively concluded that the control relationships resulting from DAX's acquisition of AFI do not affect the control of a direct air carrier, do not create a monopoly and do not tend to restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, and it is concluded that the public interest does not require a hearing. The control relationships are similar to others which have been approved by the Board and do not essentially present any new substantive issues to the Board.⁶

It is noted that the approval of the control relationships will in no way expand either the operating authority previously granted DAX or the exemption authority under which AFI is currently operating.

In accordance with section 408(b) of the Act, this order constituting notice of the Board's tentative findings will be published in the FEDERAL REGISTER and interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

Accordingly, it is ordered:

1. That interested persons are hereby afforded a period of ten (10) days within

⁵ Applicants also assert that AFI would perform these operations itself except that it was deemed advisable to form a separate corporation to be taxable as such under the laws of Guam.

⁶ See Orders E-26586, Mar. 27, 1968, and E-26656, Sept. 11, 1967. See also Order 69-8-52, Aug. 13, 1968.

which to file comments or request a hearing with respect to the Board's proposed action on the application contained in Docket 20490; and

2. That the Attorney General of the United States be furnished a copy of this order within 1 day of publication.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-1773; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. 20314; 69-2-21]

FRONTIER AIRLINES, INC.

**Order Setting Application for Hearing
in Accordance With Expedited
Procedures**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of February 1969.

On October 2, 1968, Frontier Airlines, Inc. (Frontier), filed an application pursuant to Subpart M of the rules of practice for amendment of its certificate of public convenience and necessity for Route 73 so as to permit it to provide, without subsidy eligibility, nonstop operations between Denver, Colo., and Casper, Wyo.; Denver, Colo., and Billings, Mont.; and Billings, Mont., and Great Falls, Mont.¹ Answers in support of the application were filed by the city and county of Denver and the Public Utilities Commission of Colorado (Denver parties), the city and Chamber of Commerce of Billings, the Bozeman Chamber of Commerce and the Gallatin Field Board, the city and Chamber of Commerce of Great Falls, and the Montana Aeronautics Commission. Answers in opposition to the application were filed by Western Air Lines, Inc. (Western), Northwest Airlines, Inc. (Northwest), the city and Chamber of Commerce of Cheyenne, the Lewistown Municipal Airport Commission, the Sheridan County Chamber of Commerce, and the Sheridan City Council. Replies were filed by Frontier and by the Denver parties.

Upon consideration of the foregoing pleadings and all the relevant facts, the Board has determined that there is a sufficient basis for setting Frontier's application for hearing.

Accordingly, it is ordered, That:

1. The application of Frontier Airlines, Inc., in Docket 20314, be and it hereby is set for hearing before an Examiner of the Board at a time and place hereafter designated; and

2. This order shall be served upon all parties served by Frontier.

¹ The Board did not take action to summarily dismiss the application within the 10-day period set forth in § 302.1305(a) and consequently the provisions of Subpart M became automatically applicable.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-1774; Filed, Feb. 11, 1969;
8:49 a.m.]

[Docket No. 18650; 69-2-26]

**INTERNATIONAL AIR TRANSPORT
ASSOCIATION**

Order Regarding Cargo Agency Rules

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of February 1969.

There have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended (the Act), agreements among various air carriers, foreign air carriers and other carriers embodied in resolutions adopted by mail vote by members of the Traffic Conferences of the International Air Transport Association (IATA). The agreements which are included in IATA Memorandum JT 123/Resolution 1487, dated June 6, 1968, for effectiveness on July 1, 1968, are identified in the appendix.¹

Introduction. The filing consists of 17 resolutions amounting to 142 pages of text and are broadly divided into two main groups of resolutions.² In general, the first group of resolutions, which for convenience is hereinafter referred to as the "811 package"³ establishes a new cargo agency program adopted by the IATA carriers. These resolutions comprehensively revise the existing cargo sales agency program in such a manner as to place primary emphasis on the responsibilities of agents for the physical handling of consignments. The second group of resolutions hereinafter referred to as the "810 package"⁴ incorporates amendments to the existing IATA cargo sales agency program to conform in major respects to the newly adopted program. It is made applicable for a period of 2 years to existing cargo sales agents who do not elect to become subject to the new program prior to January 1, 1971.⁵

¹ The agreements were filed on June 10, 1968, and supplemented by Memorandum JT 123/Resolution 1488, dated June 12, 1968. Appendix filed as part of original document.

² Two of these resolutions have been previously approved by Board Order 68-7-71, July 16, 1968: Resolutions 002c (CAB Agreement 20335, R2) relating to traffic procedures and special revalidating Resolutions 600g, 606, 810b, 821a, 821b, and 823 expiring Dec. 31, 1968; and revalidating Resolution 800 (CAB Agreement 20335, R6) relating to general sales agents.

³ Appendix Part I (Resolutions 608, R5; 811, R10; 811a, R11; 811b, R12; and 821, R14).

⁴ Appendix Part II (Resolutions 600g, R3; 606, R4; 810b, R8; 821a, R15; 821b, R16; and 823, R17).

⁵ Resolution 001r, R1, Appendix Part III, ties in the 811 and 810 packages so that each of the component resolutions becomes and remains effective only if all such resolutions become and remain effective for implementation simultaneously.

Objections to various provisions of the subject resolutions were filed by the International Airfreight Agents Association (IAAA), and the Customs Brokers and Forwarders Association of Miami, Inc. (CBFA) * and by nine air cargo sales agents including individual members of IAAA and CBFA. Identical telegrams from 31 cargo sales agents opposing the agreements also were received.⁷

The U.S. members of IATA have filed explanatory data in support of the agreements.

Objectives of the new cargo agency program. Essentially, the 811 package is designed to achieve several objectives. The IATA carriers seek to provide a better service to shippers and consignees alike by fostering a more efficient type of operation by cargo agents in the physical handling and processing of air freight in terminals and airports. Such improved operations are designed to result in consignments "ready for carriage," and thereby reduce airline costs in any further handling or processing of shipments. To foster such operations by cargo agents the resolutions include provisions for the establishment of new quality standards with which the agents are required to comply or be subject to various penalties involving their continuance as approved IATA cargo agents. Further, in line with the carriers' emphasis on the physical handling capabilities of agents rather than their sales promotion activities, the resolutions are designed to simplify the IATA procedure required of and involving IATA approved cargo agents. For example, cargo agents would be required to be registered only in the country for which (including named airports or locations immediately adjacent thereto) approval is sought, and to maintain a sales or administrative office in such country.⁸

Upon consideration of the resolutions and the comments of the carriers and the cargo sales agents, the Board has decided to approve Agreements CAB 20335-R1, R3, R4, R5, and R7 through R17, except insofar as they apply to U.S. cargo agents in the United States. We shall also tentatively approve these agreements insofar as they apply to U.S. cargo agents in the United States except to the extent hereinafter discussed. There follows a discussion of the various contentions made by the agents and the Board's tentative views with respect thereto.

Agent participation in the formulation of IATA resolutions. Certain of the agents oppose the resolutions in toto

* IAAA states that the association consists of 75 members in 18 cities including New York and works closely with the Miami agents association having 33 members. IAAA estimates that its members handle about 40 percent of the volume handled by all air cargo sales agents.

⁷ There are approximately 439 U.S. IATA air cargo sales agents who in addition to their respective home offices have among them a total of approximately 275 branch office locations in the United States.

⁸ Presently, air cargo sales agents are required to maintain an office in each location for which approval is sought. (Resolution 810b, par. b(1)).

while others do not oppose the basic objective of the resolutions but object to particular aspects of the resolutions. Several agents object to IATA's failure to (1) solicit their views on matters affecting their interest and (2) permit them to participate in the formulation of resolutions affecting their interests. In view of the foregoing, the contention is made that the Board should disapprove the subject agreements.

"We do not believe that the public interest requires disapproval of the resolutions for the foregoing reasons cited by the agents. Neither do we believe that the legitimate interests of the agents can be safeguarded only by requiring that the agents directly participate in the IATA carriers' deliberations and formulation of resolutions. All IATA resolutions affecting air transportation must be filed with and approved by the Board. The agents as well as other interested persons have an opportunity to make their views known to the Board and such views are given due consideration by the Board before it acts upon a particular resolution. No showing has been made that anything more is needed at this time to vindicate the public interest.

At the same time we are concerned that the IATA carriers have proposed what appears to be a significant change in the role of the IATA cargo agents without full consultation and discussion with the affected agents. It may be that if such discussions had taken place in advance of submission of the agreements much of the agents' apprehensions would have been resolved. Moreover, solicitation of the agents' views might have brought to the fore practical difficulties with certain aspects of the resolutions. Thus, the resolutions in their final form might have been improved upon if the carriers had the advantage of discussing the matter with the agents.

As a means of overcoming a comparable lack of communication and also to provide a forum in which problems of mutual concern are discussed, members of the Air Traffic Conference and representatives of the principal passenger sales agents organizations presently hold periodic meetings. The Board's understanding is that these meetings have proven to be beneficial. We believe the IATA carriers should give serious consideration to a comparable program for both their cargo and passenger sales agents.

THE NEW CARGO AGENCY PROGRAM— THE 811 PACKAGE

The comments of IAAA, CBFA, and individual cargo agents express various general objections to the agreements which are directed to (1) the failure to provide for increased remuneration of \$1 or \$2 per consignment to the agents for increased costs involved in delivering consignments to the carrier in a "ready for carriage" condition as required by Resolution 608; (2) the imposition on agents of a penalty of loss of commission, or a \$2 service fee, whichever is less, on a substandard shipment without exemption for "inadvertent or insubstantial

error" in determining substandard shipments; (3) the expanded possibilities for violation of the quality standards for consignments by agents; (4) the possible elimination of small air cargo sales agents; and (5) the form and requirements of the IATA air waybill. Based upon these objections, the cargo sales agents requested that the Board grant various forms of relief, including disapproval of the pending resolutions, deferral of the proceedings, and setting the matter for hearing.

While not specifically so identified, the objections appear to relate particularly to the interrelation of Resolution 608 (Ready for Carriage Consignments) and sections C (Quality Standard) and D (Remuneration) of Resolution 811. Other than to the extent discussed below, therefore, no useful purpose would be served by a detailed description of all of the resolutions or sections of such resolutions beyond that set forth in the appendix.

Agents' responsibilities. Resolution 608 provides in substance that at the time of acceptance of any consignments from any agents by members for immediate transportation from any airport or designated location, such consignment shall be "ready for carriage." It defines when a consignment is "ready for carriage" in terms providing for properly issued air waybills, addressing of package, packing and marking and labeling in the forms and manner prescribed by various supplementary existing resolutions.⁹ Section D of Resolution 811 defines in paragraph (5) the duties of a cargo agent to include his delivery of a consignment to an IATA member in a "ready for carriage" condition as required by Resolution 608 and conditions the agent's remuneration upon such delivery. Section D further provides in paragraph (6) that in any instance where an IATA member provides personnel, facilities, or services to enable or assist cargo agents to perform their functions as required by Resolution 608, a charge per consignment of \$2 or the applicable remuneration whichever is less, shall be assessed against such agent. Paragraph (6) additionally provides that each such instance shall count as an improperly handled consignment for purposes of section C of Resolution 811. Section C provides for the maintenance of quality standards and for compliance procedures. The quality standard requires that, during any referenced period established by the Compliance Director, not more than 10 percent of the consignments tendered the IATA member airlines at a given period, or five consignments within a 24-hour period, whichever is greater, shall fail to be "ready for carriage" as defined in Resolution 608. If the quality standard is not met, section C provides that the cargo agent be advised that he will be reviewed again within 3 months, and if upon such further investigation, the standard is not attained, his approval and appointment will be subject to suspension or cancellation. There-

⁹ Resolution 600, 600j, or 600k; Resolutions 600g, (R3), and 606, (R4), herein sought to be revalidated; and Resolution 607.

after, the Compliance Director is authorized to initiate a review of any continued noncompliance pursuant to section H.

No new responsibilities. Considered together, Resolution 608 and paragraph (5) of section D of Resolution 811, make no essential changes in the currently effective terms of Resolution 810b, paragraph B(13)(c). Under the existing rules, the cargo sales agent is "to be responsible for acceptance of consignments from the consignors, issue air waybills accurately and completely, furnishing all information called for therein, including completion of the charges tax, in accordance with Resolution 600, and deliver or arrange for delivery of the consignments to the Principal or the airport of departure named in the air waybill or at any other location designated by the Principal, properly packed, marked, labeled, and ready for carriage. The agent shall be responsible for delivering to the Principal the accurate and complete air waybill at or before the time of delivery of the consignment to the Principal.

The new Resolution 608 and paragraph (5) of section D of the new Resolution 811 in essence restate with greater particularity the responsibilities that the air cargo sales agents are presently required to meet in preparation of consignments for delivery. It thereby affords an objective basis for determining the adequacy of the air cargo agents' services through the examination of documents and the physical condition of the shipments.

The agents contend, among other things, that the new rules would work an undue hardship on small cargo sales agents and threaten their existence,¹⁰ but have presented no factual data showing what, if any, increased services are required of either the large or small agents under the new rules that were not similarly required under existing rules. By reason of the particularity with which the new rules are described a more objective basis is now provided for the enforcement of the same services as have heretofore been required but which may not have been fully enforced. In short, it appears that what the agents are complaining of is that the new program will be enforced by the carriers whereas compliance with the current resolution is not fully enforced. Under these circumstances we do not believe that the agents have proven that they should receive compensation over and above their 5 percent commission.

Consequences of agents' failure to perform as required. With regard to monetary assessments against cargo agents, the provisions of paragraph (6), section D of the new Resolution 811, as described above, alter existing Resolution 810b, paragraph I in two respects.

First, it provides for the assessment of \$2 per consignment or the applicable remuneration against a cargo agent

where an IATA carrier provides personnel, facilities or services to enable or assist the agent to perform any of its required functions. Secondly, it eliminates the exemption from such assessment available to an agent where only an "inadvertent or insubstantial error" has occurred in the agent's preparation of an air waybill. The agents contend in effect that the elimination of the exemption for inadvertent or insubstantial error would impose an unreasonable standard of perfection, and, in light of the monetary assessment provisions, would result in a loss of revenue that can be ill-afforded. Small agents in particular may be adversely affected by such loss of revenue.

We know of no reason, nor has IATA furnished any, that warrants, at least for the present, the discontinuance under the new rule of the limited exemption from assessments, as provided under existing rules previously approved by the Board where only a minor deviation from the required performance is involved. Furthermore, the new rules with respect to paragraph I of the interim 810 package continue to afford an exemption where the air waybill information involves an insignificant error. In these circumstances a condition will be attached to our approval which will have the effect of continuing the present provision which provides that no assessment will be made of the agent where he makes only an inadvertent or insubstantial error in preparing a consignment for shipment.

We recognize that this exemption is phrased in subjective language and, therefore, is open to differing interpretation and that in other agency matters the Board has acted to eliminate subjective criteria wherever feasible. Such action was predicated upon findings that subjective criteria resulted in abuses. The Board is not aware that the exemption for inadvertent and insubstantial error in the past has resulted in discriminatory practices. In tentatively approving the resolutions insofar as they are applicable to U.S. cargo agents in the United States, the Board will retain for the present the exemption from monetary assessment where an inadvertent or insubstantial error occurs. However, the IATA carriers should consider whether the grounds for not assessing the agent can be formulated in a more specific objective manner than at present.

Also, section D provides that each instance where a carrier provides facilities to assist an agent in performing its functions shall be counted as an improperly handled consignment for purposes of section C as well as a basis for a monetary assessment against an agent under section D. The agents contend in effect that if each such instance must be counted as an improperly handled consignment, the instances of noncompliance would be automatically expanded and thus result in an unreasonably extended exposure to the suspension or cancellation of their agency registration.

This contention assumes that the language of section D, paragraph (6), is

mandatory and conclusively constitutes a violation of Resolution 608 under the quality standard of section C. However, the U.S. carrier members of IATA state that not every instance where an assessment is chargeable against an agent under section D must be included as an instance to be investigated by the Compliance Director in determining compliance with the overall quality standards of section C of Resolution 811. According to the carriers the Compliance Director is not required to accept *carte blanche* the member's assessment determination in a particular instance.

Thus, it may be that the agents' fears concerning the increased possibility under the resolution of being suspended or canceled are not well founded. Only experience with the new resolutions will establish whether there is any substance to the agents' fears. In this connection, the Board receives from IATA annual reports indicating, *inter alia*, the number of cargo agents who are suspended or canceled. We intend to monitor the situation and if the new resolutions result in a substantial increase in the number of suspended or canceled agents the matter will be investigated. In view of the foregoing, we shall approve the resolution on the basis of the explanation submitted by the carriers that a monetary assessment under section D does not conclusively establish a violation of section C of Resolution 811.

One further contention raised by the agents warrants comment. By Order E-26927, June 17, 1968, the Board approved a new form of IATA air waybill. No timely objections to the air waybill were filed but now somewhat belatedly certain agents contend that because of the format employed in the new air waybill they will be unable to properly complete the bill. According to the agents, such failure will increase their susceptibility to suspension or cancellation or at the very least monetary assessment.

The new air waybill has been used by some IATA carriers since July 1, 1968. Although it may be too early to evaluate the difficulties, if any, posed by the new air waybill, the Board has not been made aware of any problems other than the general comments made by several agents in this proceeding. Furthermore, the Board understands that the carriers have held training sessions designed to familiarize the agents with the requirements of the new bill.

Under these circumstances there is no basis for the Board to now disapprove the air waybill. Experience may indicate that the agents' fears are not well founded. On the other hand, if it appears that the air waybill is not only impractical but also results in unwarranted compliance consequences to the agents, the Board will reconsider the matter if an appropriate showing is made.

Attachment of previously imposed conditions to the 811 package. Turning now to the consideration of various procedural provisions relating to violations contained in Resolution 811, we believe that the procedural safeguards on review of violations heretofore afforded agents

¹⁰ One objecting cargo agent, Triangle Forwarding Corp., estimated that handling costs would increase approximately 25-35 percent.

under recent Board orders should be continued with respect to section H violations of a general nature,¹¹ with respect to section F violations of a special nature described therein,¹² and with respect to the review provisions of section I which supplements section F. Also, we believe that similar safeguards should be afforded under sections F and I, as are afforded under section H,¹³ without distinction as to the nature of the violations, since all of them subject agents to similar consequences of reprimand, cancellation, or suspension. Further, we believe the site of any arbitration proceeding should be, unless otherwise agreed to by the parties, within a 500-mile radius of the cargo agent's principal office or place of business. Also, we believe that section K of Resolution 811, which relates to the interpretation of resolutions, should be modified to include the various requirements imposed by Order 68-8-75, supra. To give effect to each of these reservations, we shall attach appropriate conditions to our tentative approval herein.

INTERIM CARGO SALES AGENCY PROGRAM—THE 810b PACKAGE

Since a description of the interim 810b package resolutions is set forth in Appendix Part II, we shall not here discuss the details thereof other than two sections of Resolution 810b, R8.

The amendments to paragraph H of Resolution 810b, applicable to cargo sales agents in the United States, are identical to the provisions of section H of Resolution 811 discussed above. The same conditions which were imposed by Order E-26888, supra, and which we intend to attach to our approval of the new Resolution 811, will also be attached to our approval of Resolution 810b.

The amendment to paragraph I of Resolution 810b, which provides for assessments against U.S. air cargo sales agents where the IATA air carrier member provides facilities to assist such agents in the performance of their functions, is identical to the new and corresponding provision of paragraph (6), section D of Resolution 811, hereinbefore discussed. In connection with that discussion, we tentatively concluded that a condition should be attached to approval of Resolution 811 which would exempt the agents from assessment by the carriers where only inadvertent and insubstantial error was involved. For the same reasons we shall attach an identical condition to our approval of Resolution 810b insofar as it is applicable to cargo sales agents in the United States.

In light of the foregoing, the Board (1) finds that Agreements CAB 20335-R1,

R3, R4, R5, and R7 through R17, except insofar as they apply to U.S. cargo agents in the United States, are not adverse to the public interest or in violation of the Act and should be approved; and (2) tentatively finds that, insofar as they apply to U.S. cargo agents in the United States, these agreements are not adverse to the public interest or in violation of the Act and should be approved if made subject to the following conditions:

1. That, in respect to commissions or remuneration, no assessments shall be made against an agent or remuneration denied by reason of an inadvertent or insubstantial error in the performance of his duties.

2. That, in respect to review of IATA cargo agents, a cargo agent (a) shall be furnished with the reasons for review with supporting facts and specifications of the minimum requirements for him to qualify as an approved agent, (b) shall be authorized to submit supporting evidence with his written answer to the Agency Administrator, (c) shall be furnished with a copy of the IATA investigation report, (d) shall be entitled to have his answer and supporting evidence submitted to the CRRB together with the IATA investigation report, and (e) shall be entitled to seek arbitration of a reprimand issued by the Cargo Registration and Review Board.

3. That, in respect to review by arbitration, (a) neither party to an arbitration proceeding shall be required to give advance notice to the other of the identity of its witnesses, and (b) the arbitration board shall, unless otherwise agreed by the parties, hold the hearing within 500 miles of the principal office or place of business of the agent in the country where he is registered.

4. That, in respect to review of violations, (a) the Agency Administrator in submitting the report of the Compliance Office to the agent and the Compliance Board shall at the same time also submit to such persons copies of the supporting evidence bearing on the alleged violation, (b) in the event the Compliance Board issues a reprimand the agent may seek arbitration pursuant to the procedures established by the resolution, (c) neither party to an arbitration proceeding shall be required to give advance notice to the other of the identity of its witness(es), and (d) the arbitration board shall, unless otherwise agreed by the parties, hold the hearing, in the case of a cargo agent, within 500 miles of the principal office or place of business of the agent in the country in which he is registered and, in the case of a cargo sales agent, within 500 miles of the agency location involved in the complaint.

5. That, in respect to interpretation of resolutions (a) where a written interpretation is provided an agent by an IATA member, it shall be supplied not later than 15 days after the receipt of the request therefor, and (b) where an IATA member submits the request of an agent to the IATA Breaches Commissioner, the member shall supply the agent with a declaratory interpretation not later than 30 days after receipt of the request by the carrier.

Accordingly, it is ordered:

1. That Agreements CAB 20335-R1, R3, R4, R5, and R7 through R17, except insofar as they apply to U.S. cargo agents in the United States, be and they hereby are approved;

2. That final action on Agreements CAB 20335-R1, R3, R4, R5, and R7 through R17, insofar as they apply to U.S. cargo agents in the United States, be and it hereby is deferred;

3. Interested persons may file comments relative to the Board's tentative decision herein within thirty (30) days of the issuance of the order herein by filing with the Docket Section an original and three (3) copies of such comments;¹⁴ and

4. That a copy of this order shall be served on all U.S. air carrier members of IATA, the International Airfreight Agents Association, Inc., the Customs Brokers and Forwarders Association of Miami, and all cargo sales agents who filed comments with respect to the subject resolutions.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-1775; Filed, Feb. 11, 1969;
8:49 a.m.]

GENERAL SERVICES ADMINISTRATION

[Wildlife Order 86]

PORTION, FORMER UDT TRAINING FACILITY, BUCK ISLAND, ST. THOMAS, V.I., N-VI-420B

Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By letter from General Services Administration, New York Regional Office, dated January 8, 1969, the property known as a portion of the former UDT Training Facility, Buck Island, St. Thomas, V.I., consisting of approximately 35.60 acres and improvements, and more particularly described in said letter, has been transferred to the Department of the Interior.

2. The above-described property was transferred for wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated: February 5, 1969.

CURTIS A. ROOS,
Assistant Commissioner for
Real Property Disposal.

[F.R. Doc. 69-1789; Filed, Feb. 11, 1969;
8:50 a.m.]

¹⁴Such comments shall conform with the general requirements of the Board's rules of practice in Economic Proceedings. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

¹¹ Order E-26888, June 6, 1968, relates to availability of evidence to cargo sales agents, arbitration of reprimands, and identification of witnesses.

¹² Order 68-8-75, Aug. 16, 1968, relating, inter alia, to furnishing specifications for minimum qualification.

¹³ For example, Orders E-2579, Oct. 6, 1967, and E-26379, Feb. 20, 1968, eliminated the requirement under section H that each party to arbitration shall give reasonable notice to the other of the identity of its witnesses.

FEDERAL COMMUNICATIONS COMMISSION

[Canadian List 251]

CANADIAN STANDARD BROADCAST STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

JANUARY 28, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CHOK (now in operation with increased power).	Sarnia, Ontario.....	1070 kilocycles 10.....	DA-2	U	II	
CKDA (now in operation with increased power).	Victoria, British Columbia.....	1280 kilocycles 25.....	DA-1	U	II	
CKLS (PO: 1240 kHz, 0.25 kw, ND).	La Sarre, Quebec.....	1240 kilocycles 1D/0.25N.....	ND	U	IV	E.I.O. 1-15-70.
CHAD (PO: 1340 kHz, 0.25 kw, ND).	Amos, Quebec.....	1340 kilocycles 1D/0.25N.....	ND	U	IV	E.I.O. 1-15-70.
CKRN (PO: 1400 kHz, 0.25 kw, ND).	Rouyn, Quebec.....	1400 kilocycles 1D/0.25N.....	ND	U	IV	E.I.O. 1-15-70.
CHZF (PO: 1450 kHz, 1 kw D/0.25 kw N, ND).	Granby, Quebec.....	1450 kilocycles 1D/0.25N.....	DA-2	U	IV	E.I.O. 1-15-70.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 69-1786; Filed, Feb. 11, 1969; 8:50 a.m.]

CIVIL SERVICE COMMISSION

INSTRUMENT MECHANIC, PUGET SOUND NAVAL SHIPYARD, WASH.

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on January 17, 1969, for positions of Instrument Mechanic at the Puget Sound Naval Shipyard, Bremerton, Wash.

Assuming other legal requirements are met, appointees to these positions may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 69-1762; Filed, Feb. 11, 1969; 8:48 a.m.]

ELECTRONICS TECHNICIAN
WASHINGTON, D.C.

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on January 30, 1969, for four positions of Electronics Technician GS-856-9/11 (limited to those positions requiring at least 6 months experience on maintenance of H-200 or GE-400 EDP systems) in Washington, D.C. This finding is canceled when these four positions have been filled.

Assuming other legal requirements are met, appointees to these positions may be paid for the expenses of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 69-1763; Filed, Feb. 11, 1969; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

NON-VESSEL-OPERATING COMMON CARRIERS BY WATER IN FOREIGN AND DOMESTIC OFF-SHORE COMMERCE OF U.S.

Notice of Staff Investigation

The Commission has directed the Managing Director to conduct an investigation for the purpose of informing the staff and this Commission concerning the operation, current problems, or any need for regulatory changes concerning non-vessel-operating common carriers (NVOCCs). Among other matters, the staff should obtain evidence and opinions relating to the following questions:

1. Should an NVOCC be permitted to be a member of a steamship conference?
2. Should NVOCCs be permitted to sign dual rate contracts?

3. Should NVOCCs be permitted to enter into agreements with underlying water carriers pursuant to the provisions of section 15, Shipping Act, 1916, and if so, what specific types of agreements should the Commission consider approvable?

4. Should the Commission require the NVOCC to be licensed, bonded, or otherwise made to show financial responsibility?

5. Under what circumstances should a vessel operating carrier be permitted to establish or acquire an NVOCC subsidiary or vice versa, absent an approved agreement pursuant to section 15 of the Act?

6. Should the NVOCC be permitted or required to file its through single factor rate with the Commission?

7. What, if any, annual financial reports should be required from NVOCCs in the domestic off-shore commerce?

8. Should the Commission's tariff filing requirements for NVOCCs be different than those for vessel operating carriers?

The Managing Director has appointed Herbert K. Greer of the Office of Hearing Examiners to head a team of staff personnel to conduct the investigation; and initiate a report of recommended action which will be submitted to the Managing Director. Mr. Greer will be assisted and advised by Mr. Maurice Vall, Bureau of Compliance, Mr. Charles L. Clow, Bureau of Domestic Regulation, and Mr. Richard S. Harsh, Bureau of Hearing Counsel. Alternates for any of the above personnel may be designated by the Managing Director.

At the conclusion of such staff investigation, the Managing Director will submit to the Commission a report of findings, conclusions, and recommendations which might include legislative proposals.

Any interested person who desires to participate in the above staff investigation is invited to do so. Written or oral statements containing evidence,

opinions or recommendations relating to the above questions or any other matter or problem relating to the operation and regulation of NVOCCs may be furnished to Mr. Greer for consideration and guidance. Any such statements or notice of a desire to testify orally should be submitted in writing to Mr. Greer not later than April 7, 1969.

By order of the Commission, February 4, 1969.

THOMAS LISI,
Secretary.

[P.R. Doc. 69-1794; Filed, Feb. 11, 1969;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP69-203]

EL PASO NATURAL GAS CO.

Notice of Application

FEBRUARY 5, 1969.

Take notice that on January 28, 1969, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP69-203 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to construct and operate up to a maximum total of an additional 33,000 compressor brake horsepower on Applicant's San Juan Basin gathering systems.

Applicant states that the additional horsepower is necessary to offset declining reservoir pressures in gas producing formations of the San Juan Basin.

Total estimated cost of the proposed facilities will not exceed \$10 million. Financing will be from working funds supplemented as necessary by short-term loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 3, 1969.

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.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-1746; Filed, Feb. 11, 1969;
8:46 a.m.]

[Docket No. CP69-206]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

FEBRUARY 5, 1969.

Take notice that on January 30, 1969, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP69-206 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon an exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon an exchange of gas with Transcontinental Gas Pipe Line Corp. (Transco), under which Transco delivered into Applicant's system volumes of gas purchased by it and produced from St. Charles Field, Aransas County, Tex., and Applicant in turn delivered equivalent volumes to Transco from reserves dedicated to Applicant in West Bernard Field, Wharton County, Tex. The application states that the said exchange was pursuant to a certificate of public convenience and necessity issued to Applicant and Transco, upon joint application of those companies, by order of the Commission issued June 29, 1961, in Docket No. CP61-111.

Applicant states that because of the decline in production available to Transco from St. Charles Field, Transco has ceased taking gas from that source, and the exchange between Applicant and Transco has terminated.

The application further states that Applicant does not propose to abandon facilities dedicated to the said gas exchange, but will retain the 4-inch meter and 80 feet of 3-inch pipe installed in connection with the exchange for possible use as an emergency interconnection with Transco. Authorization for such emergency interconnection is not requested in the application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 5, 1969.

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 inter-

vene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment 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.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-1747; Filed, Feb. 11, 1969;
8:46 a.m.]

[Docket No. CP67-289]

SOUTHERN NATURAL GAS CO.

Notice of Petition To Amend

FEBRUARY 5, 1969.

Take notice that on January 28, 1969, Southern Natural Gas Co. (Petitioner), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP67-289 a petition to amend the order of the Commission issued in said docket June 23, 1967, which order authorized, inter alia, Petitioner to deliver a total of 28,600 Mcf of natural gas per day to MacMillan Bloedel United, Inc. (MacMillan), at MacMillan's plant near Pine Hill, Ala. The firm portion of the said amount of gas to be delivered was limited to 550 Mcf per day and the remaining portion being interruptible.

By the instant filing Petitioner requests the existing limit on deliveries on a firm basis to be increased to 2,000 Mcf of gas per day during the period commencing on the date that the Commission authorizes such service and extending through October 31, 1969.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 3, 1969.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-1748; Filed, Feb. 11, 1969;
8:46 a.m.]

[Docket No. CP69-199]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application; Correction

JANUARY 31, 1969.

In the Notice of Application, issued January 28, 1969 and published in the FEDERAL REGISTER February 4, 1969, 34 F.R. 1707. On page 1, paragraph 1, line 7: Change "Consumers Power Co. (Consumers)" to "Southern Natural Gas Co. (Southern)."

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-1749; Filed, Feb. 11, 1969;
8:46 a.m.]

[Docket No. E-7464]

WISCONSIN MICHIGAN POWER CO.

Notice of Application

FEBRUARY 7, 1969.

Take notice that on February 3, 1969, Wisconsin Michigan Power Co. (Applicant) filed an application seeking authority pursuant to section 204 of the Federal Power Act to issue and sell up to \$20 million in unsecured short-term promissory notes.

Applicant is incorporated under the laws of the State of Wisconsin, authorized to do business in the States of Wisconsin and Michigan with its principal business office at Milwaukee, Wis., and is engaged in the operation of an electric utility system in east central and north-eastern Wisconsin and the Upper Peninsula of Michigan.

According to the application, it is proposed that the \$20 million of unsecured short-term promissory notes will be issued to various commercial banks in 1969 and 1970, and would mature in less than 12 months from date of issuance. The notes are prepayable in whole or in part at any time in amounts not less than \$50,000 per note. Some of the notes would be in the form of commercial paper issued to commercial paper dealers. Proceeds from sale of the notes would be used to meet expenditures for construction and payments for nuclear fuel. Applicant represents that it requires funds to extend and improve its facilities to meet the increasing needs for its public utilities services.

Any person desiring to be heard or to make any protest with reference to said application should, on or before February 28, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-1760; Filed, Feb. 11, 1969;
8:47 a.m.]

[Project Nos. 185, 1123]

CALIFORNIA

Order Vacating Power Withdrawals

JANUARY 22, 1969.

Application has been filed by the U.S. Forest Service for partial vacation of power withdrawals pertaining to the lands of the United States described on the attached Land List. The application was filed to facilitate a proposed land exchange.

The lands are within the San Bernardino National Forest some 10 to 20 miles east of the city of Redlands, Calif.

The lands described under A on the attached list are withdrawn pursuant to the filing on March 14, 1921 of an application for license for proposed Project No. 185, and on June 30, 1925 pursuant to the filing of an application for amendment of license for the project. Notices

of the land withdrawals were given to the General Land Office (now Bureau of Land Management) by Commission letters of April 2, 1921, January 11, 1922, and June 7, 1925. While a 50-year license was issued for Project No. 185, the project as then contemplated, with the exception of certain powerlines, was never constructed—the reason being that the licensee concluded that economic reasons did not warrant completion of construction of the project within the period fixed in the license. In such circumstances, pursuant to application therefor, the Commission accepted surrender of the license for the project effective January 7, 1931, and a separate license for the powerlines was issued on January 7, 1931, designated as Project No. 1123. Notices of the land withdrawals for Project No. 1123 described under B on the attached list were given to the General Land Office by Commission letters of September 30, and October 10, 1931. However, having found that the lines comprising Project No. 1123 were not subject to its licensing authority, the Commission, pursuant to application therefor, accepted surrender of the license effective December 31, 1952, and the lines are presently operating under Forest Service permits.

The U.S. Geological Survey has advised that production of hydroelectric power as originally proposed for Project No. 185 would be uneconomic due to the deficient (annual flow of less than 10 cfs) water supply.

In the circumstances, we are vacating the land withdrawals pertaining to Project Nos. 185 and 1123 in their entirety.

The Commission finds: The withdrawals of the subject lands pursuant to the applications for Project Nos. 185 and 1123 serve no useful purposes and should be vacated.

The Commission orders: The withdrawals of the subject lands pursuant to the applications for Project Nos. 185 and 1123 are hereby vacated.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

LAND LIST

A

Lands withdrawn for Project No. 185.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 1 S., R. 1 E.,
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 18, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

(Approximately 570 acres.)

All portions of the following tracts lying within 25 feet of the centerline of the transmission line location shown on a map designated as "Exhibit K, Sheet No. 1" and entitled "Map of Transmission Line for Forest Home Development in Angeles National Forest on Mill Creek, San Bernardino Co., Cal." and filed in the office of the Federal Power Commission on September 13, 1921:

T. 1 S., R. 1 E.,
Sec. 18, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 1 S., R. 1 W.,
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 1 S., R. 2 W.,
Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

(Approximately 10 acres.)

All portions of the following described tracts lying within 5 feet of the centerline of the transmission line location shown on a map designated "Exhibit K, Sheet No. 4" and entitled "Map of Part of Forest Home Distribution System in Angeles National Forest, San Bernardino County, Cal.; The Southern Sierras Power Company", and filed in the office of the Federal Power Commission on June 30, 1925:

T. 1 S., R. 1 E.,
Sec. 18, lots 2, 6, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

(Approximately 1 acre.)

B

Lands withdrawn for Project No. 1123.

SAN BERNARDINO MERIDIAN, CALIFORNIA

All lands withdrawn for transmission line purposes for Project No. 185 (described above—approximately 11 acres).

All portions of the following described tracts lying within 25 feet of the centerline of the transmission line location shown on a map designated "Exhibit K" and entitled "Detail Map of Seven Oaks 33 kv Distribution Line within San Bernardino National Forest, S. B'dno. County, Calif." and filed in the office of the Federal Power Commission on August 13, 1931:

T. 1 N., R. 1 E.,
Sec. 7, lots 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 1 N., R. 1 W.,
Sec. 12, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 14, lots 3, 7, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, lot 4;

Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 33, W $\frac{1}{2}$ E $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 1 S., R. 1 W.,
Sec. 4, lots 2, 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$.

(Approximately 40.5 acres.)

[F.R. Doc. 69-1745; Filed, Feb. 11, 1969;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

PAN AMERICAN BANCSHARES, INC.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Pan American Bancshares, Inc., Miami, Fla., for approval of action to become a bank holding company through the acquisition of 93.7 percent of the voting shares of Pan American Bank of Miami, Miami, Fla.; 80 percent or more of the voting shares of Bank of Dade County, North Dade County, Fla.; and 51 percent or more of the voting shares of Manufacturers National Bank of Hialeah, Hialeah, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Pan American Bancshares, Inc., Miami, Fla., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition

of 93.7 percent of the voting shares of Pan American Bank of Miami, Miami, Fla.; 80 percent or more of the voting shares of Bank of Dade County, North Dade County, Fla.; and 51 percent or more of the voting shares of Manufacturers National Bank of Hialeah, Hialeah, Fla.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency and the Commissioner of Banking of the State of Florida of receipt of the application and requested their views and recommendations. Both the Comptroller and the Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 26, 1968 (33 F.R. 15892), which provided an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. The time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved, provided that the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C., this 3d day of February 1969.

By order of the Board of Governors.²

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-1750; Filed, Feb. 11, 1969;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4713]

GENERAL PUBLIC UTILITIES CORP.

Notice of Proposed Transactions in Connection With Change of State of Incorporation

FEBRUARY 6, 1969.

Notice is hereby given that General Public Utilities Corp. ("GPU"), 800 Pine Street, New York, N.Y. 10005, a registered holding company, has filed an application-declaration with this Commission

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

² Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Chairman Martin.

pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9, 10, and 12 thereof and Rules 43, 62, and 65 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

GPU proposes to change the State of its incorporation from New York to Pennsylvania. The proposed change in GPU's State of incorporation is occasioned by its plan to organize a subsidiary service company (which organization will be the subject of subsequent filings with the Commission) and the resultant State tax consequences if GPU remains a New York corporation. The filing states that recent changes in technology and operating conditions are such that further centralization of certain aspects of the system's operations (for example, data processing and system planning) has become essential and that the formation of the proposed service company is designed to facilitate such centralization without impairing the advantages of localized management. If such a service company were to be formed and much of GPU's present staff were to be transferred to the service company, it is stated that GPU would be forced to withdraw as a foreign corporation qualified to do business and doing business in Pennsylvania. It is stated that as a New York corporation doing business in Pennsylvania the taxes would be increased substantially, but that as a Pennsylvania corporation qualified to do business in New York, GPU would have its Pennsylvania and New York annual taxes, under current law, remain essentially unchanged from present levels. It is further stated that under present Pennsylvania law, the capital stock of both a Pennsylvania corporation and of a corporation organized under the laws of another State which is doing business and paying corporate franchise taxes in Pennsylvania is exempt from certain local and school district personal property taxes, and for this reason Pennsylvania investors, particularly fiduciaries, tend to concentrate their investments in such capital stock. Approximately 20 percent of GPU's common stock is held by shareholders with Pennsylvania addresses, and such shareholders include banks, trust companies, and other fiduciaries. GPU represents that unless it remains a foreign corporation qualified to do business and doing business in Pennsylvania or, alternatively, incorporates in Pennsylvania, many of its Pennsylvania stockholders would be likely to dispose of their GPU shares, as such shares would otherwise no longer be exempt from certain local and school district taxes in Pennsylvania. It is estimated that costs incident to this change of the State of GPU's incorporation will not exceed \$500,000 and will consist of one-time tax and other costs.

In order to achieve the proposed change in its State of incorporation, GPU proposes (i) to cause a new Pennsylvania

corporation to be organized, (ii) thereafter to acquire all the capital stock of such new Pennsylvania corporation, (iii) subsequently to transfer to such new Pennsylvania corporation substantially all the assets of GPU (other than the stock of the new Pennsylvania corporation), subject to GPU's liabilities and obligations, and (iv) finally to merge GPU into such new Pennsylvania corporation. As a result of such merger, each of the present shareholders of GPU (other than those exercising appraisal rights) will become shareholders of the new Pennsylvania corporation holding exactly the same number of shares of the new Pennsylvania corporation as the number of GPU shares that he now holds. The new Pennsylvania corporation will have the same number of authorized shares of common stock as GPU, and its certificate of incorporation and bylaws will be substantially similar to those of GPU.

The proposed change of the State of incorporation will require the approval of the holders of two thirds of all outstanding shares of GPU under section 907 of the New York Business Corporation Law. GPU will seek such approval at the annual meeting of shareholders of GPU to be held on April 7, 1969, and GPU proposes to solicit proxies in connection therewith. Shareholders of GPU who do not vote in favor of such merger and who otherwise elect to follow the procedures specified in section 623 of the New York Business Corporation Law will be entitled to receive payment by GPU of the fair value of their shares and, if any GPU stockholders should elect to follow such procedures, GPU will file a posteffective amendment to this application-declaration seeking authorization to acquire such shares.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than February 24, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed, or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules

and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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 (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-1753; Filed, Feb. 11, 1969;
8:47 a.m.]

[812-2421]

ROYAL BUSINESS FUNDS CORP.

Notice of Filing of Application for Order of Exemption

FEBRUARY 6, 1969.

Notice is hereby given that Royal Business Funds Corp. ("Royal"), 60 East 42d Street, New York, N.Y. 10017, a closed-end, nondiversified, management investment company licensed under the Small Business Investment Act of 1958 and registered under the Investment Company Act of 1940 ("Act") has filed an application pursuant to section 6(c) of the Act for an order exempting from section 12(d)(1) of the Act the acquisition by Royal of the capital stock of Royal Operating Corp. ("ROC"). All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Royal proposes to organize and incorporate ROC under the laws of the State of New York and transfer to it portfolio securities in exchange for all of ROC's capital stock proposed to be issued. The securities which Royal proposes to transfer are carried on its books at a cost basis of \$490,642 and, as of December 31, 1968, at a market value of \$4,187,027. The remaining assets of Royal have a cost basis of approximately \$10,500,000 and a market value, as of December 31, 1968 of approximately \$12,300,000. Immediately following the exchange Royal will be ROC's only stockholder and Royal and ROC will have identical boards of directors. Subsequently, Royal will distribute pro rata to its stockholders 16½ percent of the ROC stock. By so doing, Royal alleges that it will receive a tax credit for the amount of such distribution and thereby conserve that amount of cash for Royal.

ROC will register under the Act as a closed-end management company. However, ROC intends to make investments in wholly owned or majority controlled operating companies so that within 6 months from the date it commences operations it will cease to be an investment company within the meaning of section 3 of the Act.

Section 12(d)(1) of the Act, as here pertinent, makes it unlawful for any registered investment company to acquire

more than 5 percent of the total outstanding voting stock of any other investment company if the policy of such other investment company is the concentration of investments in a particular industry or group of industries, or more than 3 percent of such stock if the policy is not so to concentrate, unless the acquiring investment company and any company or companies controlled by it shall at the time of such acquisition own in the aggregate at least 25 per centum of the total outstanding voting stock of the other investment company.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Royal and ROC will agree that any order the Commission may issue pursuant to this application may be conditioned as follows:

1. Royal will not make any investment in ROC if the aggregate value of an existing investment plus the cost of any additional investment in ROC would exceed 25 percent of the value of Royal's total assets on a corporate basis.

2. During such period of time as ROC shall be a registered investment company, as that term is defined in section 8 of the Act, and so long as a majority of ROC's outstanding voting securities is owned by Royal, Royal will not cause or permit ROC to change any of its fundamental investment policies, or take any other action referred to in section 13(a) of the Act, unless such action shall have been authorized by both the holders of at least a majority (as defined in the Act) of the outstanding voting securities of ROC, and by the holders of at least a majority of the outstanding voting securities of Royal except that, notwithstanding this condition, ROC may at any time adopt investment policies and take any action it deems appropriate to cease to be an investment company, as that term is defined in Section 3 of the Act.

3. During such period of time as ROC shall be a registered investment company, under section 8 of the Act, and so long as the majority of ROC's outstanding voting securities is owned by Royal, to the extent applicable Royal will not cause or permit ROC to enter into, renew or perform any investment advisory or underwriting contracts or agreements, written or oral, as contemplated by section 15 of the Act, unless the terms of such contracts or agreements and any renewal thereof shall have been approved in compliance with section 15 of the Act. Any vote of the stockholders of ROC as required by section 15 of the Act will be deemed to require a vote of the stockholders of Royal. Any action of the directors of ROC as required by section 15 of the Act, will be deemed to require a vote of the directors of Royal, including a majority of those directors who are not parties to any such contract or agree-

ment or affiliated persons of any such party.

4. Subject always to ROC, individually, and Royal and ROC on a consolidated basis (exclusive of indebtedness by Royal to the SBA) having the asset coverage required by section 18(a) of the Act immediately after the issuance or sale of any senior securities, (a) ROC may issue and sell to one or more banks, or to one or more insurance companies its unsecured promissory notes or other unsecured evidences of indebtedness in consideration of any loan, extension or renewal thereof made by private arrangement, provided that such notes or evidences are not intended to be publicly distributed, and (b) Royal may borrow from the SBA on such basis as the SBA may from time to time lend to small business investment companies and as may be permitted under the Act and applicable rules thereunder, provided that neither Royal nor ROC will guarantee any such borrowings by the other.

5. During such period of time as ROC shall be a registered investment company under section 8 of the Act, and so long as the majority of ROC's outstanding voting securities is owned by Royal, ROC will file with the Commission and transmit to both its stockholders and Royal's stockholders reports prescribed and required by section 30 of the Act, and any independent public accountant who signs a financial statement filed by ROC with the Commission shall be selected and approved for ROC in compliance with section 32(a) of the Act by a majority of Royal's outstanding voting securities.

6. As long as ROC is registered under section 8 of the Act and so long as a majority of ROC's outstanding voting securities is owned by Royal, all of the directors of ROC will be directors of Royal and all of the officers of ROC will hold corresponding positions with Royal.

7. If after 1 year from the date the order requested in this application is granted, ROC is an investment company within the meaning of the Act, Royal will divest itself of all of the shares of stock of ROC it then owns, either through a pro-rata distribution of such shares to Royal's stockholders, or in some other fashion, after notification to the Commission.

Notice is further given that any interested person may, not later than February 26, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such 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 Royal Business Funds Corp. 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.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by registered mail to the Associate Administrator for Investment, Investment Division, Small Business Administration, Washington, D.C. 20416.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-1754; Filed, Feb. 11, 1969;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

FEBRUARY 7, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41559—*Phthalic anhydride to Aberdeen, Miss.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2935), for interested rail carriers. Rates on phthalic anhydride, in tank carloads, as described in the application, from Bridgeport, N.J., and specified points in Pennsylvania, to Aberdeen, Miss.

Grounds for relief—Market competition.

Tariff—Supplement 231 to Traffic Executive Association-Eastern Railroads, agent, Tariff ICC C-334.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-1765; Filed, Feb. 11, 1969;
8:48 a.m.]

[Notice 537]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

FEBRUARY 7, 1969.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's

Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 4963 (Deviation No. 34), JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa. 19475, filed January 27, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Toledo, Ohio, and Chenoa, Ill., over U.S. Highway 24, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Toledo, Ohio, over U.S. Highway 20 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction unnumbered highway near Gary, Ind., thence over unnumbered highway to junction U.S. Highway 30, near Independence Hill, Ind., thence over U.S. Highway 30 to junction U.S. Highway 66, thence over U.S. Highway 66 to Chenoa, Ill., and return over the same route.

No. MC 48501 (Deviation No. 4), INDIANA MOTOR BUS COMPANY, 715 South Michigan Street, South Bend, Ind. 46224, filed January 30, 1969. Carrier's representative: Harry J. Harman, 1110-1112 Fidelity Building, Indianapolis, Ind. 46204. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 41 and Interstate Highways 80-94 in Hammond, Ind., over Interstate Highways 80-94 to junction Interstate Highway 65 in East Gary, Ind., thence over Interstate Highway 65 to junction Indiana Highway 16, thence over Indiana Highway 16 to junction U.S. Highway 231; (2) from Gary, Ind., over city streets to the 15th Avenue Interchange of Interstate Highway 65; and (3) from the Interchange of Interstate Highway 90 (Indiana Toll Road) and Interstate Highway 65 over Interstate Highway 65 to Interchange with Interstate Highways 80-94, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property,

over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 41 to Hammond, Ind., thence over city streets to Gary, Ind., thence over Indiana Highway 55 to Crown Point, Ind., thence over U.S. Highway 231 to Remington, Ind., and return over the same route.

No. MC 52953 (Deviation No. 12), ET & WNC TRANSPORTATION COMPANY, 132 Legion Street, Johnson City, Tenn. 37601, filed January 27, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Chattanooga, Tenn., and junction Interstate Highway 24 and U.S. Highway 64, approximately 1 mile west of Monteagle, Tenn., over Interstate Highway 24, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between Savannah, Tenn., and Chattanooga, Tenn., over U.S. Highway 64.

No. MC 69275 (Deviation No. 10) (Cancels Deviation No. 1), M & M TRANSPORTATION COMPANY, 186 Alewife Brook Parkway, Cambridge, Mass. 02138, filed January 30, 1969. Carrier's representative: Francis E. Barrett, 60 Adams Street, Milton (Boston), Mass. 02187. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Boston, Mass., over Interstate Highway 90 (Massachusetts Turnpike) to the New York-Massachusetts State line, thence over the Berkshire section of the New York Thruway to junction Interstate Highway 87 (New York Thruway), thence over Interstate Highway 87 to junction Interstate Highway 287, thence over Interstate Highway 287 to junction Interstate Highway 87, thence over Interstate Highway 87 to New York, N.Y., also to enter, leave, and reenter at all ramps, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Boston, Mass., over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 20 via East Lee, Mass., to Lee, Mass., thence over unnumbered highway to junction U.S. Highway 7 (also from East Lee over Massachusetts Highway 102 to Stockbridge, Mass.), thence over U.S. Highway 7 to Great Barrington, Mass., thence over Massachusetts Highway 23 to the Massachusetts-New York State line, thence over New York Highway 23 to Hudson, N.Y., thence over U.S. Highway 9 to New York, N.Y., and return over the same route.

No. MC 89723 (Deviation No. 10), MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis, Mo. 63103, filed January 28, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between North Little Rock, Ark., and East Memphis, Ark., over

Interstate Highway 40, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From North Little Rock, Ark., over U.S. Highway 67 to junction U.S. Highway 64, near Beebe, Ark., thence over U.S. Highway 64 to West Memphis, Ark., and return over the same route.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 506) GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed January 28, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express, and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From Warren, Ohio, over Ohio Highway 82 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Interstate Highway 80 near Hubbard, Ohio, thence over Interstate Highway 80 to junction Pennsylvania Highway 310 at Exit 15, thence over Pennsylvania Highway 310 to junction U.S. Highway 322, thence over U.S. Highway 322 to junction Pennsylvania Highway 410 at Luthersburg, Pa., thence over Pennsylvania Highway 410 to junction Pennsylvania Highway 153, thence over Pennsylvania Highway 153 to junction Interstate Highway 80 at Exit 18, thence over Interstate Highway 80 to junction U.S. Highway 220 at Exit 23, thence over U.S. Highway 220 via Lock Haven, Pa., to Williamsport, Pa., thence over U.S. Highway 15 to junction Interstate Highway 80 at Exit 30N, thence over Interstate Highway 80 to junction U.S. Highway 46, approximately 3 miles northwest of Delaware, N.J.; and

(2) From Youngstown, Ohio, over U.S. Highway 62 to junction Interstate Highway 80 just north of Hubbard, Ohio, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers via Somerville to junction unnumbered highway just east of Annadale, N.J., thence over unnumbered highway via Annadale to Clinton, N.J., thence over U.S. Highway 22 to Easton, Pa., thence over Pennsylvania Legislative Route 159 via Bethlehem to Allentown, thence over Pennsylvania Legislative Route 157 to junction Pennsylvania Legislative Route 443, thence over Pennsylvania Legislative Route 443 via Cetrionia and Kuhnville to junction Pennsylvania Legislative Route 39084, thence over Pennsylvania Legislative Route 39084 via New Smithville, Pa., to junction Pennsylvania Legislative Route 975, thence over Pennsylvania Legislative Route 975 via Hamburg to junction Pennsylvania Legislative Route 721, thence over Pennsylvania Legislative Route 721 via Shartlesville to junction Pennsylvania Highway 501, thence over Pennsylvania Highway 501 to Bethel, Pa., thence over U.S. Highway 22 via Harrisburg, Pa., to Amity Hall, Pa., thence over U.S. Highway 22 to junction Pennsylvania Legislative Route

30, approximately 4 miles northwest of Amity Hall, Pa., thence over Pennsylvania Legislative Route 30 to junction Pennsylvania Legislative Route 275 at Pennsylvania Highway 34, thence over Pennsylvania Legislative Route 275 to Millerstown, Pa., thence over Pennsylvania Legislative Route 31 to Thompsonstown, Pa., thence over U.S. Highway 22 to junction Pennsylvania Legislative Route 32, approximately 2 miles and the same property over pertinent service routes as follows:

(1) From Mount Pocono, Pa., over U.S. Highway 611 via Stroudsburg to junction U.S. Highway 46, thence over U.S. Highway 46 via Buttzville, N.J., to Pine Brook, N.J., thence over Bloomfield Avenue to Newark, N.J.; (2) from Pine, N.J., over U.S. Highway 46 to junction Fairfield Road, Singac, N.J.; (3) from junction New Jersey Highway S-3 and New Jersey Highway 3 over New Jersey Highway 3 to junction Depressed Highway, North Bergen, N.J., thence over Depressed Highway via Union City to Weehawken, N.J.; (4) from Cleveland, Ohio, over Ohio Highway 176 to junction Rockside Road, thence over Rockside Road to junction U.S. Highway 21, thence over U.S. Highway 21 to junction Ohio Highway 176, thence over Ohio Highway 176 to junction Ohio Highway 18, thence over Ohio Highway 18 to Akron, Ohio; (5) from New York, N.Y., through the Lincoln Tunnel to the Lincoln Tunnel Plaza in Weehawken, N.J., thence over the elevated express highway and the Depressed Highway to junction New Jersey Highway 3, thence over New Jersey Highway 3 to Secaucus, N.J.; (6) from junction New Jersey Highways 3 and S-3 over New Jersey Highway S-3 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction Fairfield Road, near Fairfield, N.J.; (7) from New York, N.Y., through the Holland Tunnel to Jersey City, N.J., thence over U.S. Highway 1 to Newark, N.J., thence over U.S. Highway 22 south of Lewistown, Pa., thence over Pennsylvania Legislative Route 32 to Lewistown, thence over Pennsylvania Legislative Route 29 to junction U.S. Highway 322, north of Reedsville, Pa., thence over U.S. Highway 322 via State College to Martha Furnace, Pa., thence over U.S. Highway 220 to Hollidaysburg, Pa., thence over U.S. Highway 22 to Pittsburgh, Pa., thence over Pennsylvania Highway 88 via Ambridge, Pa., to Rochester, Pa.;

(8) From New York, N.Y., over U.S. Highway 1 via Newark and Trenton, N.J., to Philadelphia, Pa. (also from Newark over New Jersey Highway 27 to Princeton, N.J., thence over U.S. Highway 206 to Trenton, N.J., thence as specified above to Philadelphia), thence over unnumbered highway to Ardmore, Pa., thence over U.S. Highway 30 via Paoli, Pa., to Bedford, Pa.; (9) from Philadelphia, Pa., over U.S. Highway 611 via East Stroudsburg and Stroudsburg, Pa., to Daleville, Pa.; (10) from Armagh, Pa., over Pennsylvania Highway 56 to junction U.S. Highway 220, thence over U.S. Highway 220 to Bedford, Pa.; (11) from Rochester, Pa., over Pennsylvania High-

way 18 to Beaver Falls, Pa., thence over Pennsylvania Highway 588 to junction Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 165 to East Palestine, Ohio, thence over Ohio Highway 170 to Unity, Ohio, thence over Ohio Highway 170 to Unity, Ohio, thence over Ohio Highway 14 to Columbiana, Ohio; (12) from Youngstown, Ohio, over Ohio Highway 18 to Bellevue, Ohio; (13) from Cleveland, Ohio, over Ohio Highway 87 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction relocated U.S. Highway 422 and old U.S. Highway 422 (south of Parkman, Ohio), thence over relocated U.S. Highway 422, to junction old U.S. Highway 422 (north of Warren, Ohio), thence over U.S. Highway 422 to Youngstown, Ohio, thence over Ohio Highway 7 to North Lima, Ohio (also from junction Ohio Highway 7 at the outskirts of Youngstown over Ohio Highway 164 to North Lima), thence over Ohio Highway 7 to junction Ohio Highway 14;

(14) From Harrisburg, Pa., over U.S. Highway 11 to Middlesex, Pa., thence over the Pennsylvania Turnpike to Irwin, Pa., thence over U.S. Highway 30 to Pittsburgh, Pa.; (15) from New York, N.Y. through the Lincoln Tunnel and over New Jersey Highway 3 to junction U.S. Highway 1, thence over U.S. Highway 1 (Tonelle Avenue) to junction U.S. Truck Highway 1, at the traffic circle under the Pulaski Skyway in Jersey City, N.J.; (22) from Wilkes-Barre, Pa., over unnumbered highway to Pittston, Pa.; (16) from Harrisburg, Pa., across the Susquehanna River thence over U.S. Highway 11 to junction U.S. Highway 22; (17) from Carlisle Interchange at Middlesex over the Pennsylvania Turnpike to King of Prussia, thence over Pennsylvania Highway 23 to Philadelphia, Pa.; (18) from junction U.S. Highways 11 and 15 over U.S. Highway 15 to junction with the Pennsylvania Turnpike at Gettysburg Pike Interchange; (19) from junction U.S. Highway 30 and Pennsylvania Turnpike, over the Pennsylvania Turnpike to junction U.S. Highway 22; (20) from junction U.S. Highway 22 and Penn-Lincoln Parkway over the Penn-Lincoln Parkway to Pittsburgh, Pa.; (21) from Lincoln Tunnel Interchange over the New Jersey Turnpike to the Delaware Memorial Bridge Interchange; (22) from junction U.S. Highway 1 and New Jersey Highway 3 over New Jersey Highway 3 via Lincoln Tunnel Interchange to the New Jersey Turnpike; (23) from Philadelphia, Pa., over city streets and the Delaware River Bridge to Camden, N.J., thence over New Jersey Highway 38 to junction New Jersey Highway 73, thence over New Jersey Highway 73 via Camden-Philadelphia Interchange to the New Jersey Turnpike;

(34) From the Pennsylvania-Ohio State line at the junction of the Ohio and Pennsylvania Turnpike over the Ohio Turnpike to junction Ohio Highway 18; (25) from junction U.S. Highway 22 and the Pennsylvania Turnpike over the Pennsylvania Turnpike to the Pennsylvania-Ohio State line (Gateway Inter-

change); (26) from Pittsburgh, Pa., over U.S. Highway 19 to junction Pennsylvania Turnpike; (27) from Cleveland, Ohio, over New U.S. Highway 21 (Willow Freeway) to junction Rockside Road, just of Independence, Ohio; (28) from junction Ohio Turnpike and Ohio Highway 18 over the Ohio Turnpike to the Ohio-Indiana State line; and (29) from junction northeast segment of the Pennsylvania Turnpike System and the Pennsylvania Turnpike over the eastern extension of the Pennsylvania Turnpike via the Delaware River Bridge near Edgeley, Pa., and Florence, N.J., to junction connecting segment of the New Jersey Turnpike, thence over connecting segment of the New Jersey Turnpike to New Jersey Turnpike at Interchange No. 6 thereof, and return over the same routes.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-1766; Filed, Feb. 11, 1969;
8:48 a.m.]

[Notice 1267]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

FEBRUARY 7, 1969.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 30844 (Sub-No. 250) (Republication), filed March 1, 1968, published in the FEDERAL REGISTER issue of March 21, 1968 and republished this issue. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. By application filed March 1, 1968, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of awnings, doors, siding, and sash, from Albia, Iowa, to Detroit, Mich., and Indianapolis, Ind. A report of the Commission, Review Board No. 3, dated January 27, 1969, and served February 3, 1969, finds that the present and future public convenience and necessity require operation by appli-

cant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of aluminum windows, aluminum doors, aluminum sash, and aluminum siding, from Albia, Iowa, to Indianapolis, Ind., and Detroit, Mich.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 120646 (Sub-No. 3), filed December 18, 1968. Applicant: DUNCAN MOTOR LINES, INC., Saco Lowell Road, Easley, S.C. 29640. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. 29602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except petroleum products in bulk, in tank vehicles, classes A and B explosives, and household goods as defined by the Commission), (a) between points in Pickens County, S.C., (b) between points in Pickens County, S.C., and points in South Carolina, (2) *agricultural commodities* (a) between points in Greenville and Anderson Counties, S.C., (b) between points in Greenville and Anderson Counties, S.C. and points in South Carolina, (3) *builders' supplies, brick, stone, sand, lumber*, (a) between points in Anderson, Greenville, Greenwood, Oconee, and Spartanburg Counties, S.C., (b) between points in Anderson, Greenville, Greenwood, Oconee, and Spartanburg Counties, S.C., and points in South Carolina, and (4) *general commodities* (except petroleum products in bulk, in tank vehicles, classes A and B explosives, and household goods as defined by the Commission) (a) between points in Oconee County, S.C., and (b) between points in Oconee County, S.C., and points in South Carolina. NOTE: This application is directly related to MC-F 10338, published FEDERAL REGISTER issue of December 26, 1968. If a hearing is deemed necessary, applicant requests it be held at Greenville or Columbia, S.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice

of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10387. Authority sought for control by JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722, of RATLIFF & RATLIFF, INC., Route 5, Lexington, N.C. 27292, and for acquisition by ROBERT L. JENKINS, also of Bettendorf, Iowa, of control of RATLIFF & RATLIFF, INC., through the acquisition by JENKINS TRUCK LINE, INC. Applicants' attorney: R. Connor Wiggins, Jr., 909 100 North Main Building, Memphis, Tenn. 38103. Operating rights sought to be controlled: *Cotton yarn*, as a common carrier, over irregular routes, from Wadesboro, N.C., and points within 25 miles of Wadesboro, to Baltimore, Md., certain specified points in Pennsylvania, Jersey City, N.J., and points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665; *stone*, from certain specified points in South Carolina, and North Carolina, to points in North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, and the District of Columbia, from points in Fairfield and Richland Counties, S.C., to points in Wisconsin, Iowa, Illinois, Missouri, Oklahoma, Kansas, Nebraska, Colorado, Texas, Ohio, Louisiana, Massachusetts, Arkansas, Mississippi, Indiana, Kentucky, Tennessee, Alabama, Georgia, West Virginia, Michigan, and Florida, from points in Fairfield County, S.C., to points in Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota; from certain specified points in South Carolina, and Rowan County, N.C. (except Granite Quarry, N.C.), to points in North Carolina, South Carolina, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, and the District of Columbia, from points in Richland County, S.C., to points in Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota, from points in Kershaw County, S.C., and Rowan County, N.C., to points in Wisconsin, Iowa, Illinois, Kansas, Missouri, Oklahoma, Nebraska, Colorado, Texas, Ohio, Louisiana, Massachusetts, Arkansas, Mississippi, Indiana, Kentucky, Tennessee, Alabama, Georgia, West Virginia, Michigan, Florida, Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and Minnesota, with restrictions.

Empty oil drums, from points in North Carolina and South Carolina east of U.S. Highway 29, to Sewaren, N.J., from points in North Carolina and South Carolina east of U.S. Highway 29 to Newark, N.J.; *cotton*, from Wadesboro, N.C., and points in North Carolina within 50 miles of Wadesboro, to Danville, Va., from points in Anson County, N.C., to points in Chesterfield County, S.C., from certain specified points in South Carolina, to points in North Carolina; *canned goods, and dried fruits and vegetables*, from Wilmington, N.C., and Charleston, S.C., to Wadesboro, N.C., and points in North Carolina

and South Carolina within 15 miles of Wadesboro, N.C.; *fertilizer and fertilizer materials*, from Charleston, S.C., to Morven, N.C., and points in North Carolina and South Carolina within 25 miles of Morven, N.C.; *malt beverages and wine*, from Northampton, Pa., Baltimore, Md., and New York, N.Y., to Little Rock, S.C., from Washington, D.C., Baltimore, Md., Newark, N.J., and New York, N.Y., to Wadesboro, N.C.; *petroleum products*, in packages or containers, from Sewaren, N.J., to points in North Carolina and South Carolina east of U.S. Highway 29; *roofing and screen wire*, from York, Pa., to points in North Carolina and South Carolina within 2 miles of Lilesville, N.C., and those within 1 mile of Charlotte, N.C., to points in Virginia and South Carolina, from points within 1 mile of Columbia, S.C., to points in North Carolina and Virginia.

Sand and gravel, from points in Anson County, N.C., to points in South Carolina; *such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such businesses, from certain specified points in Virginia, Wilmington, N.C., and Charleston, S.C., to Wadesboro, N.C., from Wadesboro, N.C., to certain specified points in South Carolina; *fertilizer*, from Charleston, S.C., and Wilmington, N.C., to Wadesboro, N.C.; *wheat*, from Bennettsville, S.C., to Wadesboro, N.C.; *iron and steel building material*, from Roanoke, Va., to Rockingham, N.C.; *lumber*, from Spartanburg, S.C., to Rockingham, N.C., from points in Anson County, N.C., to points in South Carolina, from Mont Clare, S.C., to points in Anson County, N.C.; *oyster shells and ingredients used in the manufacture of fertilizer*, from Norfolk, Va., to Wadesboro, N.C.; *cotton bagging and sheets*, from Norfolk, Va., and Charleston, S.C., to Wadesboro, N.C.; *flour and feed*, from Weyers Cave, Va., and Columbia, S.C., to Wadesboro, N.C.; *vinegar*, from Winchester, Va., to Wadesboro, N.C.; *textiles and textile products*, from Wadesboro, N.C., and points within 2 miles of Wadesboro, to points in Delaware, Maryland, New Jersey, New York, and Pennsylvania, from Wadesboro, N.C., and points within 3 miles thereof, to points in Connecticut, Rhode Island, Massachusetts, New Hampshire, and South Carolina; *reinforcing steel*, between Lilesville and Charlotte, N.C., on the one hand, and, on the other, Columbia, S.C.; *cotton* (in bales), between points in North Carolina and South Carolina within 50 miles of Wadesboro, N.C.

Drugs, toilet articles, and medicines, from New York, N.Y., Newark, N.J., and Baltimore, Md., to certain specified points in North Carolina, South Carolina, and Augusta, Ga., traversing Delaware and the District of Columbia for operating convenience only; *canned goods*, from Swedesboro, N.J., to Midland, N.C.; *paper, paper products, toys, and fireworks*, from certain specified points in Pennsylvania, New York, N.Y., New Haven, Conn., to certain specified points in North Carolina and South Carolina;

fireworks, from Boston, Mass., Wallingford, Conn., Elkton and Baltimore, Md., and New York, N.Y., to certain specified points in South Carolina, and points in North Carolina; *cotton yarn and silk, rayon, and cotton hose*, from Midland, N.C., to Philadelphia, Pa., and New York, N.Y.; *seed*, from Rock Hill, S.C., and Charlotte, N.C., to Richmond and Danville, Va., Baltimore, Md., and Philadelphia, Pa.; *caskets and funeral supplies*, from New York, N.Y., and Philadelphia, Pa., to Midland, N.C.; *lumber, plywood, and wood boxes*, from Wadesboro, N.C., and points within 3 miles thereof, to points in South Carolina, Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, Tennessee, Kentucky, and West Virginia; *steel shot*, from Manchester, N.H., to points in Fairfield County, S.C.; *lumber, millwork, and wood blocks*, from points in South Carolina (except lumber from Mont Clare, S.C.) to Wadesboro, N.C., with restrictions.

Lumber (except plywood, veneer, built-up wood, and flooring), from certain specified points in North Carolina, and points in Chesterfield and Darlington Counties, S.C., to points in South Carolina, Tennessee, Kentucky, Delaware, Virginia, Maryland, New Jersey, New York, Pennsylvania, West Virginia, Florida, and Ohio; *lumber*, except plywood and veneer, from certain specified points in North Carolina, and South Carolina, to points in Illinois, Lafayette, Ind., and Riverdale, Iowa; *brick and tile*, from Salisbury, N.C., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Indiana, Mississippi, Michigan, Illinois, Kentucky, Tennessee, Alabama, Ohio, Virginia, West Virginia, South Carolina, Georgia, Florida, Maryland, Delaware, New Jersey, Pennsylvania, New York, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia; *ceramic wall and floor tile*, from Canton, Ohio, to Salisbury, N.C., *manufactured iron and steel products and articles*, on flat bed or on open-top vehicles, from the plantsite of Armco Steel Corp., at or near Ashland, Ky., to points in Virginia, Tennessee, North Carolina, South Carolina, Georgia, and Florida; *hardboard sheets and boards*, from Catawba, S.C., to points within 5 miles thereof, to points in Connecticut, Illinois (except points in the Chicago, Ill., commercial zone, as defined by the Commission), Kentucky (except points in the Cincinnati, Ohio, commercial zone, as defined by the Commission), Maryland (except points in the Baltimore, Md., commercial zone, as defined by the Commission), and that part of Tennessee on and east of U.S. Highway 27 and on and north of U.S. Highway 70.

Iron and steel and iron and steel articles as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except commodities which because of size or weight require special equipment, from the plantsite of the Kentucky Electric Steel Co. at or near Coalton, Boyd County, Ky., to points in Virginia, Tennessee, North Carolina, South Carolina, and Georgia; and *plywood*, from the plant-

site of U.S. Plywood-Champion Papers, Inc., at or near Catawba, S.C., to points in Connecticut, Illinois (except points in the Chicago, Ill., commercial zone as defined by the Commission), Kentucky (except points in the Cincinnati, Ohio, commercial zone as defined by the Commission), Maryland (except points in the Baltimore, Md., commercial zone as defined by the Commission), and points in Tennessee on and east of U.S. Highway 27 and on and north of U.S. Highway 70; and temporary authority, as a contract carrier, *structural glazed tile and brick*, for the account of Ralph O. Johnson, over irregular routes, from Charlotte, N.C., to points in North Carolina and South Carolina. JENKINS TRUCK LINE, INC., is authorized to operate as a common carrier in all points in the United States (except Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-P-10388. Authority sought for purchase by TRI-STATE MOTOR TRANSIT CO., Post Office Box 113, Interstate Business Route 1-44, Joplin, Mo. 64801, of a portion of the operating rights and certain property of SCHILLI TRANSPORTATION, INC., 230 St. Clair Avenue, East St. Louis, Ill. 62201. Applicants' attorney and representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102, and Robert B. Schilli, 1931 North Geyer Road, St. Louis, Mo. 63131. Operating rights sought to be transferred: *Classes A and B explosives*, as a common carrier, over irregular routes, from the plantsite of the U.S. Powder Co., a division of Commercial Solvents Corp., at or near Ordill, Ill., to points in Arkansas, Indiana, Iowa, Kentucky, Ohio, Tennessee, Kansas (except Turck), and Missouri (except points in Jasper County), with restriction; *blasting materials and nitro-carbo-nitrate*, from the plantsite of the U.S. Powder Co., a division of Commercial Solvents Corp., at or near Ordill, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Missouri, Ohio, and Tennessee; *dry ammonium nitrate*, except in bulk, from the plantsite of the U.S. Powder Co., a division of Commercial Solvents Corp., at or near Ordill, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Missouri, Ohio, and Tennessee; *ammonium nitrate* (other than for use as fertilizer) except in bulk, from Neosho, Mo., to points in Florida, Mississippi, West Virginia, Tennessee, Georgia, Kentucky, Alabama, North Carolina, South Carolina, and Virginia; *nitro-carbo-nitrate*, from the magazine site of American Cyanamid Co., near Madisonville, Ky., to points in Arkansas, Illinois, Indiana, Missouri, Oklahoma, and Tennessee; *explosives and blasting supplies*, except in bulk, from Atlas, Mo., and the facilities of Atlas Chemical Industries, Inc., at or near Baxter Springs, Kans., and Picher, Okla., to points in Kentucky, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida; and *ingredients, materials, and supplies* used in the manufacture and sale of explosives and blasting supplies, except in bulk, from points in Kentucky,

Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, to Atlas, Mo., and the facilities of Atlas Chemical Industries, Inc., at or near Baxter Springs, Kans., and Picher, Okla. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10389. Authority sought for control by LOOMIS CORPORATION (newly formed), 55 Battery Street, Seattle, Wash. 98121, of LOOMIS ARMORED CAR SERVICE, INC., 55 Battery Street, Seattle, Wash. 98121, and for acquisition by WALTER F. LOOMIS, and CHARLES W. LOOMIS, both also of Seattle, Wash., of control of LOOMIS ARMORED CAR SERVICE, INC., through the acquisition by LOOMIS CORPORATION. Applicants' attorneys: George H. Hart, 1100 IBM Building, Seattle, Wash. 98101, and William P. Jackson, Jr., 1819 H Street, N.W., Washington, D.C. 20006. Operating rights sought to be controlled: *Bullion*, as a *contract carrier*, over regular routes, between Vancouver, Wash., and Portland, Oreg., serving no intermediate points; *currency, coins, checks, securities, gold, silver, jewelry, precious stones, valuable metals, valuable papers and documents, and other articles of unusual value*, between Portland, Oreg., and Camas, Wash., serving the intermediate point of Vancouver, Wash.; *coin, currency, checks, securities, gold, silver, negotiable and nonnegotiable instruments, and other valuable papers and documents*, over irregular routes, between San Diego, Calif., and ports of entry on the United States-Mexico boundary line at or near San Ysidro, Calif., with restriction, between certain specified points in California and Nevada; *coin*, between Los Angeles and San Francisco, Calif.; Denver, Colo.; Helena, Mont.; Portland, Oreg.; Seattle, Wash.; and Salt Lake City, Utah; *bullion*, from San Francisco, Calif.; to Denver, Colo.; *silver bars*, in armored car service, from Selby, Calif., to Oakland and San Francisco, Calif.; *money, jewelry, and other articles of gold and silver, stocks, bonds, and negotiable and nonnegotiable instruments*, between Portland and Vanport City, Oreg., on the one hand, and, on the other, Vancouver, Wash., and points in Clark County, Wash., within 3 miles of Vancouver; and *currency, coins, checks, securities, gold, silver, jewelry, precious stones, valuable metals, valuable papers and documents, and other articles of unusual value*, between Portland, Oreg., on the one hand, and, on the other, points in Clark and Cowlitz Counties, Wash. LOOMIS CORPORATION, holds no authority from this Commission. However, its controlling stockholders are affiliated with LOOMIS COURIER SERVICE, INC., 55 Battery Street, Seattle, Wash., which is authorized to operate as a *contract carrier*, in Oregon and Washington. Application has not been filed for temporary authority under section 210a(b). NOTE: F.D. 25523 is a matter simultaneously filed. A motion to dismiss the Ap-

plications for lack of jurisdiction, is also included.

MOTOR CARRIER OF PASSENGERS

No. MC-F-10386. Authority sought for control by THE GREYHOUND CORPORATION, 10 South Riverside Plaza, Chicago, Ill. 60606, of (1) GRAY LINE NEW YORK TOURS CORP., 254 West 54th Street, New York, N.Y. 10019, and (2) WALTERS TRANSIT CORP., 32-03 Vernon Boulevard, Long Island City, N.Y. 11106. Applicants' attorneys and representative: J. G. Dail, Jr., 1815 H Street N.W., Washington, D.C. 20006, Robert J. Bernard, 10 South Riverside Plaza, Chicago, Ill. 60606, and Milton Rosenkranz, The Trust Company of New Jersey Building, Jersey City, N.J. 07306. Operating rights sought to be controlled: (1) Passengers and their baggage, in special operations, in one-way and round-trip sightseeing or pleasure tours, beginning and ending at the point indicated, as a *common carrier*, over irregular routes, from New York, N.Y., to West Point, N.Y., and return; passengers and their baggage, restricted to traffic originating at the point indicated, in charter operations, from New York, N.Y., to points in the United States (except Hawaii and Alaska), and return; passengers and their baggage in the same vehicle with passengers, in one-way and round-trip charter operations, beginning or ending at points in Nassau and Suffolk Counties, N.Y., and extending to points in the United States (except Alaska and Hawaii); and (2) passengers and their baggage, as a *common carrier*, over regular routes, between New York, N.Y., and Canaan, Conn., between junction New York Highways 100 and 100A, and junction New York Highways 119 and 100A, between Brewster, N.Y., and Putnam Lake, N.Y., between New York, N.Y., and Hawthorne, N.Y., between Croton Lake, N.Y., and Brewster, N.Y., between Amawalk Reservoir, N.Y., and Somers, N.Y., between Baldwin Place, N.Y., and Mohegan Lake, N.Y., between Yorktown Heights, N.Y., and Jefferson Valley, N.Y., serving all intermediate points; over two alternate routes for operating convenience only; and passengers and their baggage, and newspapers in the same vehicle with passengers, between Pawling, N.Y., and Stormville, N.Y., between Poughquag, N.Y., and junction unnumbered highway and New York Highway 22, serving all intermediate points. THE GREYHOUND CORPORATION holds no authority from this Commission. However, it controls GREYHOUND LINES, INC., 10 South Riverside Plaza, Chicago, Ill. 60606, which is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia; TEXAS, NEW MEXICO AND OKLAHOMA COACHES, INC., 1313 13th Street, Lubbock, Tex. 79401, which is authorized to operate as a *common carrier* in New Mexico and Texas; and CAREY TRANSPORTATION, INC., 645 First Avenue, New York, N.Y. 10016, which is authorized to operate as a *common carrier* in New York and New Jersey. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-1767; Filed, Feb. 11, 1969;
8:48 a.m.]

[Notice 776]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 7, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), 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 protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 1641 (Sub-No. 86 TA), filed January 29, 1969. Applicant: PEAKE TRANSPORT SERVICE, INC., Box 366, Chester, Nebr. 68327. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, from terminal located on the ammonia pipeline of MAPCO Inc., located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska. Restricted to the transportation of shipments which originate at the facilities of MAPCO Inc., located at or near Conway, Kans., and destined to points in the named destination States; (2) *anhydrous ammonia*, in bulk, in tank vehicles, from terminals located on the ammonia pipeline of MAPCO Inc., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of MAPCO Inc., located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States; (3) *anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas, restricted to the transportation of shipments which originate at the facilities of Hill Chemicals, Inc., plant located at or near Borger, Tex., and destined to points in the named destination States; and (4)

anhydrous ammonia, in bulk, in tank vehicles, from terminal located on the ammonia pipeline of MAPCO Inc., located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of MAPCO Inc., located at or near Greenwood, Nebr., and destined to points in the named destination States, for 180 days. Supporting shipper: Cominco American Inc., 818 West Riverside Avenue, Spokane, Wash. 99201. Send protests to: District Supervisor Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 108449 (Sub-No. 293 TA), filed January 31, 1969. Applicant: INDIANA-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Mylenbeck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminals located on the ammonia pipeline of Mapco, Inc., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, and Wisconsin, for 180 days. Supporting shipper: Cominco American Inc., Spokane, Wash. 99201. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 125624 (Sub-No. 10 TA), filed January 24, 1969. Applicant: EVERGREEN FREIGHT LINES, INC., East 5205 Union Avenue, Spokane, Wash. 99206. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) *Regular routes; general commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading; (a) between Spokane, Wash., and Curlew, Wash., serving the intermediate points of Wilbur, Keller, Republic, and Malo, Wash., and the off-route point of Wauconda, Wash.: From Spokane over U.S. Highway 2 to Wilbur, Wash., thence over Washington Highway 21 to Curlew, Wash., and return over the same route; (b) between Spokane, Wash., and Orient, Wash., serving the off-route points of Kettle Falls and Republic, Wash.: From Spokane over U.S. Highway 2 to Davenport, Wash., thence over Washington Highway 25 to its junction with U.S. Highway 395, thence over U.S. Highway 395 to Orient, Wash., and return over the same route, serving all intermediate points except those between Spokane and Davenport, Wash.; (c) between Spokane, Wash., and Kettle Falls, Wash.: From Spokane over U.S. Highway 395 to Kettle Falls, and return over the same route, serving all intermediate points except those between Spokane, Wash., and Deer Park, Wash.; (d) between Spokane, Wash., and Inchellum, Wash., serving points within 10 miles of

Inchellum: From Spokane over U.S. Highway 2 to junction with Washington Highway 25, thence over Washington Highway 25 to Gifford, Wash., thence over ferry to Inchellum, and return over the same route; (2) *Irregular route; (a) household goods, farm equipment and implements*, between points in Stevens, Lincoln, Spokane, and Ferry Counties, Wash.; (b) *building materials* (except cement in bulk, in tank or dump vehicles or specialized equipment), between Spokane, Wash., on the one hand, and, on the other, points in Ferry and Stevens Counties, Wash.; (c) *agricultural commodities, farm supplies*, between Cedonia, Hunters, and Fruitland, Wash., on the one hand, and, on the other, Spokane, Wash., for 180 days. Note: Applicant will interline traffic with other carrier at Spokane, Wash. Supporting shippers: Dodson's Paint Store, 152 North Main Street, Colville, Wash. 99114; Bronson Implement Co., Inc., 381 North Main Street, Colville, Wash. 99114; Jenne's Cold Storage, Chewelah, Wash. 99109; Colville Supply Co., Colville, Wash. 99114; Gleason-Morrell-Equipment Co., Post Office Box 398, Wilbur, Wash. 99185; Peterson's Appliance, Kettle Falls, Wash. 99141; Dominion Motors, Box 288, Colville, Wash. 99114. Send protests to: L. C. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 126473 (Sub-No. 8 TA), filed January 31, 1969. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, Iowa 52580. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, (1) from the plant-site of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, Oklahoma, and Texas restricted to the transportation of shipments which originate at the facilities of the Hill Chemicals, Inc., plant located at or near Borger, Tex., and destined to points in the named destination States; (2) from the terminal located on the ammonia pipeline of MAPCO, Inc., located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska restricted to the transportation of shipments which originate at the facilities of MAPCO, Inc., located at or near Conway, Kans., and destined to points in the named destination States; (3) from the terminal located on the ammonia pipeline of MAPCO, Inc., located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of MAPCO, Inc., located at or near Greenwood, Nebr., and destined to points in the named destination States; (4) from the terminals located on the ammonia pipeline of MAPCO, Inc., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the fa-

cilities of MAPCO, Inc., located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States, for 180 days. Supporting shipper: Cominco American Inc., 818 West Riverside Avenue, Spokane, Wash. 99201. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-1768; Filed, Feb. 11, 1969;
8:48 a.m.]

[Notice 292]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 7, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70698. By order of January 27, 1969, Division 3, acting as an Appellate Division, approved the transfer to F & K Milk Service, Inc., Rosemont, Ill., of certificate No. MC-119009, issued November 25, 1964, to John Konecnik, doing business as F & K Milk Service, Rosemont, Ill., authorizing the transportation of: Dairy products, orange juice, yogurt, and chocolate milk, in containers, from Kansasville, Wis., to points in Illinois, and empty returned containers in the reverse direction. George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641, practitioner for applicants.

No. MC-FC-70719. By order of January 24, 1969, Division 3, acting as an Appellate Division, approved the transfer to Kruse Trucking Co., a corporation, Hillside, N.J., of a portion of certificate No. MC-45630, issued April 15, 1968, to Osar Trucking Co., Inc., Clifton, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between New York, N.Y., on the one hand, and, on the other, points in Monmouth, Middlesex, and Somerset Counties, N.J., James J. Farrell, 201 Montague Place, South Orange, N.J. 07079, counsel for transferee and George A. Olson, 69 Tonnele Avenue, Jersey City, N.J. 07306, counsel for transferor.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-1768; Filed, Feb. 11, 1969;
8:49 a.m.]

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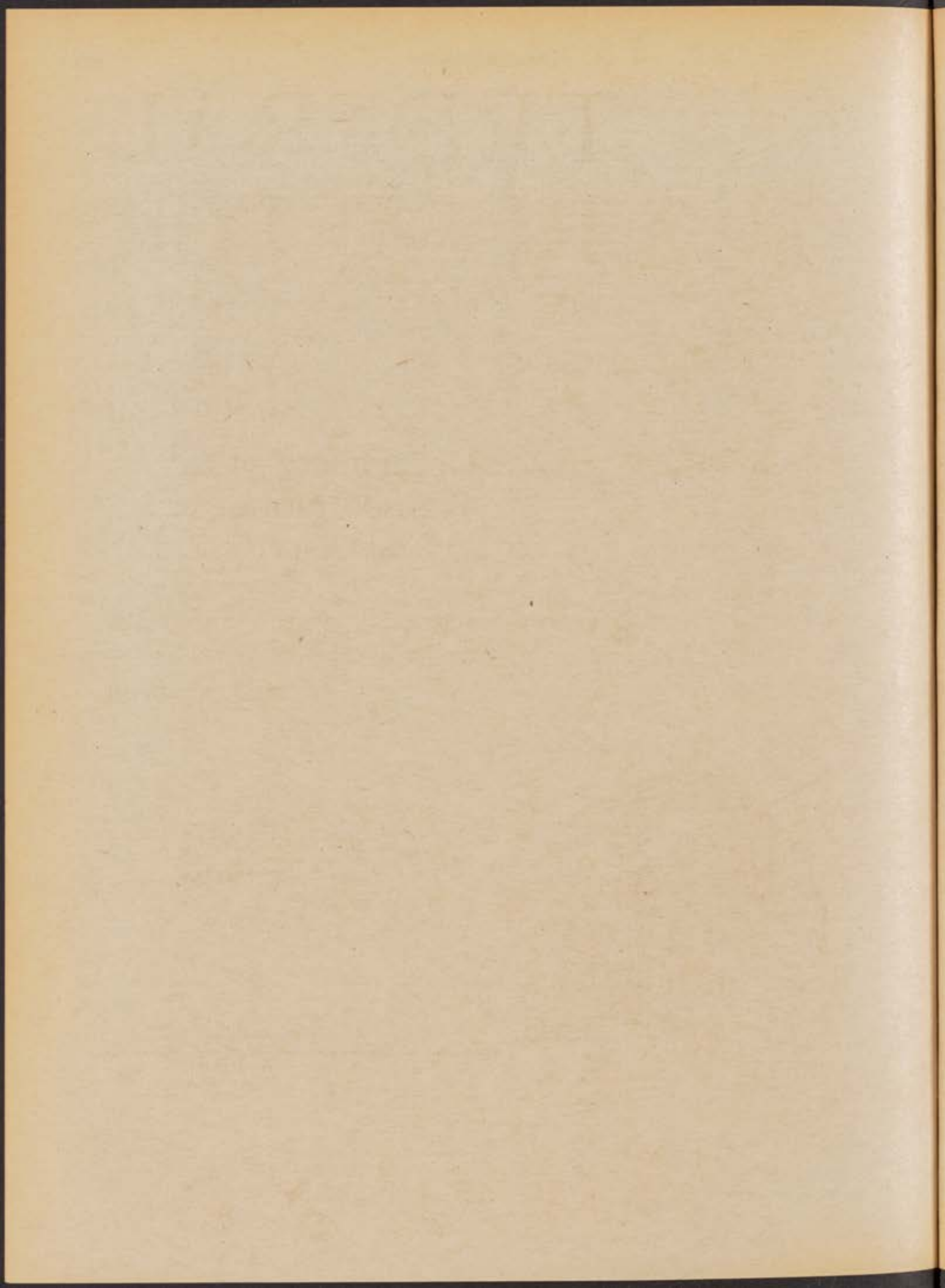
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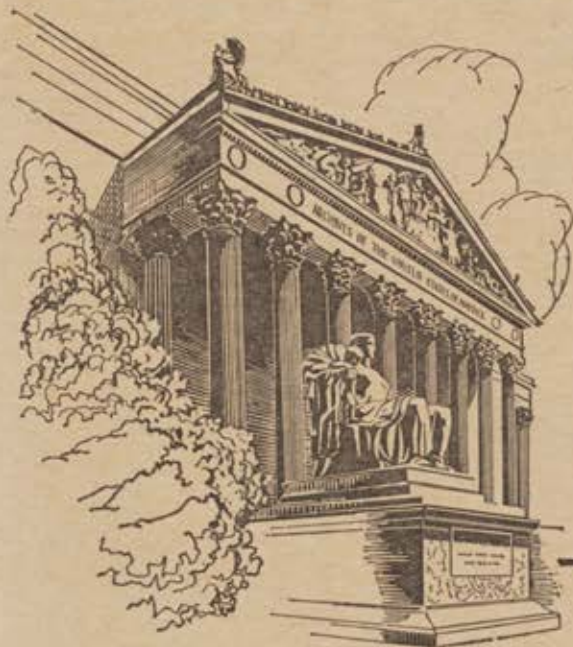
Wednesday, February 12, 1969 • Washington, D.C.

PART II

Department of
Transportation
Coast Guard

Transportation or Stowage of Explosives
or Other Dangerous Articles or
Substances and Combustible Liquids on
Board Vessels

Miscellaneous
Amendments



Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER N—DANGEROUS CARGOES

[CGFR 68-142]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Amendments

1. Pursuant to the notice of proposed rulemaking published in the FEDERAL REGISTER of February 29, 1968 (33 F.R. 3564-3570), and the Merchant Marine Council Public Hearing Agenda dated March 25, 1968 (CG-249), the Merchant Marine Council held a public hearing on March 25, 1968, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items PH 1-68 to PH 8-68, inclusive. Item PH 2-68 contained the proposals regarding dangerous cargoes (CG-249, pages 121 to 182, inclusive). This document contains miscellaneous amendments to the dangerous cargo regulations, which were identified as Item PH 2c-68 and Item PH 2d-68 (CG-249, pages 124 to 182, inclusive) (33 F.R. 3566), and deal primarily with radioactive materials. Another document (CGFR 68-66) was published in the FEDERAL REGISTER of June 7, 1968 (33 F.R. 8450-8452) setting forth miscellaneous amendments other than those concerning radioactive materials.

2. The written comments received were considered and changes based thereon have been made. Other changes were made in response to written comments submitted to the Department of Transportation on a parallel proposal for 49 CFR Parts 170 to 189, also regarding radioactive materials. The changes (other than those of an editorial nature) made for these reasons are as follows:

a. In § 146.19-1, definitions have been added for Type A and Type B packaging and quantities, and these terms are used throughout Subpart 146.19 for consistency with international usage.

b. A new Transport Group VII is added in § 146.19-5 for consistency with international usage.

c. In § 146.19-14 the allowable quantities of certain transport groups of radioactive material in radioactive devices have been changed.

d. A new § 146.19-25 is added to provide labeling criteria for radioactive materials.

e. Section 146.19-27 is changed to specify performance standards for Type A and Type B packaging.

f. In § 146.19-100, the entry for radioactive devices is amended by requiring the marking to be placed on the inner packaging rather than the outside packaging, for consistency with international practice.

3. The Hazardous Materials Regulations of the Department of Transportation (49 CFR Parts 170-189) (formerly

of the Interstate Commerce Commission in 49 CFR Parts 71-90) and the Dangerous Cargo Regulations (46 CFR Parts 146 and 147) refer in many places to "Interstate Commerce Commission" and "I.C.C." in safety regulatory requirements. The I.C.C. regulations were redesignated as DOT regulations upon the establishment of the Department of Transportation pursuant to 49 U.S.C. 1657, effective April 1, 1967. Because it is impracticable at this time to change all references to the I.C.C., such references are deemed to have the same purpose and meaning as references to the "Department of Transportation" and to "DOT" in the Dangerous Cargo Regulations. Therefore, packagings with the specification markings "ICC" placed thereon may be continued in service as marked.

4. The provisions of R.S. 4472, as amended (46 U.S.C. 170), require that the land and water regulations governing the transportation of dangerous articles or substances shall be as nearly parallel as practicable. The provisions in 46 CFR 146.02-18 and 146.02-19 make the Dangerous Cargo Regulations applicable to all shipments of dangerous cargoes by vessels. The Department of Transportation, through the Hazardous Materials Regulations Board, prescribes the implementing regulations for "hazardous materials" under the statutory authority in sections 831 through 835 of title 18, United States Code. These hazardous materials regulations are published in 49 CFR Parts 171 through 189 (formerly ICC regulations published in 49 CFR Parts 70 to 90). Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been included in this document in order that

these regulations governing water transportation of certain dangerous cargoes will be as nearly parallel as practicable with the regulations which govern the land transportation of the same commodities.

5. The amendments to 46 CFR Part 146, which were not described in the FEDERAL REGISTER notice of proposed rule making published on February 29, 1968 (33 F.R. 3566, 3567), are considered to be interpretations of law, or revised requirements to agree with existing regulations, or editorial in nature, and it is hereby found that compliance with the Administrative Procedures Act (5 U.S.C. 551-559) (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

6. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of title 14, United States Code, and the delegation of authority by the Secretary of Transportation in 49 CFR 1.4(a)(2), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendment are prescribed and shall be effective May 1, 1969; however, the regulations in this document may be complied with in lieu of existing requirements prior to that date.

Subpart 146.01—Preface

1. Section 146.01-4 is amended by revising in paragraph (a) Classes 6 and 7 in the list of classifications to read as follows:

§ 146.01-4 Classifications.

(a) * * *

SOLAS 1960 Classifications

Class 6—Poisonous (toxic) and infectious substances.

Class 7—Radioactive materials.....

Coast Guard Classifications

Poisons:

Extremely dangerous poison, Class A.
Less dangerous poison, Class B.
Tear gas or irritating substances,
Class C.

Radioactive materials.

Subpart 146.02—General Regulations

2. Section 146.02-9 is revised to substitute "Canadian Transport Commission" for that agency's former name, "Board of Transport Commissioners for Canada." As amended, § 146.02-9 reads as follows:

§ 146.02-9 Canadian shipments.

Shipments of explosives (except commercial Class A explosives) or other dangerous articles or combustible liquids as defined in this subchapter, which are packed, marked, and labeled in conformity with the regulations of the Canadian Transport Commission may be accepted and transported on board vessels within the navigable waters of the United States: *Provided*, That their acceptance and stowage on board the vessel is in accordance with the regulations in this part for the substances involved: *And provided further*, That the bill of lading

or other shipping paper carries the certifying statement of the shipper that the goods are packed, marked, and labeled in accordance with the regulation of the Canadian Transport Commission.

3. Section 146.02-10 is revised to read as follows:

§ 146.02-10 Export shipments.

(a) Export shipments of commercial Class A explosives and radioactive materials regardless of whether in interstate transportation prior to delivery to the vessel, shall be packed, marked, labeled, or otherwise in conformity with the Department of Transportation requirements for the transportation of explosives or other dangerous articles in effect at the time of shipment.

(b) Export shipments of explosives or other dangerous articles or combustible liquids (except commercial Class A explosives and radioactive materials) may

be accepted for transportation when packed, marked, labeled, and described in accordance with the regulations of the country of destination. If the regulations of the foreign country are used, the bill of lading or other shipping paper shall identify such shipments by the shipping name shown in the regulations in this part for the particular substance, and also shall certify that the packing, marking, and labeling is in accordance with the foreign regulations and identify by title or otherwise such foreign regulations. Markings on export packages may be in the language of the country of destination. Labels shall be affixed or printed or stamped upon such export packages when offered for transportation in lots of one hundred (100) or less packages. Stowage on board a vessel shall be in accordance with the regulations in this part as applicable to the particular character of vessel.

4. Section 146.02-11 is revised to read as follows:

§ 146.02-11 Import shipments.

(a) Import shipments of commercial Class A explosives and radioactive materials regardless of whether destined upon arrival at domestic ports for further transportation or not shall be packaged, marked, labeled, or otherwise in conformity with the Department of Transportation requirements for the transportation of explosives or other dangerous articles in effect at the time of shipment.

(b) Import shipments of explosives or other dangerous articles (except commercial Class A explosives and radioactive materials) destined upon arrival at domestic ports for further transportation outside the port area in original packaging, by common, contract, or private carrier must comply with the Department of Transportation regulations for the transportation of explosives or other dangerous articles in effect at the time of shipment. The importer shall furnish with the order to the foreign shipper, and also to the forwarding agent at the port of entry, full and complete information as to packaging, marking, labeling, and other requirements as prescribed by the Department of Transportation regulations (see § 146.05-14).

(c) Import shipments of explosives or other dangerous articles or combustible liquids (except commercial Class A explosives and radioactive materials) accepted for transportation in a foreign port in outside metal or wooden barrels or drums not exceeding 110 gallons capacity, wooden boxes not exceeding 300 pounds weight of box and contents, or fiberboard boxes not exceeding 65 pounds weight of box and contents, which upon arrival at domestic ports are not destined for transportation outside the port area in their original import packaging by common, contract, or private carrier may be carried on board vessels provided the shipper certified upon the bill of lading or other shipping paper that the packaging, marking, and labeling are in conformity with the regulations of the country of origin. If the country of origin has no regulations governing the transportation by vessel

of the explosives and dangerous substances involved packages of the type described above in this paragraph may be carried on board vessels: *Provided*, That the shipper shall certify that the container is so constructed as to maintain its complete integrity under all conditions likely to be encountered in transportation. The master of the vessel, before accepting such import shipments, shall satisfy himself that the packaging is sufficiently strong to stand, without rupture or leakage of contents, all risks ordinarily incident to transportation. Stowage of import shipments on board vessels shall be in accordance with the provisions of the regulations in this part.

(d) Shipments of explosives or other dangerous articles or combustible liquids (except commercial Class A explosives and radioactive materials) accepted for transportation in a foreign port which upon arrival at domestic ports are destined for transshipment on vessels subject to the regulations of this part, may be accepted on such vessels provided the bill of lading or other shipping paper identifies the shipment by the shipping name shown in the regulations in this part for the particular substance and provided further that the dangerous cargo is certified to be described as above and to be packaged, marked and labeled in accordance with the regulations in this part or the regulations of the country of origin of the cargo (provided such regulations are compatible with minimum safety requirements of the regulations in this part). The connecting carrier, before accepting such transshipments, shall satisfy himself that the provisions of this paragraph are complied with. The master of the vessel shall satisfy himself that the packaging is sufficiently strong to withstand, without rupture or leakage of contents, all risks incident to transportation. Stowage on board vessels shall be in accordance with the provisions of the regulations in this part.

5. Section 146.02-13 is amended by revising paragraph (b) to read as follows:

§ 146.02-13 Report fires.

(b) In the event of wreck, fire, or other disaster involving radioactive materials other than low specific activity materials, or that part of a vessel where radioactive materials other than low specific activity materials are stowed, safety precautions shall be observed in accordance with the applicable regulations in Subpart 146.19 pertaining to the care following leakage or sifting of radioactive materials.

6. Section 146.02-14 is amended by revising the heading and paragraphs (b) and (c) to read as follows:

§ 146.02-14 Damaged packages.

(b) Any damaged outside packaging as described in paragraph (a) of this section, except those containing radioactive materials other than low specific activity materials, may be accepted when restored or repaired to the satisfaction of the owner or master of the vessel. Special

attention shall be given to packaging of substances that are required by the regulations of this part to be shipped "wet" to be certain that any escaped liquid is replaced before the restored packaging is accepted.

(c) Damaged, leaking, or insecure outside packaging in which radioactive materials other than low specific activity materials are packaged shall be handled in accordance with the safety precautions set forth in Subpart 146.19 pertaining to the care following leakage or sifting of radioactive materials.

7. Section 146.02-15 is amended by revising paragraph (c) to read as follows:

§ 146.02-15 Emergency shipments.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, when radioactive materials other than low specific activity materials are involved the safety precautions set forth in Subpart 146.19, pertaining to the care following leakage or sifting of radioactive materials, shall be followed whenever practicable.

8. Section 146.02-18 is amended by revising paragraph (a) to read as follows:

§ 146.02-18 Shipments via common carrier vessels.

(a) Regulations promulgated by the Department of Transportation under the title of "Explosives and Other Dangerous Articles" in effect at the time of shipment with respect to definitions, descriptions, descriptive names and classifications of explosives, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, radioactive materials, and poisonous articles; and with respect to specifications of containers for such articles and with respect to the packaging, marking, labeling, and certification of such articles are adopted and form part of the regulations in this part and shall be complied with by all persons packing and preparing, and all shippers offering such articles for transportation by vessels that are common carriers: *Provided, however*, That the acceptance on board vessels of packages laden with such articles or bulk shipments of such articles shall comply with the provisions of the regulations in this part. Import or export shipments of such articles shall comply with the provisions of §§ 146.02-10 and 146.02-11.

9. Section 146.02-19 is amended by revising paragraph (a) to read as follows:

§ 146.02-19 Shipments via vessels other than common carriers.

(a) Explosives or other dangerous articles or substances packed in barrels, drums, boxes, cylinders, carboys or bags and offered for transportation or storage on board vessels that are not common carrier vessels shall with respect to definitions, descriptions, descriptive names and classifications of explosives, flammable liquids, oxidizing materials, corrosive liquids, compressed gases, radioactive materials, and poisonous articles,

and with respect to specifications of containers for such articles or substances, and with respect to the packaging, marking, labeling, and certification of such articles or substances conform to the requirements of the regulations in effect at the time of shipment as promulgated by the Department of Transportation under the title of "Explosives and Other Dangerous Articles" (49 CFR Parts 170-189) except as may be otherwise required by the regulations in this part. Import or export shipments of such articles or substances shall comply with the provisions of §§ 146.02-10 and 146.02-11.

10. Section 146.02-21 is revised to read as follows:

§ 146.02-21 Statements of characteristic properties.

In the second column of the tables shown in §§ 146.19-100, 146.20-100, 146.20-200, 146.20-300, 146.21-100, 146.22-100, 146.22-200, 146.23-100, 146.24-100, 146.25-100, 146.25-200, 146.25-300, 146.26-100, and 146.27-100 are statements in italics setting forth certain characteristic properties of the substances listed therein. It is not intended that these statements set forth all the characteristic properties of a particular substance and such statements as are shown are informative only.

Subpart 146.03—Definitions of Words and Terms Contained Within the Regulations in This Subchapter

11. Section 146.03-8 is revised to read as follows:

§ 146.03-8 Dangerous articles defined.

A dangerous article within the meaning of the regulations in this subchapter is an article falling within any of the following classifications:

Explosives.
Inflammable Liquids.
Inflammable Solids and Oxidizing Materials.
Corrosive Liquids.
Compressed Gases.
Poisons.
Radioactive Materials.
Hazardous Articles.
Ships' Stores and Supplies of a Dangerous Nature.

For definitions covering these classifications see the appropriate section within this subchapter. These are §§ 146.19-1, 146.20-1, 146.20-11, 146.21-1, 146.22-1, 146.23-1, 146.24-1, 146.25-1-146.25-15, 146.27-1, and 147.02-1, 147.02-2. Combustible Liquids are defined in § 146.26-1.

12. Section 146.03-17 is revised to read as follows:

§ 146.03-17 ICC or DOT.

The initials "ICC" refer to Interstate Commerce Commission. The initials "DOT" refer to Department of Transportation. For the purposes of the regulations in this subchapter ICC and DOT are used interchangeably with respect to safety regulatory functions formerly performed by the Interstate Commerce Commission and now performed by the

Department of Transportation pursuant to 49 U.S.C. 1657.

13. Section 146.03-18 is revised to read as follows:

§ 146.03-18 ICC and DOT regulations.

The terms "ICC regulations" and "DOT regulations" when used in the regulations in this part refer to regulations of the Interstate Commerce Commission (49 CFR Parts 71-90) or the Department of Transportation (49 CFR Parts 170-189) in effect at the time a shipment is moving and subject to the regulations in this part. The ICC regulations were redesignated as DOT regulations upon the establishment of the Department of Transportation pursuant to 49 U.S.C. 1657 effective April 1, 1967; therefore, references in this part to ICC regulations shall be understood to include the DOT regulations which superseded the ICC regulations.

14. Section 146.03-19 is amended by revising the heading and paragraph (b) to read as follows:

§ 146.03-19 Inside packaging.

(b) The inside packaging and packing, if required, shall comply with the requirements of the Department of Transportation in effect at the time of shipment.

15. A new § 146.03-27a is added, to read as follows:

§ 146.03-27a Packaging.

"Packaging" means the assembly of the containers and any other components necessary to ensure compliance

with the containment requirements prescribed for the substances therein.

16. A new § 146.03-27b is added, to read as follows:

§ 146.03-27b Package.

"Package" means the packaging plus its content of explosives or other dangerous articles as presented for transportation.

17. A new § 146.03-40 is added, to read as follows:

§ 146.03-40 Transport vehicle.

"Transport vehicle" means the conveyance used for the transportation of explosives or other dangerous articles and includes any motor vehicle, rail car, or aircraft. Each cargo-carrying body (trailer, van, box car, etc.) is a separate vehicle.

Subpart 146.04—List of Explosives or Other Dangerous Articles Containing the Shipping Name or Description of Articles Subject to the Regulations in This Subchapter

§ 146.04-4 [Amended]

18. Section 146.04-4 is amended by revising the entry in the list from "Pois. D.....Radioactive Material, Class D" to read "R.A.M.....Radioactive Material."

19. Section 146.04-5 is amended by changing, adding, and canceling certain items as follows:

§ 146.04-5 List of explosives and other dangerous articles and combustible liquids.

Article	Classed as—	Label required
Change		
Fissile radioactive materials.....	Radioactive.....	Radioactive.
Radioactive devices.....	Radioactive.....	Radioactive.
Radioactive materials, low specific activity (LSA).....	Radioactive.....	Radioactive.
Add		
Radioactive materials, small quantities.....	Radioactive.....	
Radioactive materials, N.O.S.....	Radioactive.....	Radioactive.
Radioactive materials, special form.....	Radioactive.....	Radioactive.
Thorium nitrate, solid.....	Radioactive, Oxy. M.....	Radioactive and yellow.
Uranyl nitrate, solid.....	Radioactive, Oxy. M.....	Radioactive and yellow.
Cancel		
Magnesium-thorium alloys in formed shapes (not powdered, and which shall contain not more than 4 percent nominal thorium-232) (see: § 146.25-25(e)).	Pois. D.....	Radioactive materials, red special.
Radioactive materials, Groups I, II, and IV.....	Pois. D.....	Radioactive materials, red.
Radioactive materials, Group III.....	Pois. D.....	Radioactive materials, blue.
Radioactive materials, N.O.S. (see: "Radioactive materials, Groups I, II, and IV" or "Group III").	Pois. D.....	Radioactive materials, red or blue.
Uranium, normal or depleted, in solid metal form (not borings, chips, or pieces) (see: § 146.25-25(f)).	Pois. D.....	Radioactive materials, red special.

Subpart 146.05—Shipper's Requirements Re: Packing, Marking, Labeling, and Shipping Papers

20. Section 146.05-4 is revised to read as follows:

§ 146.05-4 Prescribed packaging.

(a) The regulations in this subchapter prescribe four groups of outside packaging for use in shipping permitted explosives or other dangerous articles or substances as follows:

(1) DOT and ICC specification packaging.

(2) M.I.N. specification packaging. (See § 146.05-7.)

(3) C.F.C. specification packaging. (See § 146.05-7.)

(4) Non-specified packaging.

(b) In the interest of national defense or at such times as it shall be determined that the interest of safety would not be impaired, the use of packagings other than those specified in this part, for the transportation of permitted explosives and other dangerous articles or substances may be authorized in the discretion of and upon special permit to be

issued by the Commandant of the Coast Guard.

CROSS REFERENCE: For Canadian shipments, see § 146.02-9.

21. Section 146.05-5 is amended by revising the heading and paragraph (a) to read as follows:

§ 146.05-5 DOT and ICC specification packaging.

(a) Department of Transportation and Interstate Commerce Commission packaging authorized herein for use in the transportation of permitted explosives or other dangerous articles or substances must have been made and marked in compliance with specifications prescribed by the Department of Transportation or the Interstate Commerce Commission in effect at the date of manufacture of the packaging. References in the regulations of this subchapter to the Interstate Commerce Commission and ICC shall be understood to include the Department of Transportation and DOT, respectively.

22. Section 146.05-11 is amended by revising paragraphs (a), (d), and (e), by revoking paragraphs (b) and (c), and by redesignating (d) and (e) as (b) and (c). As amended, § 146.05-11 reads as follows:

§ 146.05-11 Certification.

(a) Each shipper offering for transportation by water any explosives, other dangerous articles, combustible liquids, and hazardous articles subject to the regulations in this part must show on the shipping paper the following certificate which must be signed by the shipper:

This is to certify that the above-named articles are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation, according to the applicable regulations of the Department of Transportation.

(b) For export and import shipments of dangerous cargo not destined to be transported by land under the jurisdiction of the Department of Transportation as covered in § 146.02-10 of this part, the shipper may certify on the bill of lading or other shipping paper that the dangerous articles are properly packaged, marked, labeled, and are in proper condition for transportation according to the regulations of the country of origin or destination as the case may be. The regulations must be identified by name.

(c) Detailed regulations in §§ 146.21-100 to 146.27-100 require specific certification for certain substances. When these substances are required to be certified under paragraph (a) of this section the certificate required by the detailed regulations shall be in addition thereto.

23. Section 146.05-12 is amended by revising paragraph (f) (6) and by adding a new paragraph (f) (9) which read as follows:

§ 146.05-12 Originating shipping order, transfer shipping paper.

(f) The minimum information required by this section to be shown upon an originating shipping order is as follows:

(6) In connection with the entry of each dangerous article, show the kind and color of label applied to the package or the markings upon the package when label or marking is required by the regulations in this part. Where the detailed regulations exempt the packages from labeling the exemption must be indicated by the words "No Label Required" immediately following the description on the shipping paper.

(9) For shipments of radioactive materials, the shipping paper description must include:

(i) The Transport Group or Groups of the radionuclides in the radioactive material, if the material is in normal form;

(ii) The name of the radionuclides in the radioactive material, and a description of its physical and chemical form if the material is in normal form;

(iii) The activity of the radioactive material in curies;

(iv) The type of label applied to the package; i.e., Radioactive White-I, Radioactive Yellow-II, or Radioactive Yellow-III;

(v) For fissile radioactive materials, the fissile class of the package, and the weight in grams or kilograms of the fissile isotope; and

(vi) For export shipments, a copy of any special permit issued by the Department of Transportation for the package.

24. Section 146.05-15(g) revised to read as follows:

§ 146.05-15 Marking and labeling.

(g) Each package containing "Any Other Dangerous Article" as defined by the regulations in this part shall be conspicuously labeled by the shipper as follows except as otherwise provided:

(1) "Red" label as described and illustrated in § 146.05-17(f) on packages of flammable liquids, except when exempted by the regulations in this part. If flammable liquid is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(2) "Yellow" label as described and illustrated in § 146.05-17(g) on packages of flammable solids and oxidizing materials, except when exempted by the regulations in this part. If flammable solid or oxidizing material is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(3) "White" label as described and illustrated in § 146.05-17(h) on packages of acids, except when exempted by the regulations in this part. If the acid is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(4) "White" label as described and illustrated in § 146.05-17(j) on packages of corrosive liquids, except when exempted by the regulations in this part. If the corrosive liquid is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(5) "White" label as described and illustrated in § 146.05-17(k) on packages of alkaline caustic liquids, except when exempted by the regulation in this part. If the alkaline caustic liquid is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(6) "Red" label as described and illustrated in § 146.05-17(l) on packages of flammable compressed gases, except when exempted by the regulations in this part. If the flammable compressed gas is also a Class A poison or a radioactive material, the "poison gas" label or the "radioactive" label must also be applied to the package.

(7) "Green" label as described and illustrated in § 146.05-17(m) on packages of nonflammable compressed gases except when exempted by the regulations in this part. If the nonflammable compressed gas is also a Class A poison or a radioactive material, the "poison gas" label or "radioactive" label must also be applied to the package.

(8) "Poison gas" label as described and illustrated in § 146.05-17(n) on packages of Class A poisons.

(9) "Poison" label as described and illustrated in § 146.05-17(o) on containers of Class B poison liquids or solids, except when exempted by the regulations in this part. If the Class B poison liquid or solid is also a radioactive material the "radioactive" label must also be applied to the package.

(10) "Tear gas" label as described and illustrated in § 146.05-17(p) on packages of Class C poisons.

(11) "Radioactive" (white-I, yellow-II, or yellow-III) label as described in § 146.05-17 (q) and (r) on packages of radioactive materials, except when exempted from the labeling requirements in Subpart 146.19 of this part. Each package must be labeled with two such labels, affixed to opposite sides of the package. The method of determination of which label to use is given in § 146.19-25.

(12) Labels which conform to the model prescribed in the regulations of the International Atomic Energy Agency, and which are similar in appearance to the labels prescribed in this part (although the inscriptions on the labels may be in a foreign language) are authorized in place of the labels prescribed in this part for import or export shipments only.

(13) "Bung" label as described and illustrated in § 146.05-17(v) on metal barrels or drums containing flammable liquids with vapor pressures exceeding 16 pounds per square inch absolute.

(14) "Empty" label as described and illustrated in § 146.05-17(u) shall be applied to packages which have been emptied and on which the old label has not been removed, obliterated, or destroyed. It must be placed on the package so as to completely cover the old label.

25. Section 146.05-16 is revised to read as follows:

§ 146.05-16 Labels for mixed packing.

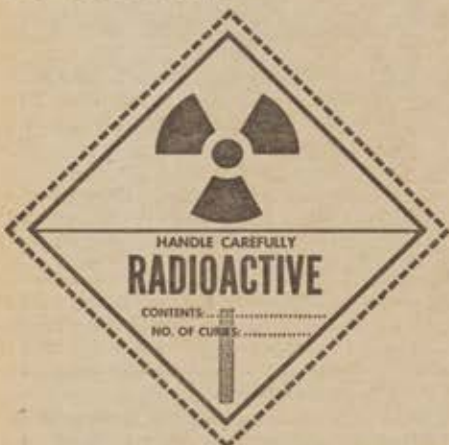
(a) Use the red label only when red and other labels are prescribed, except when poison gas label or radioactive label is prescribed, then both the red label and the poison gas label or red label and radioactive label must be used.

(b) Use white acid (alkaline caustic liquid or corrosive liquid) label only when white acid (alkaline caustic liquid or corrosive liquid) and yellow or poison labels are prescribed or poison labels (Class B) are prescribed except when poison gas label or radioactive label is prescribed, then both the white acid label and the poison gas label or white acid and radioactive label must be used.

26. Section 146.05-17 is amended by revising paragraphs (q) and (r) and by revoking paragraph (w) to read as follows:

§ 146.05-17 Labels.

(q) "Radioactive white-I" label for radioactive materials. Label must be white in color. The single vertical bar on the lower half of the label must be bright red in color.



(r) (1) "Radioactive yellow-II" label for radioactive materials. The upper half of the label must be bright yellow and the bottom half must be white. The two vertical bars on the lower half of the label must be bright red in color.



(2) "Radioactive yellow-III" label for radioactive materials. The upper half of the label must be bright yellow and the bottom half must be white. The three vertical bars on the lower half of the label must be bright red in color.



(w) [Revoked]

Subpart 146.07—Railroad Vehicles, Highway Vehicles, Vans, or Portable Containers Loaded With Explosives or Other Dangerous Articles and Transported on Board Ocean Vessels

27. Section 146.07-20 is revised to read as follows:

§ 146.07-20 Certification.

The shipping order or other memorandum furnished by the shipper, agent or delivering carrier shall bear the following certificate of the shipper or his duly authorized agent:

This is to certify that the above-named articles are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation, according to the applicable regulations of the Department of Transportation.

Subpart 146.10—Barges

§ 146.10-50 [Amended]

28. In § 146.10-50, the table is amended as follows:

A. In column 1, under the entry "Poisonous articles" delete the words: Class "D."

B. In column 2, opposite the entry "Poisonous articles," delete the words: "Radioactive Materials."

C. After the entry "Poisonous articles: Class 'A', Class 'B', Class 'C'" and before the entry "Hazardous articles," add a new entry as follows:

(1) In column 1, add: Radioactive materials.

(2) In column 2, add: Radioactive.

(3) In column 3, add: Yes.¹

(4) In column 4, add: Yes.²

(5) In column 5, add: Yes.

(6) In column 6, add: On deck only.²

(7) In column 7, add: Yes.

(8) In column 8, add: Yes.²

(9) In column 9, add: No.

(10) In column 10, add: Yes.^{1, 4}

(11) In column 11, add: Yes.^{2, 6}

(12) In columns 12 through 15 add: No.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 170, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.)

29. A new Subpart 146.19, consisting of §§ 146.19-1 through 146.19-100, is added to read as follows:

Subpart 146.19—Detailed Regulations Governing Radioactive Materials

Sec.	
146.19-1	Radioactive materials; definitions.
146.19-5	Transport groups of radionuclides.
146.19-10	General packaging requirements.
146.19-11	Empty packaging.
146.19-12	Fissile radioactive material.
146.19-14	Small quantities of radioactive materials and radioactive devices.
146.19-16	Low specific activity materials.
146.19-18	Radioactive material in normal form.
146.19-20	Radioactive material in special form.
146.19-25	Labeling of packages of radioactive materials.
146.19-27	Special tests.
146.19-30	Contamination control.
146.19-35	Stowage and handling aboard vessels.
146.19-40	Segregation from other cargoes.
146.19-50	Care following leakage or sifting of radioactive materials.
146.19-70	Use of power-operated industrial trucks in spaces containing radioactive materials.
146.19-80	Vessels utilizing nuclear energy or handling radioactive materials.
146.19-100	Table—Classification: Radioactive materials.

AUTHORITY: The provisions of this Subpart 146.19 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 170, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.)

§ 146.19-1 Radioactive materials; definitions.

For the purpose of this subchapter: (a) "Fissile radioactive material" means the following material: Plutonium-238, plutonium-239, plutonium-241, uranium-233, or uranium-235, or any material containing any of the foregoing materials. Fissile radioactive material packages are classified according to the

controls needed to provide nuclear criticality safety during transportation as follows:

(1) *Fissile Class I*. Packages which may be transported in unlimited numbers and in any arrangement, and which require no nuclear criticality safety controls during transportation. For purposes of nuclear criticality safety control, a transport index is not assigned to Fissile Class I packages. However, the external radiation levels may require a transport index number.

(2) *Fissile Class II*. Packages which may be transported together in any arrangement but in numbers which do not exceed an aggregate transport index of 50. For purposes of nuclear criticality safety control, individual packages may have a transport index of not less than 0.1 and not more than 10. However, the external radiation levels may require a higher transport index number but not to exceed 10. Such shipments require no nuclear criticality safety control by the shipper during transportation.

(3) *Fissile Class III*. Shipments of packages which do not meet the requirements of Fissile Classes I or II and which are controlled to provide nuclear criticality safety in transportation by special arrangements between the shipper and the carrier.

NOTE 1: Uranium-235 exists only in combination with various percentages of uranium-234 and uranium-238. "Fissile radioactive material" as applied to uranium-235 refers to the amount of uranium-235 actually contained in the total quantity of uranium being transported.

NOTE 2: Radioactive material may consist of mixtures of fissile and nonfissile radionuclides. "Fissile radioactive material" refers to the amount of plutonium-238, plutonium-239, plutonium-241, uranium-233, uranium-235, or any combination thereof actually contained in the mixture. The "radioactivity" of the mixture consists of total activity of both the fissile and nonfissile radionuclides. All mixtures containing "fissile material" shall be subject to § 146.19-12.

(b) "Full load" means any load:

(1) From a single consignor having the sole use of a vehicle, van, or portable container or of a hold, compartment, or defined deck area of a vessel.

(2) In respect of which all terminal and intermediate loading and unloading is carried out in accordance with the instructions of the consignor or the consignee.

Unless otherwise specified in the regulations in this subpart, such a load may consist of radioactive materials of different kinds in packages which may be accompanied by nonradioactive materials for which mixed loading with radioactive material is not prohibited.

(c) "Large quantity radioactive materials" means a quantity the aggregate radioactivity of which exceeds that specified as follows:

(1) Group I or II (see paragraph (j) of this section) radionuclides; 20 curies.

(2) Group III or IV radionuclides; 200 curies.

(3) Group V radionuclides; 5,000 curies.

(4) Group VI or VII radionuclides; 50,000 curies.

(5) Special form material; 5,000 curies.

(d) "Low specific activity material" means any of the following:

(1) Uranium or thorium ores and physical or chemical concentrates of those ores;

(2) Unirradiated natural or depleted uranium or unirradiated natural thorium;

(3) Tritium oxide in aqueous solutions provided the concentration does not exceed 5 millicuries per milliliter;

(4) Material in which the activity is essentially uniformly distributed and in which the estimated average concentration per gram of contents does not exceed:

(i) 0.0001 millicuries of Group I (see § 146.19-5) radionuclides; or

(ii) 0.005 millicuries of Group II radionuclides; or

(iii) 0.3 millicuries of Groups III or IV radionuclides.

NOTE: This includes, but is not limited to, materials of low radioactivity concentration such as residues or solutions from chemical processing; wastes such as building rubble, metal, wood, and fabric scrap, glassware, paper, and cardboard; solid or liquid plant waste, sludges, and ashes.

(5) Objects of nonradioactive material externally contaminated with radioactive material: *Provided*, That the radioactive material is not readily dispersible and the surface contamination when averaged over an area of 1 square meter, does not exceed 0.0001 millicurie (220,000 disintegrations per minute) per square centimeter of Group I radionuclides or 0.001 millicurie (2,200,000 disintegrations per minute) per square centimeter of other radionuclides.

(e) "Normal form radioactive materials" means those which are not special form radioactive materials. Normal form radioactive materials are grouped into transport groups (see paragraph (j) of this section).

(f) "Radioactive material" means any material or combination of materials, which spontaneously emits ionizing radiation. Materials in which the estimated specific activity is not greater than 0.002 microcuries per gram of material, and in which the radioactivity is essentially uniformly distributed, are not considered to be radioactive materials.

(g) "Removable radioactive contamination" means radioactive contamination which can be readily removed in measurable quantities by wiping the contaminated surface with an absorbent material. The measurable quantities shall be considered as being not significant if they do not exceed the limits specified in § 146.19-30.

(h) "Special form radioactive materials" means those which, if released from a package, might present some direct radiation hazard but would present little hazard due to radiotoxicity and lit-

tle possibility of contamination. This may be the result of inherent properties of the material (such as metals or alloys), or acquired characteristics, as through encapsulation. The criteria for determining whether a material meets the definition of special form are prescribed in § 146.19-27(a).

(i) [Reserved]

(j) "Transport group" means any one of seven groups into which normal form radionuclides are classified according to their radiotoxicity and their relative potential hazard in transportation, and as listed in § 146.19-5.

(k) "Transport index" means the number placed on a package to designate the degree of control to be exercised by the carrier during transportation. The transport index to be assigned to a package of radioactive materials shall be determined by either subparagraph (1) or (2) of this paragraph, whichever is larger. The number expressing the transport index shall be rounded up to the next highest tenth; e.g., 1.01 becomes 1.1.

(1) The highest radiation dose rate, in millirem per hour at 3 feet from any accessible external surface of the package; or

(2) For Fissile Class II packages only, the transport index number calculated by dividing the number "50" by the number of similar packages which may be transported together (see § 146.19-12) as determined by the procedures prescribed in the regulations of the U.S. Atomic Energy Commission, 10 CFR Part 71.

(l) "Type A packaging" means packaging which is designed in accordance with the general packaging requirements of § 146.19-10 and applicable DOT regulations, and which is adequate to prevent the loss or dispersal of the radioactive contents and to retain the efficiency of its radiation shielding properties if the package is subject to the tests prescribed in § 146.19-27(b).

(m) "Type B packaging" means packaging which meets the standards for Type A packaging, and, in addition, meets the standards for hypothetical accident conditions of transportation as prescribed in § 146.19-27(c).

(n) "Type A quantity" and "Type B quantity" radioactive materials means a quantity the aggregate radioactivity of which does not exceed that specified as follows:

Transport group (see 49 CFR 173.359(h))	Type A quantity (in curies)	Type B quantity (in curies)
I.....	0.001	20
II.....	0.05	20
III.....	3	200
IV.....	20	200
V.....	20	5,000
VI and VII.....	1,000	50,000
Special form.....	20	5,000

§ 146.19-5 Transport groups of radionuclides.

(a) List of radionuclides:

Element	Radioisotopes	Transport group						
		I	II	III	IV	V	VI	VII
Actinium (89)	Ac-227	X						
Americium (95)	Am-241	X						
Antimony (51)	Am-127	X			X			
Argon (18)	Ar-37		X					X
Arsenic (33)	As-75 (uncompressed) ¹				X			
As-76					X			
As-77					X			
As-78					X			
As-79					X			
As-80					X			
As-81					X			
As-82					X			
As-83					X			
As-84					X			
As-85					X			
As-86					X			
As-87					X			
As-88					X			
As-89					X			
As-90					X			
As-91					X			
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As-250					X			
As-251					X			
As-252					X			
As-253					X			
As-254					X			
As-255					X			
As-256					X			
As-257					X			
As-258					X			
As-259					X			
As-260					X			
As-261					X			
As-262					X			
As-263					X			
As-264					X			
As-265					X			
As-266					X			
As-267					X			
As-268					X			
As-269					X			
As-270					X			
As-271					X			
As-272					X			
As-273					X			
As-274					X			
As-275					X			
As-276					X			</

(b) Any radionuclide not listed in paragraph (a) of this section shall be assigned to one of the groups in accordance with the following table:

Radionuclide	Radioactive half life		
	1,000 days to over—		
	0-1,000 days	10 ³ years	10 ⁴ years
Atomic number 1-81 and over.	Group III	Group II	Group III, Do.
Atomic number 82 and over.	Group I	Group I	

NOTE 1.—No unlisted radionuclide shall be assigned to Groups IV, V, VI, or VII.

(c) For mixtures of radionuclides the following shall apply:

(1) If the identity and respective activity of each radionuclide are known, the permissible activity of each radionuclide shall be such that the sum, for all groups present, of the ratio between the total activity for each group to the permissible activity for each group will not be greater than unity.

(2) If the groups of the radionuclides are known but the amount in each group cannot be reasonably determined, the mixture shall be assigned to the most restrictive group present.

(3) If the identity of all or some of the radionuclides cannot be reasonably determined, each of those unidentified radionuclides shall be considered as belonging to the most restrictive group which cannot be positively excluded.

(4) Mixtures consisting of a single radioactive decay chain where the radionuclides are in the naturally occurring proportions shall be considered as consisting of a single radionuclide. The group and activity shall be that of the first member present in the chain, except if a radionuclide "x" has a half-life longer than that of that first member and an activity greater than that of any other member including the first at any time during transportation; in that case, the transport group of the nuclide "x" and the activity of the mixture shall be the maximum activity of that nuclide "x" during transportation.

§ 146.19-10 General packaging requirements.

(a) Unless otherwise specified, all shipments of radioactive materials must meet all requirements of this section, and must be packaged as prescribed in §§ 146.19-10 through 146.19-20 and § 146.19-100.

(b) The outside of each package must incorporate a feature such as a seal, which is not readily breakable and which, while intact, will be evidence that the package has not been illicitly opened.

(c) The smallest outside dimension of any package must be 4 inches or greater.

(d) Radioactive materials must be packaged in packagings which have been designed to maintain shielding efficiency and leak tightness, so that, under conditions normally incident to transportation, there will be no release of radioactive material. If necessary, additional suitable inside packaging must be used. Each package must be capable of meeting the standards in § 146.19-27(b).

Specification containers listed as authorized for radioactive materials shipments may be assumed to meet those standards, provided the packages do not exceed the gross weight limits prescribed for those containers in the applicable DOT regulations.

(1) Internal bracing or cushioning, where used, must be adequate to assure that, under the conditions normally incident to transportation, the distance from the inner container or radioactive material to the outside wall of the package remains within the limits for which the package design was based, and the radiation dose rate external to the package does not exceed the transport index number shown on the label. Inner shield closures must be positively secured to prevent loss of the contents.

(e) The packaging must be so designed, constructed, and loaded that, when transporting large quantities of radioactive material:

(1) The heat generated within the package because of the radioactive materials present will not, at any time during transportation, affect the efficiency of the package under the conditions normally incident to transportation, and

(2) The temperature of the accessible external surfaces of the package will not exceed 122° F. in the shade when fully loaded, assuming still air at ambient temperature. If the package is transported as full load, the maximum accessible external surface temperature shall be 180° F.

(f) Pyrophoric materials, in addition to the packaging prescribed in this subpart, must also meet the packaging requirements of Subparts 146.21 and 146.22.

(g) Liquid radioactive material must be packaged in or within a leak-resistant and corrosion-resistant inner container. In addition—

(1) The packaging must be adequate to prevent loss or dispersal of the radioactive contents from the inner container, if the package were subjected to the 30-foot drop test prescribed in § 146.19-27(c) (2) (i); or

(2) Enough absorbent material must be provided to absorb at least twice the volume of the radioactive liquid contents. The absorbent material may be located outside the radiation shield only if it can be shown that if the radioactive liquid contents were taken up by the absorbent material the resultant dose rate at the surface of the package would not exceed 1,000 millirem per hour.

(h) There must be no significant removable radioactive surface contamination on the exterior of the package (see § 146.19-30).

(i) Except for shipments described in paragraph (j) of this section, all radioactive materials must be packaged in suitable packaging (shielded, if necessary) so that at any time during the normal conditions incident to transportation the radiation dose rate does not exceed 200 millirem per hour at any point on the external surface of the package, and the transport index does not exceed 10.

(j) Packages for which the radiation dose rate exceeds the limits specified in paragraph (i) of this section, but does not exceed at any time during transportation any of the limits specified in subparagraphs (1) through (4) of this paragraph, may be transported as a full load if transported in a transport vehicle or van assigned for the sole use of that consignor, and unloaded by the consignee from the transport vehicle or van in which originally loaded.

(1) 1,000 millirem per hour at 3 feet from the external surface of the package (closed transport vehicle only);

(2) 200 millirem per hour at any point on the external surface of the car or vehicle (closed transport vehicle only); and

(3) 10 millirem per hour at 3 feet from the external surface of the car or vehicle.

(k) Packages consigned for export are also subject to the regulations of the foreign governments involved in the shipment.

§ 146.19-11 Empty packaging.

All packagings and accessories which have been used for shipments of radioactive materials and which contain residual internal radioactive contamination, when shipped as empty must be securely closed, the external surface must be free of significant removable radioactive contamination as provided in § 146.19-30(a), and the radiation at the external surface of the packaging must not exceed 0.5 millirem per hour. The "Empty" label, described in § 146.05-17(u) must be affixed to the packaging.

§ 146.19-12 Fissile radioactive material.

(a) The following materials are not classified as fissile radioactive materials, are exempted from this section, and must instead be packaged in accordance with the other provisions of this subpart, as appropriate:

(1) Not more than 15 grams of fissile material;

(2) Thorium, or uranium containing not more than 0.72 percent by weight of fissile material;

(3) Uranium compounds other than metal (e.g., UF₄, UF₆, or uranium oxide in bulk form not pelleted or fabricated into shapes), and aqueous solutions of uranium, in which the total amount of uranium-233 and plutonium present does not exceed 1 percent by weight of the uranium-235 content, and the total fissile content does not exceed 1 percent by weight of the total uranium content;

(4) Homogenous hydrogenous solutions or mixtures containing not more than:

(i) 500 grams of any fissile material, provided the atomic ratio of hydrogen to fissile material is greater than 7,600; or

(ii) 800 grams of uranium-235, if the atomic ratio of hydrogen to fissile material is greater than 5,200, and the content of other fissile material is not more than 1 percent by weight of the total uranium-235 content; or

(iii) 500 grams of uranium-233 and uranium-235, if the atomic ratio of hydrogen to fissile material is greater

than 5,200 and the content of plutonium is not more than 1 percent by weight of the total uranium-233 and uranium-235 content.

(5) A package containing less than 350 grams of fissile material, if there is not more than 5 grams of fissile material in any cubic foot within the package.

(b) Fissile radioactive materials containing not more than Type A quantities of radionuclides, in either normal form or special form, must be packaged in the packagings listed in § 146.19-100, subject to these conditions:

(1) Metal packaging DOT Specification 6L is authorized only for enriched uranium, the fissile content not to exceed 14 kilograms of uranium-235 as metal or oxide, or as compounds or alloys which will not decompose at temperatures up to 750° F. Each package shipped as Fissile Class II shall be assigned a transport index of 1.3 (unless external radiation levels require a higher assignment). The atomic ratio of hydrogen to uranium-235 shall not exceed three, all sources of hydrogen within the Specification 2R inner containment vessel being considered. The gross weight of the loaded package shall not exceed 350 pounds for the 55-gallon size or 480 pounds for sizes up through 110 gallons.

(2) Metal packaging DOT Specification 6M is authorized only for contents named in paragraph (c) (2) of this section.

(3) Other packagings are authorized in § 146.19-100 only for not more than the following:

(i) 500 grams of uranium-235 as Fissile Class III, or not more than 40 grams of uranium-235 as Fissile Class II. For Fissile Class II shipments, the transport index to be assigned to each package shall be 0.4 for each gram of uranium-235 above 15 grams up to a maximum of 40 grams (transport index of 10).

(ii) 320 grams of plutonium-239 as plutonium-beryllium neutron sources in special form. Total radioactivity content must not exceed 20 curies. The transport index shall be 0.5 for each 20 grams, or fraction thereof, of fissile plutonium.

(c) Fissile radioactive materials containing Type B quantities of radionuclides in either normal form or special form, must be packaged as follows:

(1) DOT Specification 6L metal packaging. Authorized only for enriched uranium, the fissile content not to exceed 14 kilograms uranium-235 as metal or oxide, or as compounds or alloys which will not decompose at temperatures up to 750° F. Each package shipped as Fissile Class II shall be assigned a transport index of 1.3 (unless external radiation levels require a higher assignment). The atomic ratio of hydrogen to uranium-235 shall not exceed three, all sources of hydrogen within the Specification 2R inner containment vessel being considered. The gross weight of the loaded package shall not exceed 350 pounds for the 55-gallon size or 480 pounds for sizes up through 110 gallons.

(2) DOT Specification 6M metal packaging. Authorized only for solid ra-

dioactive materials which will not decompose at temperatures up to 250° F. Radioactive thermal decay energy output shall not exceed 10 watts. Large quantity radioactive materials in normal form must be packaged in one or more sealed and leak-tight metal cans or polyethylene bottles within the Specification 2R containment vessel.

(i) Fissile Class I packages. The following quantities of fissile radioactive material are authorized for Fissile Class I packages: 1.6 kilograms uranium-235; 0.9 kilograms of plutonium (see note); 0.5 kilograms of uranium-233. The maximum ratio of hydrogen to fissile material must not exceed three, all sources of hydrogen within the Specification 2R containment vessel being considered.

NOTE: Because of the 10-watt thermal decay heat limitation, the limit for plutonium-238 is only 0.02 kilograms.

(ii) Fissile Class II and III packages. Quantities of fissile radioactive material as shown in the following table are authorized for Fissile Class II and Fissile Class III packages. Where a maximum ratio of hydrogen to fissile material is specified in the table, only the hydrogen interspersed with the fissile material need be considered. For Fissile Class II packages, the minimum transport index to be assigned is shown in the table. For Fissile Class III packages, the maximum number of similar packages per transport vehicle is shown. Fissile Class III shipments are also subject to paragraph (g) of this section.

TABLE OF AUTHORIZED CONTENTS¹

Uranium-235 ²			Plutonium ^{3,4}			Fissile Class II transport index	Fissile Class III, maximum number packages per transport vehicle
Metal or alloy H/X=0	Compounds		Metal or alloy H/X=0	Compounds			
	H/X=0	H/X≤3		H/X=0	H/X≤3		
7.2	7.6	5.2	3.1	4.1	3.4	0.1	1,250
8.7	9.6	6.4	3.4	4.5	4.1	0.2	625
11.2	13.9	8.3	4.2	-----	4.5	0.5	250
13.5	16.0	10.1	4.5	-----	-----	1.0	125
-----	26.0	16.1	-----	-----	-----	5.0	25
-----	32.0	19.5	-----	-----	-----	10.0	12

¹ Quantity in kilograms.
² Maximum uranium-235 enrichment is 93 weight percent.
³ Minimum percentage of plutonium-240 is 5 weight percent.
⁴ 4.5 kilogram limitation on plutonium due to 10-watt decay heat limitation.

(d) Petitions for authorization of non-specification packagings for fissile radioactive materials must be submitted as prescribed in § 146.02-25, and must also include the following:

(1) Type and amount of fissile radioactive materials which are to be carried in each package, including:

(i) The transport index to be assigned to the package for the proposed package loading when shipped as Fissile Class II; and

(ii) The maximum number of packages proposed when shipped as Fissile Class III.

(2) A nuclear criticality safety evaluation demonstrating that the packaging design and limitation on its contents are adequate to ensure nuclear criticality safety. Any test performed in this respect should be described.

NOTE: In applying for authorization of packages for fissile radioactive materials to be used in shipments by the U.S. Atomic Energy Commission, or one of its contractors or licensees, a copy of the license amendment or other approval issued by that Commission will be accepted in place of the nuclear criticality safety evaluation and the package structural integrity evaluation.

(e) Mixing of packages of other types of radioactive materials, including Fissile Class I, with Fissile Class II packages is permitted if the total transport index in any one stowage location does not exceed 50.

(f) For Fissile Class II packages shipped under the exclusive use provisions of § 146.19-10(j) to provide for packages with high radiation dose rates, the transport index number which is calculated for nuclear criticality control

purposes must not exceed 10 for any single package or a total of 50 for the full load, unless specifically authorized by the Commandant for Fissile Class III shipments.

(g) Fissile Class III shipments may be made only in accordance with procedures authorized by the Commandant. Such transport controls must provide nuclear criticality safety and shall be carried out by the shipper or carrier, as appropriate, to protect against loading, transporting, or stowing of that shipment together with other fissile material.

§ 146.19-14 Small quantities of radioactive materials and radioactive devices.

(a) Radioactive materials in normal form not exceeding 0.01 millicurie of Group I radionuclides; 0.1 millicurie of Group II radionuclides; 1 millicurie of Groups III, IV, V, or VI radionuclides; 25 curies of Group VII radionuclides; tritium oxide in aqueous solution with a concentration not exceeding 0.5 millicuries per milliliter and with a total activity per package of not more than 3 curies; or 1 millicurie of radioactive material in special form; and not containing more than 15 grams of uranium-235 are exempt from specification packaging, marking, and labeling, and are exempt from the provisions of § 146.19-10 if the following conditions are met:

(1) The materials are packaged in strong tight packages such that there will be no leakage of radioactive materials under conditions normally incident to transportation.

(2) The package must be such that the radiation dose rate at any point on the

external surface of the package does not exceed 0.5 millirem per hour.

(3) There must be no significant removable radioactive surface contamination on the exterior of the package (see § 146.19-30).

(4) The outside of the inner container must bear the marking "Radioactive."

(b) Manufactured articles such as instruments, clocks, electronic tubes or apparatus, or other similar devices, having radioactive materials (other than liquids) in a nondispersible form as a component part, are exempt from specification packaging, marking, and labeling, and are exempt from the provisions of § 146.19-10, if the following conditions are met:

NOTE 1: For radioactive gases, the requirement for the radioactive material to be in a nondispersible form does not apply.

(1) Radioactive materials are securely contained within the devices, or are securely packaged in strong, tight packages, so that there will be no leakage of radioactive materials incident to transportation.

(2) The radiation dose rate at four inches from any unpackaged device does not exceed 10 millirem per hour.

(3) The radiation dose rate at any point on the external surface of the outside container does not exceed 0.5 millirem per hour. However, for carload or truckload lots only, the radiation at the external surface of the package or the item may exceed 0.5 millirem per hour, but must not exceed 2 millirem per hour.

(4) There must be no significant removable radioactive surface contamination on the exterior of the package (see § 146.19-30).

(5) The total radioactivity content of a package containing radioactive devices must not exceed the quantities shown in the following table:

Transport group	Quantity in curies	
	Per device	Per package
I.....	0.0001	0.001
II.....	0.001	0.05
III.....	0.01	3
IV.....	0.05	3
V or VI.....	1	1
VII.....	25	200
Special form.....	0.05	20

(6) No package may contain more than 15 grams of fissile material.

(c) Manufactured articles, other than reactor fuel elements, in which the sole radioactive material is natural or depleted uranium, are exempt from specification packaging, marking, and labeling and are exempt from the provisions of § 146.19-10, if the following conditions are met:

(1) The radiation dose rate at any point on the external surface of the outside container does not exceed 0.5 millirem per hour;

(2) There must be no detectable radioactive surface contamination on the exterior of the package (see § 146.19-30).

(3) The total radioactivity content of each article must not exceed 3 curies.

(4) The outer surface of the uranium is enclosed in an inactive metallic sheet.

NOTE: Such articles may be packagings for the transportation of radioactive materials.

§ 146.19-16 Low specific activity materials.

(a) Low specific activity materials when transported as other than a full load are exempt from the provisions of § 146.19-10 (a) through (g); however, they must be packaged and stowed in accordance with the requirements of § 146.19-100, and must be marked and labeled as required in §§ 146.05-15(b) and 146.19-25.

(b) Low specific activity materials which are transported as a full load are exempt from specification packaging, marking, and labeling provided the shipments meet the requirements of paragraph (c) or (d) of this section.

(c) Packaged shipments of low specific activity materials transported as a full load must comply with the following:

(1) Materials must be packaged in strong, tight packages such that there will be no leakage of radioactive material under conditions normally incident to transportation.

(2) Packages must not have any significant removable surface contamination (see § 146.19-30).

(3) External radiation levels must comply with § 146.19-10(j).

(4) There must be no loose radioactive material in the car, vehicle, van, portable container, or hold.

(5) Shipment must be braced so as to prevent leakage or shift of lading under conditions normally incident to transportation.

(6) The outside of each outside package must be stenciled or otherwise marked "Radioactive-LSA."

(d) Unpackaged (bulk) shipments of low specific activity materials transported as a full load must comply with the following:

(1) Authorized materials are limited to the following:

(i) Uranium or thorium ores and physical or chemical concentrates of those ores;

(ii) Uranium metal or natural thorium metal, or alloys of these materials; or

(iii) Materials of low radioactive concentration, if the average estimated radioactivity concentration does not exceed 0.001 millicurie per gram and the contribution from Group I material does not exceed 1 percent of the total radioactivity.

(iv) Objects of non-radioactive materials externally contaminated with radioactive material, provided that the radioactive material is not readily dispersible and the surface contamination, when averaged over 1 square meter, does not exceed 0.0001 millicurie per square centimeter of Group I radionuclides or 0.001 millicurie per square centimeter of other radionuclides. Such objects must be suitably wrapped or enclosed.

(2) External radiation levels must comply with subparagraphs (2) and (3) of § 146.19-10(j).

§ 146.19-18 Radioactive material in normal form.

(a) Radioactive materials in normal form in Type A and Type B quantities must be packaged in authorized packagings as listed in § 146.19-100.

(b) Large quantities of radioactive materials in normal form must be packaged in packaging authorized in § 146.19-100 or in Type B packaging which meets the standards prescribed in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71) or the 1967 regulations of the International Atomic Energy Agency, and which has been specifically authorized for such use by the Commandant under § 146.02-25. In applying for the Commandant's authorization of packages for large quantities of radioactive materials to be used in shipments by the U.S. Atomic Energy Commission or its contractors or licensees, a copy of the license amendment or other approval issued by that Commission will be accepted in place of the package structural integrity evaluation.

§ 146.19-20 Radioactive material in special form.

(a) Radioactive materials in special form in Type A and Type B quantities must be packaged in authorized packagings as listed in § 146.19-100.

(b) Large quantities of radioactive materials in special form must be packaged in packaging authorized in § 146.10-100 or in Type B packaging which meets the standards in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71), or the 1967 regulations of the International Atomic Energy Agency, and which has been specifically authorized for such use by the Commandant under § 146.02-25. In applying for the Commandant's authorization of packages for large quantities of radioactive materials to be used in shipments by the U.S. Atomic Energy Commission or its contractors or licensees, a copy of the license amendment or other approval issued by that Commission will be accepted in place of the package structural integrity evaluation.

§ 146.19-25 Labeling of packages of radioactive materials.

(a) Each package of radioactive materials, unless exempted by § 146.19-14 or § 146.19-16, shall be labeled as provided in this section (see § 146.05-17 for description of labels). The label to be used shall be determined by the transport index or other considerations as follows:

(1) *Radioactive white-I label.* Each package not exceeding 0.5 millirem per hour at any point on the external surface of the package, and which does not come within the provisions of subparagraph (2) or (3) of this paragraph. Not authorized for Fissile Class II packages.

(2) *Radioactive yellow-II label.* When the limit in subparagraph (1) of this paragraph is exceeded but the provisions of subparagraph (3) of this paragraph are not met; and—

(i) Each package not exceeding 10 millirem per hour at any point on the external surface of the package and not exceeding 0.5 millirem per hour at 3 feet from the external surface of the package; or

(ii) Each package for which the transport index does not exceed 0.5 at any time during transportation.

(3) *Radioactive yellow-III label.* When either of the limits in subparagraph (2) of this paragraph is exceeded, in addition, the following types of packages must also bear this label:

(i) Each Fissile Class III package;

(ii) Each package containing a large quantity of radioactive material as defined in §146.19-1; or

(iii) Each package being transported under a permit issued as authorized in §146.02-25.

(b) Radioactive materials having other hazardous characteristics, as defined elsewhere in this part must also be labeled with other labels as required by this part according to the hazards of the commodity (see §146.05-15). For example:

(1) Packages containing the solid nitrates of uranium or thorium must bear both a "radioactive" label and a "yellow" oxidizing materials label.

(2) Packages containing nitric acid solutions of radioactive materials must bear both a "radioactive" label and a "white" corrosive acid label.

§146.19-27 Special tests.

(a) *Special form material:* To qualify as special form material, the radioactive material must either have no overall dimension less than 0.5 millimeter, or must have at least one dimension greater than 5 millimeters. Each item, or the capsule material, must not dissolve or convert into dispersible form to the extent of more than 0.005 percent, by weight, by immersion for 1 week in water at pH 6-8 and 68° F., and a maximum conductivity of 10 micromhos/centimeter, and by immersion in air at 86° F. If in massive solid form, the radioactive material must not break, crumble, or shatter if subjected to the percussion test prescribed in this section, and must not melt, sublime, or ignite at temperatures below 1,000° F. If encapsulated, the capsule must retain its contents when subjected to all of the performance tests prescribed in this section, and must not melt, sublime, or ignite at temperatures below 1,475° F.

(1) *Free drop.* A free drop through a distance of 30 feet on to a flat essentially unyielding horizontal surface, striking the surface in such a position as to suffer maximum damage.

(2) *Percussion.* Impact of the flat circular end of a 1-inch-diameter steel rod weighing 3 pounds, dropped through a distance of 40 inches. The capsule or material shall be placed on a sheet of lead, of hardness number 3.5 to 4.5 on the Vickers scale, and not more than 1 inch thick, supported by a smooth, essentially unyielding surface.

(3) *Heating.* Heating in air to a temperature of 1,475° F. and remaining at that temperature for a period of 10 minutes.

(4) *Immersion.* Immersion for 24 hours in water at room temperature. The water shall be at pH6-pH8, with a maximum conductivity of 10 micromhos/cm.

(b) Standards for Type A packaging:

(1) Type A packaging must be so designed and constructed that, if it were subject to the environmental and test conditions prescribed in this paragraph:

(i) There would be no release of radioactive material from the package;

(ii) The effectiveness of the packaging would not be substantially reduced; and

(iii) There would be no mixture of gases or vapors in the package which could, through any credible increase of pressure or an explosion, significantly reduce the effectiveness of the package.

(2) Environmental conditions:

(i) *Heat.* Direct sunlight at an ambient temperature of 130° F., in still air.

(ii) *Cold.* An ambient temperature of -40° F. in still air and shade.

(iii) *Reduced pressure.* Ambient atmospheric pressure of 0.5 atmosphere (absolute) (7.3 p.s.i.a.).

(iv) *Vibration.* Vibration normally incident to transportation.

(3) Test conditions: The packaging shall be subject to all of the following tests unless specifically exempted therefrom, and also to the consecutive application of at least two of the following tests from which it is not specifically exempted:

(i) *Water spray.* A water spray heavy enough to keep the entire exposed surface of the package except the bottom continuously wet during a period of 30 minutes. Packages for which the outer layer consists entirely of metal, wood, ceramic, or plastic or combinations thereof, are exempt from the water spray test.

(ii) *Free drop.* Between 1½ to 2½ hours after the conclusion of the water spray test, a free drop through a distance of 4 feet onto a flat essentially unyielding horizontal surface, striking the surface in a position for which maximum damage is expected.

(iii) *Corner drop.* A free drop onto each corner of the package in succession, or in the case of a cylindrical package onto each quarter of each rim, from a height of 1 foot onto a flat essentially unyielding horizontal surface. This test applies only to packages which are constructed primarily of wood or fibreboard, and do not exceed 110 pounds gross weight, and to all Fissile Class II packagings.

(iv) *Penetration.* Impact of the hemispherical end of a vertical steel cylinder 1½ inches in diameter and weighing 13 pounds, dropped from a height of 40 inches onto the exposed surface of the package which is expected to be most vulnerable to puncture. The long axis of the cylinder shall be perpendicular to the package surface.

(v) *Compression.* For packages not more than 10,000 pounds in weight, a compressive load equal to either five times the weight of the package or 2 pounds per square inch multiplied by the maximum horizontal cross section of the package, whichever is greater. The load shall be applied during a period of 24

hours, uniformly against the top and bottom of the package in the position in which the package would normally be transported.

(c) Standards for hypothetical accident conditions of transportation for Type B packagings:

(1) Type B packaging must meet the applicable Type A packaging standards and must be designed and constructed and its contents so limited that, if subjected to the hypothetical accident conditions prescribed in this paragraph, it will meet the following conditions:

(i) The reduction of shielding would not be enough to increase the radiation dose rate at 3 feet from the external surface of the package to more than 1,000 millirem per hour.

(ii) No radioactive material would be released from packages containing Type B quantities of radioactive material. The allowable release of radioactivity from packages containing large quantities of radioactive material is limited to gases and contaminated coolant containing total radioactivity exceeding neither 0.1 percent of the total radioactivity of the package contents nor 0.01 curie of Group I radionuclides, 0.5 curies of Group II radionuclides, and 10 curies of Groups III and IV radionuclides, except that for inert gases the limit is 1,000 curies.

(2) Test conditions: The conditions which the package must be capable of withstanding must be applied sequentially, to determine their cumulative effect on a package, in the following order:

(i) *Free drop.* A free drop through a distance of 30 feet onto a flat essentially unyielding horizontal target surface, striking the surface in a position for which maximum damage is expected.

(ii) *Puncture.* A free drop through a distance of 40 inches striking, in a position for which maximum damage is expected, the top end of a vertical cylindrical mild-steel bar mounted on an essentially unyielding horizontal surface, the bar shall be 6 inches in diameter, with the top horizontal and its edge rounded to a radius of not more than one-fourth inch, and of such a length as to cause maximum damage to the package, but not less than 8 inches long. The long axis of the bar shall be perpendicular to the unyielding horizontal surface.

(iii) *Thermal.* Exposure to a thermal test in which the heat input to the package is no less than that which would result from exposure of the whole package to a radiation environment of 1,475° F. for 30 minutes with an emissivity coefficient of 0.9, assuming the surfaces of the package have an absorption coefficient of 0.8. The package shall not be cooled artificially until 3 hours after the test period unless it can be shown that the temperature on the inside of the package has begun to fall in less than 3 hours.

(iv) *Water immersion (fissile radioactive materials packages only).* Immersion in water to the extent that all portions of the package to be tested are under at least 3 feet of water for a period of not less than 8 hours.

(d) It is not necessary to actually conduct the tests prescribed in this section if it can be clearly shown, through engineering evaluations or comparative data, that the material or item would be capable of performing satisfactorily under the prescribed test conditions.

§ 146.19-30 Contamination control.

(a) Removable radioactive contamination shall not be considered as significant if the average amount of radioactive contamination which can be removed by wiping the external surface of the package with an absorbent material, as measured on the wiping material, does not exceed:

(1) 10^{-11} curie per square centimeter beta-gamma (2,200 disintegrations/min. per 100 square centimeters) and 10^{-12} curie per square centimeter alpha (220 disintegrations/min. per 100 square centimeters) for all contaminants except natural or depleted uranium and natural thorium, or

(2) 10^{-10} curie per square centimeter beta-gamma (22,000 disintegrations/min. per 100 square centimeters) and 10^{-11} curie per square centimeter alpha (2200 disintegrations/min. per 100 square centimeters) where the only contaminant is known to be natural or depleted uranium or natural thorium.

(b) Each hold, compartment, or deck area used for the transportation of low specific activity radioactive materials as a full load under the provisions of this subpart must be surveyed with appropriate radiation detection instruments after each use. Such holds, compartments, or decks must not again be placed in service until the radiation dose rate at any accessible surface is not more than 0.5 millirem per hour, and there is no significant removable radioactive surface contamination.

§ 146.19-35 Stowage and handling aboard vessels.

(a) Packages or containers bearing the Radioactive white or Radioactive yellow labels shall be kept separated from living accommodations and from spaces that may be continually occupied by persons, except those exclusively reserved for couriers specially authorized to accompany such shipments. Packages bearing the Radioactive yellow label shall be separated from persons and undeveloped photographic and radiographic films in accordance with Table 146.10-35. (Mail bags shall be assumed to contain undeveloped film and separated from radioactive materials as for film.) The sum of the transport indexes for the shipment is the arithmetic total of the transport indexes of each package as stated on the label.

(b) The number of packages bearing the Radioactive-Yellow label shall be so limited that the sum of the transport indexes does not exceed 200 in any one ship unless authorized by the Commandant. In addition to complying with the segregation distance in paragraph (a) of this section, no single group of packages shall have a total Transport Index of more than 50 and each such group shall be handled and stowed not closer to any

other group than 20 feet. The requirements of this paragraph do not apply to low specific activity materials as defined in § 146.19-1 in a compact stack nor need they apply in case of a full load where the consignor has the exclusive use of the whole vessel, providing that the transport indexes of Fissile Class II packages aboard the vessel do not exceed 50.

(c) Packages of radioactive materials which are significant heat sources shall not be overstowed with any other cargo. If stowed below decks the hold or compartment in which stowed must be ventilated.

(d) For radioactive materials shipments requiring supplementary operational procedures, the package shall be stowed in an accessible location and the necessary operational instructions furnished to the vessel's master.

(e) Fissile Class III shipments shall be separated by at least 20 feet from other packages bearing Radioactive-Yellow labels during handling and stowage.

(f) All containers of radioactive materials shall be carried by the handles when handles are provided.

(g) When "On deck in open" stowage is permitted for any substances by § 146.19-100, it shall apply only to the substances when packaged in authorized, waterproof packagings.

(h) No person shall remain unnecessarily in a hold or compartment or in the immediate vicinity of a deck cargo space containing radioactive materials. The shipper shall furnish the carrier with such information and equipment as is necessary for the protection of the carrier's employees, stevedores, or other persons engaged in the handling of such cargo. In no instance shall any person who must necessarily remain in a hold, compartment, or deck cargo space containing radioactive material be exposed to a total of more than 100 millirem in any 7-day period: *Provided further*, That a maximum whole body dose of 500 millirem per year is not exceeded. The radiation level in any space or area on board continuously occupied by passengers, crew, or shipments of animals shall not exceed 0.5 millirem per hour at any time during transportation.

TABLE 146.10-35—SAFE DISTANCE FOR PERSONS AND UNDEVELOPED FILMS

Sum of transport indexes of the packages	Minimum distance in feet from living accommodation or regularly occupied working space				Minimum distance ¹ in feet from undeveloped films or plates											
					Less than 24-hour voyage		24 up to 48-hour voyage		Over 2 up to 4-day voyage				Over 4 up to 9-day voyage			
	A	B	C	D	A	A	A	B	C	D	A	B	C	D		
0 through 0.5	10	10	10	10	3	5	10	10	10	10	15	10	10	10		
Over 0.5 through 1.0	10	10	10	10	5	7	15	10	10	10	20	10	10	10		
Over 1.0 through 2.0	15	10	10	10	7	12	20	10	10	10	25	15	10	10		
Over 2.0 through 5.0	25	10	10	10	12	16	35	10	10	10	40	15	10	10		
Over 5.0 through 10.0	35	15	10	10	16	25	40	15	10	10	55	20	10	10		
Over 10.0 through 25.0	60	20	10	10	25	35	65	20	10	10	100	30	10	10		
Over 25.0 through 50.0	90	30	10	10	35	50	90	30	10	10	145	45	10	10		
Over 50.0 through 100	135	40	10	10	50	70	140	45	10	10	210	65	10	10		
Over 100 through 200	195	55	10	10	70	100	190	55	10	10	285	85	15	10		
Over 200 through 300 ²	235	70	10	10	90	125	250	70	10	10	320	105	15	10		
Over 300 through 400 ²	265	80	15	10	100	145	260	80	15	10	360	120	20	10		

Minimum distance¹ in feet from undeveloped films or plates—Con.

	Over 9 up to 16-day voyage				Over 16 up to 25-day voyage				Over 25 up to 36-day voyage				Over 36 up to 49-day voyage			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
0 through 0.5	20	10	10	10	20	10	10	10	25	15	10	10	30	15	10	10
Over 0.5 through 1.0	25	15	10	10	30	15	10	10	35	20	10	10	45	20	10	10
Over 1.0 through 2.0	35	15	10	10	45	20	10	10	55	25	10	10	65	30	10	10
Over 2.0 through 5.0	60	20	10	10	70	25	10	10	90	30	10	10	100	35	10	10
Over 5.0 through 10.0	85	30	10	10	110	35	10	10	135	40	10	10	155	45	10	10
Over 10.0 through 25.0	140	45	10	10	170	50	10	10	200	60	10	10	230	70	10	10
Over 25.0 through 50.0	195	60	10	10	240	70	10	10	275	85	15	10	315	105	10	10
Over 50.0 through 100	270	85	15	10	320	95	15	10	360	115	20	10	400	145	20	10
Over 100 through 200	325	110	20	10	400	145	20	10	450	150	25	10	500	170	30	10
Over 200 through 300 ²	400	145	25	10	460	175	25	10	500	220	30	10	(³) 240	235	10	10
Over 300 through 400 ²	450	165	30	10	500	200	30	10	(³) 235	35	10	(³) 270	40	10	10	10

¹ Column A applies when no intervening cargo or bulkheads screen the radioactive material from the living accommodation or undeveloped photographic film or plate. Column B applies when the radioactive material is to be surrounded by at least 2 feet of cargo of unit density and at least 1 steel bulkhead between the radioactive material and the living accommodation or undeveloped photographic film or plate.

Column C applies when the radioactive material is to be surrounded by at least 6 feet of cargo of unit density and at least 2 steel bulkheads between the radioactive material and the living accommodation or undeveloped photographic film or plate.

Column D applies when the radioactive material is to be surrounded by at least 14 feet of cargo of unit density and at least 2 steel bulkheads between the radioactive material and the living accommodation or undeveloped photographic film or plate.

"Cargo of unit density" means cargo stowed at a density of 1 ton per 36 cubic feet (1 ton metric per cubic meter). Where the density of the cargo is less than this, the depth of the cargo specified in this note for columns B, C, and D (i.e., 2 feet, 6 feet, and 14 feet) must be increased in proportion.

"Minimum distance" means the least distance in any direction, whether vertical or horizontal.

² The total consignment on board at any time must not exceed transport indexes totaling 200 without prior authorization by the Commandant (see § 146.19-35(b)).

³ Not to be carried unless screening by other cargo and bulkheads can be arranged in accordance with columns B, C, or D.

§ 146.19-40 Segregation from other cargoes.

(a) Radioactive materials shall not be stowed in the same hold or compartment with Class A, Class B, or Class C explosives, flammable gases, flammable liquids, oxidizing materials, flammable solids, corrosive liquids, or cotton.

(b) Radioactive materials shall be stowed away from (i.e., with intervening cargo or ship's structure) nonflammable gases and foodstuffs.

(c) Radioactive materials shall be separated from mail and undeveloped films in accordance with § 146.19-35(a).

§ 146.19-50 Care following leakage or sifting of radioactive materials.

(a) In case of fire, collision, or breakage involving shipments of radioactive materials, other than the materials of low specific activity, the package or material shall be segregated from unnecessary contact with personnel. In case of obvious leakage, or if the inside

container appears to have been damaged, the section (hold, deck area, or compartment) containing this cargo must be isolated as much as possible, and care should be taken to prevent radioactive material from entering the body through contact, inhalation, or ingestion. No person shall be allowed to handle the material or to remain in the vicinity until qualified personnel are present to supervise. In any incident in which radioactive materials are involved in fires or are damaged, the shipper and the District Commander of the U.S. Coast Guard, or his authorized representative, having supervision over the port or place where the vessel is located or bound, shall be notified immediately.

(b) Holds and compartments used for the transport of low activity materials as full loads or in which leakage of radioactive materials has occurred because of fire, collision or breakage, shall not be used for other goods until decontaminated as specified in § 146.19-30.

§ 146.19-70 Use of power-operated industrial trucks in spaces containing radioactive materials.

(a) Any approved power-operated industrial truck (see § 146.09-15) may be used in spaces in which radioactive materials are stowed, including the handling thereof, unless otherwise restricted by regulations in this part.

§ 146.19-80 Vessels utilizing nuclear energy or handling radioactive materials.

(a) All vessels utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo shall comply with the applicable requirements in Part 55 of Subchapter F (Marine Engineering), and Part 37 of Subchapter D (Tank Vessels), or Part 79 of Subchapter H (Passenger Vessels), or Part 99 of Subchapter I (Cargo and Miscellaneous Vessels) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are set forth in this subpart.

§ 146.19-100 Table—Classification: Radioactive materials.

Descriptive name of article	Characteristic properties, cautions, markings required	Label required	Required conditions for transportation—Continued	
			Passenger vessel	Ferry vessel, passenger or vehicle RR, car ferry, passenger or vehicle
Fissile radioactive materials.	Fissile radioactive material has the additional property that it affords a possibility of a self-sustaining nuclear fission reaction including Pu ²³⁹ , Pu ²⁴⁰ , Pu ²⁴¹ , U ²³⁵ , and U ²³⁸ , as described in §§ 146.19-1 and 146.19-2. Except materials are listed in § 146.19-3(a).	Radioactive.	Storage: "On deck protected." "On deck under cover." "Tween decks readily accessible."	Ferry storage (AA) Ferry storage (BB). Outside packagings:
			Authorized for Type A quantities in normal form or special form (See Note 1): Metal packaging (DOT-4L, 6M). Metal drums (DOT-3B, 3D, 6A, 6B, 6C, 6J, 6K, 6L, 6M, 17C, 17H, 42B, 42C). Fiber drums (DOT-21C). Wooden boxes (DOT-14, 15A, 15B, 15C, 15D, 19A, 19B). Fiberboard boxes (DOT-12 series) 200-lb. test minimum. Cylinders (DOT-3, 4 series). Metal-encased shielded packaging (DOT-35). Type A general package (DOT-7A). Foreign-made packagings bearing the symbol "Type A," for export and import shipments only. Authorized for Type B quantities in normal form or special form (See Note 2): Metal packaging (DOT-6L, 6M).	Authorized for Type A quantities in normal form or special form (See Note 1): Metal packaging (DOT-4L, 6M). Metal drums (DOT-3B, 3D, 6A, 6B, 6C, 6J, 6K, 6L, 6M, 17C, 17H, 42B, 42C). Fiber drums (DOT-21C). Wooden boxes (DOT-14, 15A, 15B, 15C, 15D, 19A, 19B). Fiberboard boxes (DOT-12 series) 200-lb. test minimum. Cylinders (DOT-3, 4 series). Metal-encased shielded packaging (DOT-35). Type A general package (DOT-7A). Foreign-made packagings bearing the symbol "Type A," for export and import shipments only. Authorized for Type B quantities in normal form or special form (See Note 2): Metal packaging (DOT-6L, 6M).
Radioactive devices. Radioactive materials, small quantities.	Radioactive devices are manufactured articles such as instruments, dials, electronic tubes or apparatus, or other similar devices having radioactive materials as a component part, meeting the requirements of § 146.19-1(a). Small quantities are radioactive materials as limited by, and meeting the conditions of, § 146.19-1(a). Do not stow near explosives, flammable gases, flammable liquids, solids, flammable solids, oxidizing materials, corrosive liquids, oxidizing materials, or mail. Do not stow near undeveloped photographic or radiographic films. (See § 146.19-3k).	No label required.	Storage: "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packagings: Strong, tight packages meeting the conditions of § 146.19-14.	Ferry storage (BB). Outside packagings: Strong, tight packages meeting the conditions of § 146.19-14.

Required conditions for transportation—Continued

Descriptive name of article	Characteristic properties, cautions, markings required	Labeled required	Required conditions for transportation	Passenger vessel	Ferry vessel, passenger or vehicle	RR, cut ferry, passenger or vehicle
Radioactive material, low specific activity (LSA).	<p>Uranium or thorium ores and prepared or chemical concentrates of those ores, unenriched natural or depleted uranium or unenriched natural thorium, bismuth or polonium, or other materials containing slight radionuclides as described in §§ 146.19-1 and 146.19-5(d).</p> <p>Do not store with explosives, flammable gases, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, cotton, foodstuffs, or fuel.</p> <p>Do not store near undeveloped photographic or radiographic films. (See § 146.19-3.) The outside of each package must bear the marking "Radioactive LSA."</p>	Radioactive	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Outside packagings: Metal drums (DOT-3B, 3D, 4A, 4B, 4C, 4L, 4M, 17C, 17H, 42B, 42C). Fiber drums (DOT-21). Wooden boxes (DOT-14, 15A, 15B, 15C, 15D, 15A, 15B). Fiberboard boxes (DOT-12 series). Cylinders (DOT-3 series, DOT-4 series).</p>	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p>	<p>Ferry storage (AA)..... Ferry storage (BB). Outside packagings: Metal drums (DOT-3B, 3D, 4A, 4B, 4C, 4L, 4M, 17C, 17H, 42B, 42C). Fiber drums (DOT-21). Wooden boxes (DOT-14, 15A, 15B, 15C, 15D, 15A, 15B). Fiberboard boxes (DOT-12 series). Cylinders (DOT-3 series, DOT-4 series).</p>	<p>Ferry storage (BB). Outside packagings: Metal drums (DOT-3B, 3D, 4A, 4B, 4C, 4L, 4M, 17C, 17H, 42B, 42C). Fiber drums (DOT-21). Wooden boxes (DOT-14, 15A, 15B, 15C, 15D, 15A, 15B). Fiberboard boxes (DOT-12 series). Cylinders (DOT-3 series, DOT-4 series).</p>
Radioactive materials, low specific activity (LSA) consigned as "Full Load."	<p>Shipments of low specific activity radioactive materials in packages and considered as a "full load" must meet the requirements of § 146.19-16(c). "Full load" is defined in § 146.19-1. Do not store with explosives, flammable gases, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, cotton, foodstuffs, or mail. Do not store near undeveloped photographic or radiographic films. (See § 146.19-3.)</p> <p>The outside of each center package must bear the marking "Radioactive LSA."</p>	No label required on individual packages.	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p>	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p>	<p>Ferry storage (AA)..... Ferry storage (BB). Outside packagings: Tight, sift-proof transport vehicles and vans. Authorized for liquids only: Motor vehicle tank trucks complying with DOT regulations.</p>	<p>Ferry storage (BB). Outside packagings: Tight, sift-proof transport vehicles and vans. Authorized for liquids only: Motor vehicle tank trucks complying with DOT regulations.</p>
Radioactive materials, low specific activity (LSA), bulk or unpackaged shipments consigned as "Full Load."	<p>Shipments of bulk or unpackaged low specific activity radioactive materials consigned as a "full load" must meet the requirements of § 146.19-16(d).</p>	No label required.	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p>	<p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p> <p>Storage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck."</p>	<p>Ferry storage (AA)..... Ferry storage (BB). Outside packagings: Tight, sift-proof transport vehicles and vans. Authorized for liquids only: Motor vehicle tank trucks complying with DOT regulations.</p>	<p>Ferry storage (BB). Outside packagings: Tight, sift-proof transport vehicles and vans. Authorized for liquids only: Motor vehicle tank trucks complying with DOT regulations.</p>

Descriptive name of article	Characteristic properties, cautions, markings required	Label required	Required conditions for transportation	Ferry vessel, passenger or vehicle	RR, car ferry, passenger or vehicle
Radioactive materials, N.O.S.	<p>Radioactive materials in normal form (i.e., not in special form—see § 146.19-1) and not otherwise listed by name or accepted by §§ 146.19-13 through 146.19-16.</p> <p>Do not stow near explosives, flammable gases, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, cotton, foodstuffs, or mail.</p> <p>Do not stow near undeveloped photographic or radiographic films. (See § 146.19-33.)</p>	<p>Radioactive.....</p>	<p>Storage:</p> <p>“On deck protected.”</p> <p>“On deck under cover.”</p> <p>“Twelve deck.”</p> <p>“Under deck.”</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-4B, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z).</p> <p>Fiber drums (DOT-4C).</p> <p>Wooden boxes (DOT-4A, 4AA, 4AB, 4AC, 4AD, 4AE, 4AF, 4AG, 4AH, 4AI, 4AJ, 4AK, 4AL, 4AM, 4AN, 4AO, 4AP, 4AQ, 4AR, 4AS, 4AT, 4AU, 4AV, 4AW, 4AX, 4AY, 4AZ).</p> <p>Fiberboard boxes (DOT-4F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-4 series).</p> <p>Metal-encased, shielded packaging (DOT-4S).</p> <p>Type A general packages (DOT-4A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-4M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>	<p>Ferry storage (AA).....</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-4B, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z).</p> <p>Fiber drums (DOT-4C).</p> <p>Wooden boxes (DOT-4A, 4AA, 4AB, 4AC, 4AD, 4AE, 4AF, 4AG, 4AH, 4AI, 4AJ, 4AK, 4AL, 4AM, 4AN, 4AO, 4AP, 4AQ, 4AR, 4AS, 4AT, 4AU, 4AV, 4AW, 4AX, 4AY, 4AZ).</p> <p>Fiberboard boxes (DOT-4F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-4 series).</p> <p>Metal-encased, shielded packaging (DOT-4S).</p> <p>Type A general packages (DOT-4A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-4M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>	<p>Ferry storage (BB).....</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-4B, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z).</p> <p>Fiber drums (DOT-4C).</p> <p>Wooden boxes (DOT-4A, 4AA, 4AB, 4AC, 4AD, 4AE, 4AF, 4AG, 4AH, 4AI, 4AJ, 4AK, 4AL, 4AM, 4AN, 4AO, 4AP, 4AQ, 4AR, 4AS, 4AT, 4AU, 4AV, 4AW, 4AX, 4AY, 4AZ).</p> <p>Fiberboard boxes (DOT-4F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-4 series).</p> <p>Metal-encased, shielded packaging (DOT-4S).</p> <p>Type A general packages (DOT-4A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-4M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>
Radioactive materials, special form.	<p>Radioactive materials which by inherent properties or assigned characteristics would, if released from a package, present some direct radiation hazard but would present little hazard due to radioactive contamination (see §§ 146.19-17(a) and 146.19-17(b)).</p> <p>Do not stow near explosives, flammable gases, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, cotton, foodstuffs, or mail.</p> <p>Do not stow near undeveloped photographic or radiographic films. (See § 146.19-33.)</p>	<p>Radioactive.....</p>	<p>Storage:</p> <p>“On deck protected.”</p> <p>“On deck under cover.”</p> <p>“Twelve deck.”</p> <p>“Under deck.”</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-5B, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z).</p> <p>Fiber drums (DOT-5C).</p> <p>Wooden boxes (DOT-5A, 5AA, 5AB, 5AC, 5AD, 5AE, 5AF, 5AG, 5AH, 5AI, 5AJ, 5AK, 5AL, 5AM, 5AN, 5AO, 5AP, 5AQ, 5AR, 5AS, 5AT, 5AU, 5AV, 5AW, 5AX, 5AY, 5AZ).</p> <p>Fiberboard boxes (DOT-5F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-5 series).</p> <p>Metal-encased, shielded packaging (DOT-5S).</p> <p>Type A general packages (DOT-5A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-5M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>	<p>Ferry storage (AA).....</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-5B, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z).</p> <p>Fiber drums (DOT-5C).</p> <p>Wooden boxes (DOT-5A, 5AA, 5AB, 5AC, 5AD, 5AE, 5AF, 5AG, 5AH, 5AI, 5AJ, 5AK, 5AL, 5AM, 5AN, 5AO, 5AP, 5AQ, 5AR, 5AS, 5AT, 5AU, 5AV, 5AW, 5AX, 5AY, 5AZ).</p> <p>Fiberboard boxes (DOT-5F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-5 series).</p> <p>Metal-encased, shielded packaging (DOT-5S).</p> <p>Type A general packages (DOT-5A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-5M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>	<p>Ferry storage (BB).....</p> <p>Outside packaging:</p> <p>Authorized for Type A quantities:</p> <p>Metal drums (DOT-5B, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z).</p> <p>Fiber drums (DOT-5C).</p> <p>Wooden boxes (DOT-5A, 5AA, 5AB, 5AC, 5AD, 5AE, 5AF, 5AG, 5AH, 5AI, 5AJ, 5AK, 5AL, 5AM, 5AN, 5AO, 5AP, 5AQ, 5AR, 5AS, 5AT, 5AU, 5AV, 5AW, 5AX, 5AY, 5AZ).</p> <p>Fiberboard boxes (DOT-5F series).</p> <p>200-lb. test minimum.</p> <p>Cylinders (DOT-5 series).</p> <p>Metal-encased, shielded packaging (DOT-5S).</p> <p>Type A general packages (DOT-5A).</p> <p>Foreign-made packages bearing the symbol “Type A” for export and import shipments only.</p> <p>Authorized for Type B quantities:</p> <p>Metal packaging (DOT-5M).</p> <p>Authorized only for solid or gaseous radioactive materials which will not decompose at temperatures up to 250° F.</p> <p>For large quantities, see § 146.19-15.</p>

Descriptive name of article	Characteristic properties, cautions, markings required	Label required	Required conditions for transportation	Passenger vessel	Ferry vessel, passenger or vehicle	Required conditions for transportation—Continued
Thorium nitrate, solid..... Uranyl nitrate, solid.....	Radioactive materials which also have the hazardous characteristics of oxidizing materials.	Radioactive plus yellow.	Cargo vessel	Ferry storage (AA).....	Ferry storage (BB).	Ferry vessel, passenger or vehicle
Do not stow with explosives, flammable gases, flammable liquids, combustible materials, corrosive liquids, or foodstuffs. Do not stow near undeveloped photographic or radiographic films. (See § 146.19-3C.)	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)	Stowage: "On deck in open." "On deck protected." "On deck under cover." "Tween decks." "Under deck." Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)	Outside packaging: Any packaging authorized by this table for solid radioactive materials, low specific activity, or fissile radioactive material, as appropriate. (Low specific activity material and fissile radioactive material are defined in § 146.19-1.)
Subpart 146.20—Detailed Regulations Governing Explosives	(k) Flammable liquids shall not be stowed in the same hold or compartment with radioactive materials.					Intervening cargo or ship's structure radioactive materials.
30. Section 146.20-23 is amended by revising paragraphs (m) and (n) to read as follows:	30. Section 146.22-10 is amended by adding a new paragraph (h) to read as follows:	30. Section 146.23-25 is amended by adding a new paragraph (j) to read as follows:	30. Section 146.24-55 is amended by adding new paragraphs (l) and (m) to read as follows:	30. Section 146.25-1 is revised to read as follows:	30. Section 146.25-1 is revised to read as follows:	30. Section 146.25-1 is revised to read as follows:
§ 146.20-23 Stowage of explosives with other dangerous articles.	The stowage of explosives with other dangerous articles shall conform to the following conditions:	The stowage of corrosive liquids with explosives and other dangerous articles.	The stowage of compressed gases with explosives and other dangerous articles.	The stowage of corrosive liquids with explosives and other dangerous articles.	The stowage of corrosive liquids with explosives and other dangerous articles.	The stowage of corrosive liquids with explosives and other dangerous articles.
(m) Class A or Class B explosives shall not be stowed in the same hold or compartment with poisonous articles or with radioactive materials.	(n) Class C explosives shall not be stowed in the same hold or compartment with radioactive materials.	(j) Corrosive liquids shall not be stowed in the same hold or compartment with radioactive materials.	(l) Flammable solids shall not be stowed in the same hold or compartment with radioactive materials.	(j) Corrosive liquids shall not be stowed in the same hold or compartment with radioactive materials.	(j) Corrosive liquids shall not be stowed in the same hold or compartment with radioactive materials.	(a) Poisonous articles for the purpose of Parts 146-149 are divided into three classes according to degree of hazard in transportation. These are:
Subpart 146.21—Detailed Regulations Governing Inflammable Liquids	31. Section 146.21-30 is amended by adding a new paragraph (k) to read as follows:	31. Section 146.21-30 is amended by adding a new paragraph (k) to read as follows:	31. Section 146.21-30 is amended by adding a new paragraph (k) to read as follows:	31. Section 146.21-30 is amended by adding a new paragraph (k) to read as follows:	31. Section 146.21-30 is amended by adding a new paragraph (k) to read as follows:	Extremely dangerous poisons—Class A. Less dangerous poisons—Class B. Tear gases or irritating substances—Class C.
§ 146.21-30 Stowage of inflammable liquids with explosives and other dangerous articles.	The stowage of inflammable liquids with explosives and other dangerous articles shall conform to the following conditions:	The stowage of oxidizing materials with explosives and other dangerous articles.	The stowage of oxidizing materials with explosives and other dangerous articles.	The stowage of compressed gases with explosives and other dangerous articles.	The stowage of compressed gases with explosives and other dangerous articles.	These definitions are accepted and adopted and form part of the regulations in this subchapter and apply to all shippers making shipments of poisonous articles by any vessel and shall apply to owners, charterers, agents, master or other person in charge of a vessel and to other persons, transporting, carrying, conveying, storing, stowing, or using poisonous articles on board vessels subject to R.S. 4472, as amended (46 U.S.C. 170), and the regulations in this subchapter.
(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(k) Oxidizing materials shall not be stowed in the same hold or compartment with radioactive materials.	(1) Flammable compressed gases shall not be stowed in the same hold or compartment with radioactive materials.

37. Section 146.25-10 is amended by revising the introductory text of paragraph (a) to read as follows:

§ 146.25-10 Less dangerous poisons, Class B, liquids and solids, poison label.

(a) Poisonous liquids or solids (including pastes and semisolids), other than Class A or C poisons, which are known to be so toxic to man as to afford a hazard to health during transportation, or which, in the absence of adequate data on human toxicity, are presumed to be toxic to man because they fall within any one of the following categories when tested on laboratory animals:

§§ 146.25-20, 146.25-21, 146.25-23, 146.25-25, 146.25-30, 146.25-35 [Revoked]

38. Sections 146.25-20, 146.25-21, 146.25-23, 146.25-25, 146.25-30, and 146.25-35 are revoked.

39. Section 146.25-40 is revised to read as follows:

§ 146.25-40 Limitation of "On deck" stowage.

When "On deck in open" stowage is permitted for any substances by §§ 146.25-100 to 146.25-300 inclusive, it shall apply only to such substances packaged in waterproof packaging.

40. Section 146.25-45 is revised as follows:

§ 146.25-45 Stowage of poisonous articles with explosives and other dangerous articles.

The stowage of poisonous articles with explosives and other dangerous articles shall conform to the following conditions:

(a) Packages of poisonous articles offered for transportation on board vessels shall, when taken on board a vessel, be stowed in accordance with the provisions applying to the particular character of vessel as shown in §§ 146.25-100 to 146.25-300 inclusive, and with the detailed regulations for stowage in this subpart.

(b) Poisonous articles shall not be stowed in the same hold or compartment with Class A or Class B explosives.

(c) [Revoked]

(d) Poisonous articles shall not be stowed in the same hold or compartment with flammable liquids.

(e) Poisonous articles shall not be stowed in the same hold or compartment with flammable solids.

(f) Poisonous articles shall not be stowed adjacent to or under packages of corrosive liquids. Cyanides, or cyanide mixtures shall not be stowed in the same hold or compartment with corrosive liquids.

(g) Poisonous articles shall not be stowed in the same hold or compartment over cylinders of nonflammable compressed gases.

(h) Poisonous articles, Class A and Class C shall not be stowed in the same

hold or compartment with cotton.

(i) Packages of poisonous articles shall be stowed well away from living quarters and ventilation ducts serving living quarters.

(j) Packages of poisonous articles shall be stowed well away from foodstuffs. The phrase "away from" means that the stowage may be in the same hold or compartment but must be separated in such a way by distance and other cargo so that in event of leakage or damage to packages the poisons will not contaminate the foodstuffs. The following additional requirements shall apply to the stowage of poisonous liquids and solids, Class B, and foodstuffs:

(1) If the foodstuffs are in airtight nonpermeable packaging, these poisons may be stowed "away from" the foodstuffs.

(2) If the foodstuffs are in bulk or are packed in bags or wooden barrels, these poisons shall be stowed in a hold or compartment that is separated from the foodstuffs by a tight bulkhead.

(3) These poisons shall not be stowed on weather deck hatches over a stowage of foodstuffs in bulk or packed in bags or wooden barrels.

41. Section 146.25-50 is amended by revising paragraph (a) and revoking paragraphs (b) and (c) to read as follows:

§ 146.25-50 Care following leakage or sifting of poisonous articles.

(a) Compartments or holds in which have been stowed packages containing poisonous liquids and solids, Class B shall, in the event any leakage or sifting from the packages has occurred, be thoroughly cleaned after the cargo is unloaded and before the hold is used for stowage of other cargo.

(b) [Revoked]

(c) [Revoked]

§ 146.25-65 [Revoked]

42. Section 146.25-65 is revoked.

§ 146.25-400 [Revoked]

43. Section 146.25-400 is revoked.

Subpart 146.29—Detailed Regulations Governing the Transportation of Military Explosives and Hazardous Munitions on Board Vessels

44. Section 146.29-11 is amended by revising paragraphs (c) (11) and (15) to read as follows:

§ 146.29-11 Definitions and abbreviations.

For the purposes of the regulations in this subpart, certain words, phrases, and abbreviations are defined as follows:

(c) Related terms. * * *

(11) *Cargo transporter*. This term covers a noncollapsible, reusable steel shipping box of not over 135 cubic feet capacity, used for shipping separate items of cargo as a unit, and handled on board ship by "lift-on/lift-off" methods. Such

container must conform to Military Specification MIL-B-11886 or MIL-B-21560. It is commonly referred to as "Conex Box."

(15) *Definitions of other dangerous articles*. For definitions of:

(i) Radioactive materials, see § 146.19-1.

(ii) Flammable liquids, see § 146.21-1.

(iii) Flammable solids and oxidizing materials, see § 146.22-1.

(iv) Corrosive liquids, see § 146.23-1.

(v) Compressed gases, see § 146.24-1.

(vi) Poisons, Class A, see § 146.25-5; Class B, see § 146.25-10; Class C, see § 146.25-15.

(vii) Combustible liquids, see § 146.26-1.

(viii) Hazardous articles, see § 146.27-1.

45. Section 146.29-59 is amended by revising paragraph (k) to read as follows:

§ 146.29-59 Stowage adjacent to other dangerous articles.

(k) "On deck" stowage. When packages of flammable liquids, flammable solids or oxidizing materials, corrosive liquids, compressed gases, poisons, radioactive materials, combustible liquids, or hazardous articles are stowed "On deck," such packages shall not be stowed within 12 inches of any steam pipe fitted on deck.

45. Section 146.29-90 is amended by revising the heading and the introductory text to read as follows:

§ 146.29-90 Use of cargo transporters (Conex Boxes).

Cargo transporters, complying with Military Specifications MIL-B-11886 and MIL-B-21560, may be used for the transportation of military explosives and hazardous munitions subject to the following conditions:

§ 146.29-99 [Amended]

47. In § 146.29-99, Chart A is amended as follows:

A. Revise the heading in column 1 to read as follows:

DOT Class.

B. Amend the entry "Rocket engines liquid" by deleting in column 1 the letter "A" and insert in lieu thereof "B".

(R.S. 4405 as amended, 4462, as amended, 4472, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 170, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.)

Dated: February 5, 1969.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[P.R. Doc. 69-1717; Filed, Feb. 11, 1969; 8:45 a.m.]

