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TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 7—LIST OF FORMS, PART II, INTERSTATE COMMERCE ACT

Subchapter B—Carriers by Motor Vehicles

PART 168—APPLICATIONS FOR CERTIFICATES AND PERMITS

PART 205—REPORTS OF MOTOR CARRIERS

APPLICATIONS AND QUESTIONNAIRE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 10th day of September A. D., 1957.

The matter of a report in the form of a questionnaire to be required of contract carriers by motor vehicle holding permits issued by the Commission on or before August 22, 1957, being under consideration pursuant to section 220 (a) of the Interstate Commerce Act, as amended; and

The matter of the form to be used in applying under section 212 (c) of the Interstate Commerce Act for a certificate to operate as a common carrier by motor vehicle in lieu of a permit to operate as a contract carrier by motor vehicle, being under consideration; and

Time being of the essence in the adoption and dissemination of the questionnaire and application form, the rule making procedure under section 4 (a) of the Administrative Procedure Act, 5 U. S. C. 1003 (a), is hereby found to be impracticable, unnecessary, and contrary to the public interest; and

It appearing that effective August 22, 1957, Part II of the Interstate Commerce Act has been amended in certain respects, which, among other things, places upon the Commission the duty of examining each permit outstanding as of August 22, 1957, and determining within 180 days thereof whether a proceeding shall be instituted to determine whether such outstanding permit should be revoked and a certificate issued in lieu thereof;

It further appearing that upon application of a holder of a permit outstanding as of August 22, 1957, filed within 180 days thereof, such outstanding permit may be revoked and a certificate of public convenience and necessity be issued in lieu thereof, provided certain statutory tests are met; and good cause appearing therefor:

It is ordered, That each contract carrier by motor vehicle holding a permit issued on or before August 22, 1957, be, and it is hereby, ordered, to make and file duly verified statements in response to a questionnaire attached hereto [1] and made a part hereof, which form of report is hereby approved and prescribed for such use. Each answered questionnaire shall be filed in duplicate. One copy thereof shall be delivered to the Office of the Secretary, Interstate Commerce Commission, Washington 25, D. C., and a second copy shall be delivered to the District Director of the Bureau of Motor Carriers for the District in which the carrier is domiciled on or before October 23, 1957;

It is further ordered, That applications under section 212 (c) of the Interstate Commerce Act, to operate as a common carrier by motor vehicle of the same commodities, between the same points, or within the same territory as authorized in permits outstanding as of August 22, 1957, shall be on the Form BOR–96, attached hereto [1] and made a part hereof which form is hereby approved and prescribed for such use;

And it is further ordered, That 49 CFR Parts 7, 168, and 205 be, and they are hereby, amended by the addition of the following sections:

§ 7.96 *BOR–96.* Application under section 212 (c) of the Interstate Commerce Act for a motor carrier certificate to operate as a common carrier by motor vehicle in lieu of a permit to operate as a contract carrier by motor vehicle.

§ 168.2 *Application for certificate in lieu of permit.* Applications under sec-

[1] Filed as part of the original document.

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

tion 212 (c) of the Interstate Commerce Act for authority to operate as a common carrier by motor vehicle of the same commodities, between the same points, or within the same territory as authorized in a permit outstanding as of August 22, 1957, shall be in the form and contain the information called for in the form of application designated BOR-96 (§ 7.96 of this chapter).

§ 205.15 *Questionnaire to aid in determining status of contract motor carrier operations.* Each contract carrier by motor vehicle of passengers and property holding a permit issued on or before August 22, 1957, shall file duly verified statements in response to a questionnaire attached hereto [1] and made a part of this section. Each answered questionnaire shall be filed in duplicate. One copy thereof shall be delivered to the Office of the Secretary, Interstate Commerce Commission, and a second copy shall be delivered to the District Director of the Bureau of Motor Carriers for the District in which the carrier is domiciled, on or before October 23, 1957.

NOTICE. A copy of this order shall be served on each contract carrier by motor vehicle of passengers and property issued a permit on or before August 22, 1957, and notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, division 1.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 551, as amended, 552, as amended, 554, as amended, 555, as amended, 563, as amended; 49 U. S. C. 306, 307, 309, 310, 312, 320)

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 57-7770; Filed, Sept. 20, 1957; 8:50 a. m.]

[1] Filed as part of the original document.

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 36]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedures appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (L/MFR, ADF, VOR, TerVOR, VOR/DME, ILS, or RADAR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1. The low or medium frequency range procedures prescribed in § 609.100 (a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Concord VOR	CON-LFR	132—5	2100	T-dn	300-1	300-1	300-1
Boscawen FM	CON-LFR	152—12.6	3000	C-dn	500-1	600-1	600-1½
				A-dn	800-2	800-2	800-2

Procedure turn E side SE crs, 164 Outbnd, 344 Inbnd, 2000'* within 10 miles, NA beyond 10 miles.
*Standard obstruction clearance not provided over 1410' hill approximately 7 miles E of Concord LFR.
Minimum Altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 332—1.8.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles, climb to 3000' on NW crs. within 10 miles.
NOTE: ADF approach not authorized.
AIR CARRIER NOTE: Night operations not authorized on Rwy 3-21.

City, Concord; State, N H; Airport Name, Municipal; Elev, 345'; Fac Class, BMRLZ; Ident, CON; Procedure No. 1, Amdt 7; Eff Date, 19 Oct 57; Sup Amdt No. 6; Dated 6 Apr 57

Dickinson VOR	DIK-LFR	Direct	4100	T-dn	300-1	300-1	200-½
				C-d	500-1	600-1	600-1½
				C-n	500-1½	600-1½	600-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side N crs, 348 Outbnd, 168 Inbnd, 4100 within 10 mi.
Minimum Altitude over facility on final approach crs, 3600'.
Crs and distance, facility to airport, 168—1.8.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 mi, climb to 4100' on S crs within 20 mi, then make left turn and return to LFR.
AIR CARRIER NOTE: Night take-offs and landings authorized NW-SE runway only.
CAUTION: KDIX tower 3.9 mi, north DIK-LFR 2751' MSL. Tower 3062' MSL 3.5 mi NE of VOR.

City, Dickinson; State, N Dak; Airport Name, Dickinson; Elev, 2589'; Fac Class, SBMRAZ; Ident, DIK; Procedure No. 1, Amdt 7; Eff Date, 19 Oct 57; Sup Amdt No. 6; Dated, 2 Mar 57

HUL-VOR	HUL-LFR	Direct	2000	T-dn	500-1	500-1	500-1
				C-d	*700-1	700-1	700-1½
				C-n	700-1½	700-1½	800-2
				S-d-19	500-1	500-1	500-1
				A-dn	1000-2	1000-2	1000-2

*600—1 day, 600—1½ night authorized when circling W of airport.
Procedure turn E side N crs, 15 Outbnd, 195 Inbnd, 1800' within 10 mi. Beyond 10 mi NA. (E to avoid high terrain).
Minimum Altitude over facility on final approach crs, 1300'.
Crs and distance, facility to airport, 198—2.7.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 mi, climb to 2500' on S crs within 15 mi.
NOTE: ADF procedure not authorized.
CAUTION: 915' hill with beacon light SE of airport, hill along E side of airport.
AIR CARRIER NOTE: Night operations on 5-23 only.

City, Houlton; State, Maine; Airport Name, Municipal; Elev, 493'; Fac Class, BMRLZ; Ident, HUL; Procedure No. 1, Amdt 7; Eff Date, 19 Oct 57; Sup Amdt No. 6; Dated, 3 July 57

2. The automatic direction finding procedures prescribed in § 609.100 (b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-d	1000-1	1000-1	
				C-d	1000-2	1000-2	
				A-d	1500-3	1500-3	

Procedure turn, S side crs, 253 Outbnd, 073 Inbnd, 2100 within 10 miles.
Minimum Altitude over facility on final approach crs, 1,600'.
Crs and distance, facility to airport, 073—2.1.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles, climb to 2500 on crs 073 within 10 miles and return to Huntington BII.
NOTE. Air carrier use NA.

City, Chesapeake; State, Ohio; Airport Name, Huntington; Elev, 560'; Fac Class, BII; Ident, HTW; procedure No. 1, Amdt 2; Eff Date, 19 Oct 57, Sup Amdt No. 1; Dated, 18 Dec 57

Stratus on Top Approach Procedure—Day only. Must be on Top with Tops not above 2000' MSL.	----------	----------	----------	T-d	300-1	300-1	300-1
				C-d	600-1	600-1½	600-1½
				A-d	900-3	900-3	900-3

Procedure turn—None (Aircraft to arrive over CAV on top and descent to airport on final approach).
Minimum Altitude over facility on final approach crs, 1500'.
Crs and distance, facility to airport, 261—5.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 mi, climb to 3000' or on top, on Outbnd crs of 261 within 20 mi of LFR.

City, Oxnard; State, Calif; Airport Name, Oxnard-Ventura Co; Elev, 43'; Fac Class, SRAWZ; Ident, CAV; Procedure No. 2, Amdt 1; Eff Date, 19 Oct 57; Sup Amdt No. 1; Dated, 19 Oct 57

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100 (c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BAM LFR	BAM-VOR	Direct	9000	T-dn	300-1	300-1	300-1
				C-dn	1000-1	1000-1	1000-1½
				A-dn	1000-2	1000-2	1000-2

Procedure turn W side of crs, 200 Outbnd, 020 Inbnd, 9000' within 15 mi.
Minimum Altitude over facility on final approach crs, 6000'.
Crs and distance, facility to airport, 031—2.1.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 mi, turn left and climb to 10000' on R-330 within 25 mi. Reverse course to the left and return to the VOR at 10000' on R-330.

City, Battle Mountain; State, Nev; Airport Name, Battle Mtn; Elev, 4532'; Fac Class, BVOR; Ident, BAM; Procedure No. 1, Amdt 1; Eff Date, 19 Oct 57; Sup Amdt No. Orig; Dated, 31 Aug 54

Dickinson LFR	DIK-VOR	Direct	4100	T-dn	300-1	300-1	200-½
				C-d	500-1	600-1	600-1½
				C-n	500-1½	600-1½	600-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side N crs, 359 Outbnd, 179 Inbnd, 4100' within 10 mi.
Minimum Altitude over facility on final approach crs, 3600'.
Crs and distance, facility to airport, 179—3.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 mi, make left turn climb to 4100' on 173R DIK VOR within 20 mi, then make left turn and return to VOR.
AIR CARRIER NOTE: Night take-offs and landings authorized NW-SE Runway only.
CAUTION: KDIX tower 3.9 mi N DIK-LFR 2751' MSL. Tower 3062' MSL 3.5 mi NE of VOR.

City, Dickinson; State, N D; Airport Name, Dickinson; Elev, 2589'; Fac Class, BVOR; Ident, DIK; Procedure No. 1, Amdt 4; Eff Date, 19 Oct 57; Sup Amdt No. 3; Dated, 22 Dec 56

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Houlton LFR	HUL-VOR	Direct	2000	T-dn	500–1	500–1	500–1
				C-d	700–1	700–1	700–1½
				C-n	700–1½	700–1½	800–2
				S-d-5	700–1	700–1	700–1
				A-dn	1000–2	1000–2	1000–2

Procedure turn E side of crs, 219 Outbnd, 039 Inbnd, 2000′ within 10 mi.
Minimum Altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 039—4.8.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 mi, climb to 2000′ on R–039 crs Houlton VOR, then make a left turn & return to the Houlton VOR at 2500′.
AIR CARRIER NOTE: Night operation on Runway 5–23 only.

City, Houlton; State, Me; Airport Name, Municipal; Elev, 493′; Fac Class, BVOR; Ident, HUL; Procedure No. 1, Amdt 2; Eff Date, 19 Oct 57; Sup Amdt No. 2; Dated, 3 July 57

Cave Creek Int	PHX-VOR	Direct	5000	T-dn	300–1	300–1	200–½
Perryville FM	PHX-VOR	Direct	4000	C-dn	500–1	600–1	600–1½
Phoenix LFR	PHX-VOR	Direct	2600	A-dn	800–2	800–2	800–2
Thunderbird Int*	PHX-VOR	Direct	4000				
McDowell Int**	PHX-VOR	Direct	5000				
Ocotillo Int#	PHX-VOR	Direct	4000				
Tolleson Int##	PHX-VOR	Direct	2600				

*Int. PHX R–350 and HYM R–065.
**Int. PHX R–015 and HYM R–065.
#Int. PHX R–146 and HYM R–090.
##Int. PHX R–258 and GBN R–027.
Procedure turn S side crs, 080 Outbnd, 260 Inbnd, 2600′ within 10 miles%. 4000′ within 15 miles. Beyond 15 miles NA. (Nonstandard due high terrain to the North.)
%CAUTION: 2970′ obstruction 5 mi N of crs, 13 mi E of VOR.
Minimum Altitude over facility on final approach crs, @2100.
@Descent below 1900′ not authorized until ABEAM of PHX LFR, Inbnd.
Crs and distance, facility to airport, 256—5.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles, climb to 2500′ on R–256, make a climbing right turn, returning to VOR at 4000′.
CAUTION: Hills and tower 2905′ 6 mi SSW of airport.

City, Phoenix; State, Ariz.; Airport Name, Sky Harbor; Elev., 1124′; Fac Class, BVOR; Ident, PHX; Procedure No. 1, Amdt 7; Eff Date, 19 Oct. 57; Sup Amdt No. 6; Dated, 17 Aug. 57

4. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
St. James Int	LMM	Direct	1700	T-dn	300–1	300–1	200–½
Riverhead VOR	LMM	Direct	1700	C-dn	500–1	600–1	600–1½
Fire Island Int	LMM	Direct	1700	S-dn-6:			
				ILS	200–½	200–½	200–½
				ADF*	400–1	400–1	400–1
Blanchard Int ILF	OM (Final)	Direct	1700				
Blanchard Int ADF	OM (Final)	Direct	*800	A-dn:			
				ILS	600–2	600–2	600–2
				ADF	800–2	800–2	800–2

Procedure turn S side SW crs, 237 Outbnd, 057 Inbnd, 1700′ within 10 mi of OM.
Minimum Altitude at glide slope int inbnd, 1700′ ILS. Min. Alt. over OM inbnd final 800* ADF.
*ADF approach: descend to airport minimums authorized after passing OM; if OM not received, maintain 800′ until passing LMM and circling minimums apply.
Altitude of glide slope and distance to approach end of runway at OM 1655′—5.3; at MM 310′—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mi after passing LMM (ADF) make right climbing turn as soon as practical to 1700′ returning to ILS LMM and hold SW.
NOTE: Runway 10–28 closed nights.

City, Islip; State, N Y; Airport Name, MacArthur Field; Elev, 98′; Fac Class, ILS-ISL; Ident, LMM-SL; Procedure No. 6, Amdt 5, Comb ILS-ADF; Eff Date, 19 Oct 57; Sup Amdt No. 4; Dated, 17 Aug 57

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
LGB LFR	LOM	Direct	1500	T-dn*	300–1	300–1	200–½
Huntington Beach FM	LOM (Final)	Direct	1400	C-dn	500–1	600–1	600–2
San Pedro Int	LOM	Direct	1500	S-dn 30:			
				ILS#	300–¾	300–¾	300–¾
				ADF	500–1	500–1	500–1
LGB VOR	LOM	Direct	1500				
Int SW crs El Toro LFR & SE crs LGB LFR.	LOM (Final)	Direct	1400	A-dn:			
				ILS	600–2	600–2	600–2
				ADF	800–2	800–2	800–2
Int SW crs EL TORO LFR & LGB R-120	LOM (Final)	Direct	1400				

*300–1 required for take-off runways 16, 16R, 25L, 34R.
#Straight-in landing minimums are 400–1 with glide slope inoperative.
Procedure turn S side SE crs, 120 Outbnd, 300 Inbnd, 1500' within 10 mi of LOM. Beyond 10 mi NA.
Minimum Altitude at glide slope int inbnd—1400 ILS. Min. alt. inbnd final—1100' ADF.
Altitude of glide slope and distance to approach end of runway at OM 1320—4.7; at MM 245–0.7.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 mi, after passing LOM (ADF) climb to 800' on NW crs LGB LFR; turn left to 200 continuing climb to intersect 160° crs from LAX Rbn and proceed to San Pedro Int at 2500'.
NOTE: Glide slope unit now at beginning of usable portion runway 30. 800' SE end closed permanently.
CAUTION: Standard clearance over obstructions not provided for circling minimums; 500' hill with oil derricks one mi S of airport.

City, Long Beach; State, Calif.; Airport Name, Municipal; Elev, 56'; Fac Class, ILS LGB; Ident, LOM LG; Procedure No. 30, Amdt 12, Comb ILS-ADF; Eff Date, 19 Sept 57; Sup Amdt No. 11; Dated, 27 Oct 56

New Brunswick Int via crs 076°	ILS crs (Final)	Direct	1500	T-dn#	300–1	300–1	200–½
Colts Neck VOR via R-352	ILS crs (Final)	Direct	1500	C-dn	600–1	600–1	600–1½
Flatbush Rbn	LOM	Direct	1500	S-dn-4:			
Newark LFR	LOM	Direct	1500	ILS*	200–½	200–½	200–½
Chatham Rbn	LOM	Direct	2000	ADF	600–1	600–1	600–1
Radar transition altitudes S quadraut Newark LFR.	Radar Site	Within 15 mi	1500	A-dn:			
				ILS	600–2	600–2	600–2
Northeast sector from 058 to 090	Radar Site	Within 20 mi	2500	ADF	800–2	800–2	800–2
All other sectors	Radar Site	Within 20 mi	2000				

#Runway 4 only: Runway Visual Range 2000' may be utilized in lieu of 200–½ when 200–½ is authorized.
*Runway 4 only: 200–½ or runway visual range of 2000'—provided approaches conducted on the basis of reported runway visual range shall be governed by the following:
(1) All components of approach lights and high intensity runway lights shall be in normal operation.
(2) Descent below the authorized landing minimum altitude of 218' shall not be made unless (a) visual contact with the approach lights has been established, or (b) the aircraft is clear of clouds. 600–1 required with glide slope inoperative.
(3) Both compass locators required to be operative for RVR 2000'.
Procedure turn W side SW crs, 217 Outbnd, 037 Inbnd, 1500' within 10 mi. (Nonstd. due to ATC).
Minimum altitude at glide slope int inbnd: 1500' ILS. Min. alt. over LOM inbnd final—1000' ADF.
Alt. of glide slope and distance to approach end of rny at OM 1525—4.9; at MM 250—.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 mi., climb to 1000' on 037 crs from LOM, then make left climbing turn to 3000' direct to Patterson RBn, or when directed by ATC, make climbing left turn to 2000' direct to Chatham RBn.

City, Newark: State, N J; Airport Name, Newark; Elev, 18'; Fac Class, ILS-EWR; Ident, LOM-EW; Procedure No. 4, Amdt 12, Comb ILS-ADF; Eff Date, 19 Oct 57; Sup Amdt No. 11 Dated, 7 Apr 57

Boothwyn FM ILS	LOM (Final)	Direct	1500	T-dn	300–1	300–1	200–½
Boothwyn FM ADF	LOM (Final)	Direct	1300	C-dn:			
Philadelphia LFR	LOM	Direct	1500	ILS	*400–1	500–1	500–1½
Radar Terminal Area Transition Altitudes,				ADF	500–1	500–1	500–1½
N Quadrant of Philadelphia LFR	Radar Site	Within 20 mi	2300	S-dn-9:			
N Quadraut of Philadelphia LFR	Radar Site	Within 10 mi	1800	ILS*	200–½	200–½	200–½
NW Quadrant of Philadelphia LFR	Radar Site	Within 20 mi	2000	ADF	500–1	500–1	500–1
NW Quadrant of Philadelphia LFR	Radar Site	Within 10 mi	1500	A-dn:			
SW and SE Quadrants	Radar Site	Within 20 mi	1500	ILS	600–2	600–2	600–2
				ADF	800–2	800–2	800–2

*500–1 required with glide slope inoperative.
Procedure turn S side W crs, 265 Outbnd, 085 Inbnd, 1800' within 10 miles of LOM. NA beyond 10 mi.
Minimum Altitude at G. S. int inbnd, 1500 ILS. Minimum Altitude over LOM inbnd final 1300 ADF.
Altitude of G. S. and distance to appr end of rny at OM 1500'—4.6, at MM 230'—.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles, after passing LOM (ADF), climb to 2500' on West Chester VOR R-104 to Echelon Int.
Alternate missed approach procedure (when requested by ATC) make a right climbing turn, proceed to Elmer Int. at 1500'.

City, Philadelphia; State, Pa; Airport Name, International; Elev, 10'; Fac Class, ILS-PHL; Ident, LOM-PH; Procedure No. 9, Amdt 9, Comb ILS & ADF; Eff Date, 19 Oct 57; Sup Amdt No. 8; Dated, 2 Apr 55

Shreveport LFR	LOM	Direct	1500	T-dn	300–1	300–1	200–½
Shreveport VOR	LOM	Direct	1900	C-dn	400–1	500–1	500–1½
Dixie MHW	LOM	Direct	1900	S-dn-13:			
				ILS*	200–½	200–½	200–½
				ADF	400–1	400–1	400–1
Blanchard Int	LOM (Final) ILS	Direct	1400				
Forbing Int	LOM	Direct	1400	A-dn:			
				ILS	600–2	600–2	600–2
Lucien Int	LOM	Direct	1400	ADF	800–2	800–2	800–2
Caddo Lake Int	LOM	Direct	2400				
Blanchard Int	LOM (Final) ADF	Direct	900				
Radar Terminal area transition altitudes—bearings are from Radar site with azimuths progressing clockwise:							
000–089		Within 40 miles	1700				
090–269			1500				
270–359			2400				

*400–¾ required when glide slope not utilized.
Procedure turn W side of NW crs, 315 Outbnd, 135 Inbnd, 2400' within 10 mi.
Minimum Altitude at G. S. int inbnd, 1400 ILS, minimum altitude over LOM 900 ADF.
Altitude of G. S. and distance to appr end of rny at OM 1400—3.7, at MM 455—0.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 mi after passing LOM (ADF) climb to 1400' on crs of 135 or SE crs ILS within 20 mi, or when directed by ATC: 1. Turn right, climb to 1400' on heading 195°, intercept and proceed outbnd on SW crs BAD LFR within 20 mi; 2. Turn right, intercept and climb to 1400' on R-180 SHV VOR within 20 mi.
CAUTION: 1446' and 1403' TV antennas approx 11 mi NNW of LOM.

City, Shreveport; State, La.; Airport Name, Greater Shreveport; Elev, 251'; Fac Class, ILS-ISHV; Ident, LOM-SH; Procedure No. ILS-13, Amdt 7, Comb ILS & ADF; Eff Date, 19 Oct 57; Sup Amdt Nos. 13, 6; Dated 28 Sept 57

5. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	Radar site	Within 20 mi	2000	Surveillance approach			
				T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*All runways.

Radar terminal area transition altitudes—all bearings and distances are from radar site with sector azimuths progressing clockwise. Radar control must provide 1000′ clearance when within 3 miles or 500′ clearance when within 3-5 miles of radio towers—1221 MSL 6 mi. N, 1743 MSL 12 mi. WSW, and TV tower 2349 MSL 15 mi. SSE of airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished (1) Runways 13 and 17, proceed direct to Grand Prairie MHW or to Grand Prairie Int via Britton VOR R-355, or, when directed by ATC, to Hensley Int via SE crs Carter ILS, climbing to 2000′; (2) Runways 31 and 35, proceed direct to Carter LOM, Bedford Int via NW crs Carter ILS, climbing to 2000′.

City, Fort Worth: State, Tex: Airport Name, Amon Carter Field: Elev, 568′: Fac Class, Fort Worth: Ident, Radar: Procedure No. 1, Amdt Orig; Eff Date, 26 Sept 57

058	090	Within 20 mi	2500	Precision Approach			
				S-dn-4*	200-½	200-½	200-½
All other sectors	Radar site	20 mi	2000	A-dn-4	600-2	600-2	600-2
				Surveillance approach			
South quadrant EWR-LFR	Radar site	15 mi	1500	T-dn#	300-1	300-1	200-½
				C-dn%	600-1	600-1	600-1½
				C-dn-22	900-1	900-1	900-1½
				S-dn%	600-1	600-1	600-1
				S-dn-22	900-1	900-1	900-1
				A-dn%	800-2	800-2	800-2
				A-dn-22	900-2	900-2	900-2

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.

%Runways 4-11-29.

*Runway 4 only—200½ or runway visual range of 2000′; provided, that approaches conducted on the basis of reported runway visual range shall be governed by the following: (1) All components of the approach lights and high intensity runway lights shall be in normal operation and (2) descent below the authorized landing minimum altitude of 218′ MSL shall not be made unless (a) visual contact with the approach lights has been established or (b) the aircraft is clear of clouds. (3) Both compass locators required to be operative for RVR 2000′.

‡Runway 4 only—runway visual range of 2000′ may be utilized in lieu of 200-½ when 200-½ is authorized.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1000′ on NE crs Newark LFR, then make left climbing turn to 3000′ direct to Paterson RBn, or when directed by ATC, make climbing left turn to 2000′ direct to Chatham RBn.

City, Newark; State, N. J.; Airport Name, Newark; Elev, 18′; Fac Class, Newark; Ident, Radar; Procedure No. 1, Amdt 10; Eff Date, 19 Oct 57; Sup Amdt No. 9; Dated, 25 May 57

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

SEPTEMBER 12, 1957.

[F. R. Doc. 57-7659; Filed, Sept. 20, 1957; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS PRESCRIBING COMMUTED TRAVEL TIME ALLOWANCES

Pursuant to the authority conferred upon the Director of the Plant Quarantine Division by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective July 15, 1955 (7 CFR 354.1), administrative instructions (7 CFR, 1956 Supp., 354.2) effective June 6, 1956, as amended effective March 8, 1957 (22 F. R. 1481), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby amended to add "Dover Air Force Base, Dover, Delaware" to the "One Hour" list therein and to add "McGuire Air Force Base, Fort Dix, New Jersey," to the "Two Hours" list therein.

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Division. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than thirty days after publication in the FEDERAL REGISTER.

This amendment shall become effective upon publication in the FEDERAL REGISTER. (64 Stat. 561, 5 U. S. C. 576.)

Done at Washington, D. C., this 17th day of September 1957.

[SEAL]

E. P. REAGAN,
Director,
Plant Quarantine Division.

[F. R. Doc. 57-7771; Filed, Sept. 20, 1957; 8:50 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 120]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.420 *Valencia Orange Regulation 120*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), 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 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 19, 1957.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., September 22, 1957, and ending at 12:01 a. m., P. s. t., September 29, 1957, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 831,600 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

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

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 20, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-7826; Filed, Sept. 20, 1957; 11:21 a. m.]

[Orange Reg. 322]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.849 *Orange Regulation 322*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, except Temple 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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; 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. Shipments of all oranges, except Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 17, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, except Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1186 of this title; 22 F. R. 6676).

(2) During the period beginning at 12:01 a. m., e. s. t., September 23, 1957, and ending at 12:01 a. m., e. s. t., October 7, 1957, no handler shall ship:

(i) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida, which (*a*) do not grade at least U. S. No. 1, or (*b*) are of a size smaller than $2\frac{8}{16}$ inches in diameter, which shall be the largest measurement at a right angle to a stright line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1186 of this title; 22 F. R. 6676): *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2\frac{8}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter and smaller; or

(ii) Any Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida, which (*a*) do not grade at least U. S. No. 2 Russet, or (*b*) are of a size smaller than $2\frac{1}{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller

than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1186 of this title; 22 F. R. 6676): *Provided,* That in determining the percentage of oranges in any lot which are smaller than 2$\frac{1}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$\frac{1}{16}$ inches in diameter and smaller.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 19, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-7792; Filed, Sept. 20, 1957; 8:52 a. m.]

[Grapefruit Reg. 270]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.858 *Grapefruit Regulation 270*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida grapefruit, 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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; 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. Shipments of all grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 17, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750–51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (chapter 29760).

(2) During the period beginning at 12:01 a. m., e. s. t., September 23, 1957, and ending at 12:01 a. m., e. s. t., October 7, 1957, no handler shall ship:

(i) Any grapefruit, grown in the State of Florida, which are not mature and do not grade at least U. S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 19, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-7791; Filed, Sept. 20, 1957; 8:52 a. m.]

[Tangerine Reg. 191]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.860 *Tangerine Regulation 191.*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Florida tangerines, 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 23, 1957. The committee held an open meeting on September 17, 1957, to consider recommendations for a regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committee has been disseminated among shippers of tangerines grown in the State of Florida, and this regulation, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective on the date hereinafter set forth so as to provide for the regulation of the handling of tangerines grown in the State of Florida at the start of this marketing season; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810–51.1836 of this title).

(2) During the period beginning at 12:01 a. m., e. s. t., September 23, 1957, and ending at 12:01 a. m., e. s. t., October 21, 1957, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than

the size that will pack 120 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 19, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-7793; Filed, Sept. 20, 1957; 8:52 a. m.]

[Lemon Reg. 705]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.812 *Lemon Regulation 705*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon 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 lemons 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 lemons 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 lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 18, 1957.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 22, 1957, and ending at 12:01 a. m., P. s. t., September 29, 1957, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 209,250 cartons;
(iii) District 3: Unlimited movement.

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

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 19, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-7817; Filed, Sept. 20, 1957; 8:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54442]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

PART 22—DRAWBACK

LENGTH OF TIME RECORDS MUST BE RETAINED BY THE PUBLIC

Certain provisions of the Customs Regulations require the public to maintain records without specifying the period of time such records shall be retained. The following amendments are made to fix the period of time for the retention of such records and to add certain cross references to applicable regulations.

1. Section 10.84 (b), Customs Regulations, is amended by deleting the period at the end thereof and adding the following: "and which shall be retained for a period of 3 years from the date of liquidation of the entry."

(Sec. 1 (par. 1530 (c), (g)), 46 Stat. 666, 667; 19 U. S. C. 1001 (par. 1530 (c), (g)))

2. Sections 10.85, 10.86, and 10.87 are amended by inserting "(See § 10.84)" following "footwear."

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

3. Section 10.95 is amended by deleting the parenthetical matter at the end of paragraph (e) and adding a new paragraph (f) to read as follows:

(f) All records required to be kept by manufacturers, processors, and dealers relating to bonded wool or hair shall be retained for a period of 3 years after the imported wool or hair has been used in the manufacture of the articles enumerated in paragraph 1101 (b), Tariff Act of 1930, as amended. Where the wool or hair has been charged against the bond of a transferee, the records of the transferor shall be retained for a period of 3 years from the date of the transfer.

(Sec. 1 (par. 1101), 46 Stat. 646, as amended; 19 U. S. C. 1001 (par. 1101))

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

4. The second sentence of § 19.19 (b) is amended to read as follows: "These records shall be retained for a period of 5 years from the date of the related annual statement, and shall be made available to the collector of customs for such verification of the manufacturer's statement as the collector shall deem advisable."

(Sec. 312, 46 Stat. 692; 19 U. S. C. 1312)

5. Section 19.34 is amended by inserting a new sentence following the second sentence to read: "These records shall be retained for a period of 2 years after the date of the transaction."

(Sec. 556, 46 Stat. 743; 19 U. S. C. 1556)

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

6. Part 22 is amended to add a new section to read as follows:

§ 22.46 *Retention of records.* All records required to be kept by the manufacturer or producer under this part of the regulations with respect to drawback claims, and records kept by others to complement the records of the manufacturer or producer, shall be retained for at least 3 years after payment of such claims.

(Secs. 313, 624, 46 Stat. 693, as amended, 759; 19 U. S. C. 1313, 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: September 16, 1957.

DAVID W. KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 57-7761; Filed, Sept. 20, 1957; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Parts 723, 725, 727]

CERTAIN TOBACCOS

MISCELLANEOUS AMENDMENTS

Notice of amendment to regulations relating to establishment of farm acreage allotments and normal yields for Cigar-Binder (types 51 and 52) Tobacco, Cigar Filler and Binder (types 42, 43, 44, 53, 54 and 55) Tobacco; Burley, Flue-cured, Fire-cured, Dark Air-cured, and Virginia Sun-cured Tobacco; and Maryland Tobacco; for the 1958–59 marketing year.

Notice is hereby given that pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313), the Soil Bank Act (70 Stat. 188) and Public Law 85–266, 85th Congress, approved September 2, 1957, the Secretary is preparing to amend the regulations governing establishment of farm tobacco acreage allotments for the 1958–59 marketing year for (1) cigar-binder (types 51 and 52) tobacco, and cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco, respectively (22 F. R. 4351, 4847), (2) burley, flue-cured, fire-cured, dark air-cured, and Virginia sun-cured tobacco, respectively (22 F. R. 5675), and (3) Maryland tobacco (22 F. R. 4355, 4912), in the following respects:

1. Amend §§ 723.912 (g), 725.912 (g) and 727.912 (g) to read substantially as follows:

(g) "New farm" means a farm on which tobacco will be harvested in 1958 for the first time since 1952. If an accordance with applicable law and regulations, no 1955, 1956 or 1957 tobacco acreage allotment was determined for the farm, any acreage of tobacco harvested in 1955, 1956 or 1957, respectively, shall not be considered as harvested acreage in determining whether the farm is a new farm. The term "harvested" as used in this paragraph shall include acreage preserved as provided by section 377 of the Agricultural Adjustment Act of 1938, as amended, and acreage within the meaning of "harvested acreage" as provided in paragraph (c) of either §§ 725.916, 723.916 or 727.916 depending upon which section is applicable to the regulation being amended.

2. Amend §§ 723.912 (h), 725.912 (h) and 727.912 (h) to read as follows:

(h) "Old farm" means a farm on which tobacco was harvested in one or more of the five years 1953 through 1957. If in accordance with applicable law and regulations, no 1955, 1956 or 1957 tobacco acreage allotment was determined for the farm, any acreage of tobacco harvested in 1955, 1956 or 1957 respectively, shall not be considered as harvested acreage in determining whether the farm is an old farm. The term "harvested" as used in this paragraph shall include acreage preserved as provided by section 377 of the Agricultural Adjustment Act of 1938, as amended, and acreage within the meaning of "harvested acreage" as provided in paragraph (c) of either §§ 725.916, 723.916 or 727.916 depending upon which section is applicable to the regulation being amended.

3. Amend § 725.916 to read as follows:

§ 725.916 *Determination of 1958 preliminary acreage allotments for old farms.* (a) The 1958 preliminary acreage allotment for an old tobacco farm shall be the 1957 farm acreage allotment established for such farm except that where a quantity of tobacco produced on a farm prior to 1957 and stored under bond pursuant to regulations to postpone or avoid payment of penalty has been reduced because the 1957 acreage allotment for such farm was not fully harvested, the 1958 preliminary acreage allotment for such farm shall be determined subject to the provisions of paragraph (c) of this section, if applicable.

(b) For the purpose of determining, under the provisions of paragraph (a) of this section, a 1958 preliminary acreage allotment for an old farm equal to the 1957 farm acreage allotment for such farm, the 1957 farm acreage allotment shall mean the 1957 farm acreage allotment determined for such farm prior to reduction, if any, because of a violation of the tobacco marketing quota regulations for a prior marketing year; and for the purpose of determining a 1958 preliminary acreage allotment for an old farm under the provisions of paragraph (c) of this section the 1957 farm acreage allotment shall mean the 1957 farm acreage allotment established for such farm after any such reduction.

(c) The provisions of this paragraph shall be applied, if applicable, in the case of an old farm, only where a quantity of tobacco produced thereon prior to 1957 and stored under bond pursuant to regulations to postpone or avoid payment of penalty was reduced because the 1957 allotment was not fully harvested. If the harvested acreage (as that term is explained in subparagraphs (1), (2) and (3) of this paragraph) of flue-cured, fire-cured, dark air-cured or Virginia sun-cured tobacco on such old farm in each of the three years 1955–57 was less than 75 percent of the farm acreage allotment for each of such respective years, the 1958 preliminary allotment for such farm shall be the larger of the largest acreage of tobacco harvested on the farm in any one of such three years, or the average acreage of tobacco harvested on the farm in the five years 1953–57: *Provided*, That any 1958 preliminary allotment shall not exceed the 1957 farm acreage allotment or be less than 0.01 acre. If the harvested acreage (as that term is explained in subparagraphs (1), (2) and (3) of this paragraph) of burley tobacco on an old farm subject to this paragraph in each of the five years 1953–57 was less than 50 percent of the farm acreage allotment for each of such respective years, the 1958 preliminary allotment for such farm shall be the largest acreage of tobacco harvested on the farm in any one of such five years, but not less than 0.01 acre.

(1) For the purposes of this paragraph the 1956 harvested acreage shall have the meaning and include the acreage as provided in § 725.816 (c) of the tobacco marketing quota regulations for the 1957–58 marketing year (21 F. R. 6803); and the 1957 harvested acreage shall include the acreage on the farm applicable to the kind of tobacco involved which is determined as provided in subparagraphs (2) and (3) of this paragraph to be devoted or diverted in 1957 to participation in the acreage reserve program or conservation reserve program.

(2) The tobacco acreage devoted in 1957 to the acreage reserve program shall be the smaller of (i) the acreage reserve entered in the agreement or (ii) the 1957 allotment minus the actual acreage devoted in 1957 to tobacco.

(3) The acreage diverted from allotment crops in 1957 to the conservation reserve program shall be the smallest of (i) the acreage determined to be in the conservation reserve at the regular rate, (ii) the reduction in soil bank base crops from the farm's soil bank base, or (iii) the amount by which the sum of all acreage allotments for the farm for crops for which there was a reduction in the quantity of excess commodity stored pursuant to the regulations to postpone or avoid payment of penalty because the 1957 allotments were not fully planted or as to tobacco was not fully harvested exceeds the sum of the acreage actually devoted to such allotment crops and the acreage reserve, if any, credited under subparagraph (2) of this paragraph to such crops. The crops involved will share pro rata in the acreage so determined on the basis of the respective reductions made in such crops. Such respective reductions will be the amount by which the 1957 allotment exceeds the sum of the acreage actually devoted to the crop and the acreage devoted to the acreage reserve.

(d) Notwithstanding the foregoing provisions of this section, no 1958 preliminary allotment or 1958 farm tobacco acreage allotment shall be determined for any farm that the county and State committee determine has been retired from agricultural production: *Provided*, That this paragraph shall not preclude the determination of a preliminary acreage allotment for an old farm returned to agricultural production, or for a farm for which an acreage allotment may be determined under the provisions of § 725.920.

4. Amend §§ 723.916 and 727.916 to read substantially as follows:

Determination of 1958 preliminary acreage allotments for old farms. (a) The 1958 preliminary acreage allotment

for an old tobacco farm shall be the 1957 farm acreage allotment established for such farm except that where a quantity of tobacco produced on a farm prior to 1957 and stored under bond pursuant to regulations to postpone or avoid payment of penalty has been reduced because the 1957 acreage allotment for such farm was not fully harvested, the 1958 preliminary allotment for such farm shall be determined subject to the provisions of paragraph (c) of this section, if applicable.

(b) For the purpose of determining, under the provisions of paragraph (a) of this section, a 1958 preliminary acreage allotment for an old farm equal to the 1957 farm acreage allotment for such farm, the 1957 farm acreage allotment shall mean the 1957 farm acreage allotment determined for such farm prior to reduction, if any, because of a violation of the tobacco marketing quota regulations for a prior marketing year; and for the purpose of determining a 1958 preliminary acreage allotment for an old farm under the provisions of paragraph (c) of this section the 1957 farm acreage allotment shall mean the 1957 farm acreage allotment established for such farm after any such reduction.

(c) The provisions of this paragraph shall be applied, if applicable, in the case of an old farm, only where a quantity of tobacco produced thereon prior to 1957 and stored under bond pursuant to regulations to postpone or avoid payment of penalty was reduced because the 1957 allotment was not fully harvested. If the harvested acreage (as that term is explained in subparagraphs (1), (2) and (3) of this paragraph) of tobacco on such old farm in each of the three years 1955–57 was less than 75 percent of the farm acreage allotment for each of such respective years, the 1958 preliminary allotment for such farm shall be the larger of the largest acreage of tobacco harvested on the farm in any one of such three years, or the average acreage of tobacco harvested on the farm in the five years 1953–57: *Provided*, That any 1958 preliminary allotment shall not exceed the 1957 farm acreage allotment or be less than 0.01 acre.

(1) For the purposes of this paragraph the 1956 harvested acreage shall have the meaning and include the acreage as provided in § 723.816 (b) or § 727.816 (b) depending upon which section is applicable to the regulation being amended, and the 1957 harvested acreage shall include the acreage on the farm applicable to the kind of tobacco involved which is determined as provided in subparagraphs (2) and (3) of this paragraph to be devoted or diverted in 1957 to participation in the acreage reserve program or conservation reserve program.

(2) The tobacco acreage devoted in 1957 to the acreage reserve program shall be the smaller of (i) the acreage reserve entered in the agreement or (ii) the 1957 allotment minus the actual acreage devoted in 1957 to tobacco.

(3) The acreage diverted from allotment crops in 1957 to the conservation reserve program shall be the smallest of (i) the acreage determined to be in the conservation reserve at the regular rate, (ii) the reduction in soil bank base crops from the farm's soil bank base, or (iii) the amount by which the sum of all acreage allotments for the farm for crops for which there was a reduction in the quantity of excess commodity stored pursuant to the regulations to postpone or avoid payment of penalty because the 1957 allotments were not fully planted, or as to tobacco was not fully harvested, exceeds the sum of the acreage actually devoted to such allotment crops and the acreage reserves, if any, credited under subparagraph (2) of this paragraph to such crops. The crops involved will share pro rata in the acreage so determined on the basis of the respective reductions made in such crops. Such respective reductions will be the amount by which the 1957 allotment exceeds the sum of the acreage actually devoted to the crop and the acreage devoted to the acreage reserve.

(d) Notwithstanding the foregoing provisions of this section, no 1958 preliminary allotment or 1958 farm tobacco acreage allotment shall be determined for any farm that the county and State committee determine has been retired from agricultural production: *Provided*, That this paragraph shall not preclude the determination of a preliminary acreage allotment for an old farm returned to agricultural production, or for a farm for which an acreage allotment may be determined under the provisions of § 723.920 or § 727.920 depending upon which section is applicable to the regulation being amended.

5. Amend § 725.921 (b) and (c) to read as follows:

(b) Subject to the requirements for reconstituting farms contained in the definition of a farm, if two or more farms operated separately in 1957 are combined and operated in 1958 as a single farm, the 1958 allotment shall be the sum of the 1958 allotments determined for each of the farms comprising the combination, or, in the case of burley tobacco, if smaller, the allotment determined or which would have been determined for the farm as constituted in 1958.

(c) If a farm is to be divided in 1958 in settling an estate the allotment may be divided among the various tracts in accordance with paragraph (a) of this section or on such other basis as the State committee determines will result in equitable allotments, subject, however, to the requirements for reconstituting farms contained in the definition of a farm.

6. Amend §§ 723.921 (b) and (c) and 727.921 (b) and (c) to read as follows:

(b) Subject to the requirements for reconstituting farms contained in the definition of a farm, if two or more farms operated separately in 1957 are combined and operated in 1958 as a single farm, the 1958 allotment shall be the sum of the 1958 allotments determined for each of the farms comprising the combination.

(c) If a farm is to be divided in 1958 in settling an estate the allotment may be divided among the various tracts in accordance with paragraph (a) of this section or on such other basis as the State committee determines will result in equitable allotments, subject, however, to the requirements for reconstituting farms contained in the definition of a farm.

7. Amend §§ 725.922 and 727.922 by striking the expression "§§ 725.911 to 725.928" and "§§ 727.911 to 727.928" and substituting the expression "this section".

8. Amend § 723.922 by striking the expression "these regulations" in the second sentence following the proviso and substituting the expression "this section".

Prior to the final adoption and issuance of the proposed amendment, consideration will be given to any data, views or recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than ten days from the date of filing of this notice with the Director, Division of the Federal Register in order to be considered.

Issued at Washington, D. C., this 18th day of September, 1957.

[SEAL] WALTER C. BERGER,
Administrator.

[F. R. Doc. 57-7772; Filed, Sept. 20, 1957; 8:51 a. m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 71]

REGULATIONS TO PROTECT AGAINST ACCIDENTAL CONDITIONS OF CRITICALITY IN THE SHIPMENT OF SPECIAL NUCLEAR MATERIAL

NOTICE OF PROPOSED RULE MAKING

The following proposed rules are designed to assure that appropriate precautions are taken in connection with shipments of special nuclear material to protect against accidental conditions of criticality. Requirements to protect against other hazards in the shipment of such materials are prescribed pursuant to other parts of the Commission's regulations and in regulations of other agencies having jurisdiction over means of transportation.

Pursuant to Part 70 (§ 70.12), carriers and warehousemen are exempt from special nuclear material licensing requirements to the extent that they transport or store special nuclear material in the regular course of carriage for another or storage incident thereto. The following proposed rule distinguishes between transportation by licensees and transportation by such unlicensed carriers. Where special nuclear material is to be transported by a licensee, prior Commission approval of proposed shipping procedures must be obtained for all shipments in excess of the quantities of special nuclear material specified in Appendix A. In the case of unlicensed carriers, there normally exists a possibility that a number of small quantities

of special nuclear material from different shippers might come into hazardous proximity to each other. For this reason, the quantity of special nuclear material which may be delivered to a carrier authorized to transport special nuclear material without a Commission license is set considerably lower (Appendix B), except for cases where the licensee who makes the shipment is in a position to, and does, exercise such control over transportation of the shipment as to assure that the total quantity of special nuclear material in the shipment does not exceed the limits specified in Appendix A.

It will not normally be necessary under the proposed amendment to obtain separate approvals for each individual shipment. Licensees, or applicants for licenses, may propose transportation procedures, which, if approved, may be observed by them for any number of shipments.

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit written comments and suggestions for consideration in connection with the proposed rules should send them to the United States Atomic Energy Commission, Washington 25, D. C., Attention: Director, Division of Civilian Application, within 30 days after publication of this notice in the FEDERAL REGISTER.

GENERAL PROVISIONS

Sec.
71.1 Purpose.
71.2 Scope.
71.3 Definitions.
71.4 Communications.
71.5 Interpretations.

EXEMPTIONS

71.11 Specific exemptions.

REQUIREMENTS

71.21 Shipments to be transported by licensees.
71.22 Shipments to be transported by persons other than licensees.
71.23 Application for approval of proposed shipping procedures.

ENFORCEMENT

71.71 Violations.

AUTHORITY: §§ 71.1 to 71.71 issued under sec. 161, 68 Stat. 948, as amended; 42 U. S. C. 2201.

GENERAL PROVISIONS

§ 71.1 *Purpose.* The regulations in this part are designed to establish appropriate precautions in connection with the transportation of special nuclear material to prevent accidental conditions of criticality. Requirements to protect against other hazards in the shipment of such materials are prescribed pursuant to other parts of this chapter and in regulations of other agencies having jurisdiction over means of transportation. Accordingly, the requirements of this part are in addition to, and not in substitution for, such other requirements.

§ 71.2 *Scope.* The regulations in this part apply to all persons licensed to receive, possess, use or transfer special nuclear material pursuant to the regulations in Part 70 of this chapter.

§ 71.3 *Definitions.* As used in this part:

(a) "Act" means the Atomic Energy Act of 1954 (68 Stat. 919) including any amendments thereto;

(b) "Carrier" means any person who receives special nuclear material for purposes of transportation and who (pursuant to § 70.12 of this chapter) may transport special nuclear material without a license from the Commission. The term includes, but is not limited to, government agencies which furnish transportation services, such as the Post Office Department and the Military Air Transport Service.

(c) "Commission" means the Atomic Energy Commission or its duly authorized representatives;

(d) "Government agency" means any executive department, commission, independent establishment, corporation, wholly or partly owned by the United States of America which is an instrumentality of the United States, or any board, bureau, division, service, office, officer, authority, administration, or other establishment in the executive branch of the Government;

(e) "License" means a license issued under the regulations in Part 70 of this chapter. "Licensee" means the holder of such license;

(f) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission, any State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing;

(g) "Special nuclear material" means (1) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51 of the act, determines to be special nuclear material but does not include source material; or (2) any material artificially enriched by any of the foregoing but does not include source material.

§ 71.4 *Communications.* All communications and reports concerning the regulations in this part, and applications filed under them, should be addressed to the Atomic Energy Commission, 1901 Constitution Avenue NW., Washington 25, D. C., Attention: Division of Civilian Application.

§ 71.5 *Interpretations.* Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

EXEMPTIONS

§ 71.11 *Specific exemptions.* The Commission may, upon application of any interested person, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.

REQUIREMENTS

§ 71.21 *Shipments to be transported by licensees.* No licensee shall transport any quantity of special nuclear material outside the confines of his plant in any case where the quantity of such material in the shipment exceeds the limits specified in Appendix A, except in accordance with such procedures as have been approved by the Commission pursuant to § 71.23.

§ 71.22 *Shipments to be transported by carriers.* (a) A licensee may deliver a quantity of special nuclear material to a carrier for transportation without obtaining prior approval from the Commission pursuant to § 71.23: *Provided,* (1) The quantity of special nuclear material so delivered does not exceed the limits specified in Appendix A and (2) such licensee is in a position to, and does, exercise such supervision and control over the shipment as to assure that, if said special nuclear material is transported with any other quantity of special nuclear material, the total quantity of special nuclear material in the shipment does not exceed the limits specified in Appendix A.

(b) No licensee shall deliver any quantity of special nuclear material in excess of the limits specified in Appendix B to any carrier for transportation except (1) as provided in paragraph (a) of this section or (2) in accordance with such procedures as have been approved by the Commisison pursuant to § 71.23.

§ 71.23 *Application for approval of proposed shipping procedures.* (a) (1) There may be included in any application for special nuclear material license, or for amendment of a special nuclear material license, proposed procedures to protect against accidental conditions of criticality in the transportation of special nuclear material. Such applications should include the following information:

(i) Quantity and physical, chemical, and isotopic composition of special nuclear material to be shipped in each container and in each shipment; and

(ii) Shipping container specifications; and

(iii) The safeguards to be employed to assure that containers will not come into hazardous proximity with one another (such as "birdcages"); and

(iv) The mode of transportation to be used; and

(v) Applicant's own evaluation of the adequacy of the proposed procedures to protect against accidental conditions of criticality, taking into account the possibility of accidents, including flooding, fire and wreckage.

(2) The Commission may request additional information.

(b) The Commission will approve proposed transportation procedures pursuant to this section if it determines that such procedures will provide adequate protection against accidental conditions of criticality.

ENFORCEMENT

§ 71.71 *Violations.* An injunction or other court order may be obtained prohibiting any violation of any provision of the act or any regulation or order issued thereunder. Any person who willfully violates any provision of the act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

APPENDIX A

Special nuclear material	*Quantity*
Uranium enriched in the isotope U-235.	350 grams contained Uranium-235.
Uranium-233	200 grams.
Plutonium	200 grams.

NOTE: Where a shipment is to contain more than one kind of special nuclear material (e. g., uranium enriched in the isotope U-235 and plutonium), the applicable quantity limits for the shipment should be calculated in the following manner: Determine for each kind of special nuclear material to be shipped, the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all the kinds of special nuclear material in the proposed shipment should not exceed "1" (i. e., "unity").

EXAMPLE: If a proposed shipment is to consist of 175 grams of contained uranium-235 and 50 grams of uranium-233, it may also include not more than 50 grams of plutonium. This limit was determined as follows:

$$\frac{175 \text{ (grams contained U-235)}}{350} + \frac{50 \text{ (grams U-233)}}{200} + \frac{50 \text{ (grams Pu)}}{200} = 1$$

APPENDIX B

Special nuclear material	*Quantity*
Uranium enriched in the isotope U-235.	100 grams contained Uranium-235.
Uranium-233	60 grams.
Plutonium	60 grams.

NOTE: Where a quantity of special nuclear material to be delivered to a carrier for transportation contains more than one kind of special nuclear material, the applicable quantity limits should be calculated in the following manner: Determine for each kind of special nuclear material to be shipped, the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all the kinds of special nuclear material in the proposed shipment should not exceed "1" (i. e., "unity").

Dated at Washington, D. C., this 16th day of September 1957.

For the Atomic Energy Commission.

K. E. FIELDS,
General Manager.

[F. R. Doc. 57-7742; Filed, Sept. 20, 1957; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, Rev. Apr. 20, 1943. 1957. Supp. 170]

UNITED BENEFIT FIRE INSURANCE CO.

SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

SEPTEMBER 17, 1957.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U. S. C. secs. 6–13, as an acceptable surety on Federal bonds. An underwriting limitation of $122,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, 25, D. C.

Name of Company, Location of Principal Executive Office and State in Which Incorporated

United Benefit Fire Insurance Company, Omaha, Nebraska.

[SEAL] LAURENCE B. ROBBINS,
Acting Secretary of the Treasury.

[F. R. Doc. 57-7762; Filed, Sept. 20, 1957; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order SA-197]

GOVERNMENT OF HUNGARY

In re: Debts owing to the Government of Hungary. D-34-326.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: (a) That certain debt or other obligation of The Chase Manhattan Bank, 18 Pine Street, New York 15, New York, arising out of an account entitled, "Royal Hungarian Consulate General, 2437 15th Street NW., Washington, D. C., Blocked Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same, excepting, however, the sum of $27,343.87, (b) That certain debt or other obligation of The Chase Manhattan Bank, 18 Pine Street, New York 15, New York, arising out of an account entitled, "Hungarian Consul General at New York as Agent for Hungarian State Institution for the Cure of Mental and Nervous Diseases at Budapest, 2437 15th Street, NW., Washington 9, D. C., Blocked Account," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same, excepting, however, the sum of $656.53, is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by the Government of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

> Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on September 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 57-7754; Filed, Sept. 20, 1957; 8:47 a. m.]

[Vesting Order SA-198]

HUNGARIAN DISCOUNT AND EXCHANGE BANK

In re: Property owned indirectly by Hungarian Discount and Exchange Bank, also known as Ungarische Escompte und Wechsler Bank. F-34-226, F-63-60 (Zurich-S. A.).

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of J. P. Morgan & Co., 23 Wall Street, New York 8, New York, arising out of an account entitled, "Amsterdamsche Bank, N. V., Rotterdam (C-2075)," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947 was, owned indirectly by Hungarian Discount and Exchange Bank, also known as Ungarische Escompte und Wechsler Bank, Budapest, Hungary, a national of Hungary, as defined in Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

> Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction; or direction issued thereunder.

Executed at Washington, D. C., on September 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-7755; Filed, Sept. 20, 1957; 8:47 a. m.]

[Vesting Order SA-199]

HUNGARIAN DISCOUNT AND EXCHANGE BANK

In re: Property owned indirectly by Hungarian Discount and Exchange Bank, also known as Ungarische Escompte und Wechsler Bank. F-34-226, F-63-60 (Zurich-S. A.).

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Swiss Credit Bank, New York Agency, 25 Pine Street, New York 5, New York, in the sum of $893.60, being a portion of the ordinary blocked account entitled, "Credit Suisse, Zurich (Swiss Credit Bank) Zurich," maintained at the aforesaid bank and identified on its books and records as that portion of said account maintained for Ungarische Escompte und Wechsler Bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned indirectly by Hungarian Discount and Exchange Bank, also known as Ungarische Escompte und Wechsler Bank, Budapest, Hungary, a national of Hungary, as defined in Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

> Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on September 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-7756; Filed, Sept. 20, 1957; 8:47 a. m.]

[Vesting Order SA-200]

UNKNOWN HUNGARIAN NATIONALS

In re: Debt owing to and securities owned by unknown Hungarian nationals. F-34-1693, F-63-10826.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: a. That certain debt or other obligation of Guaranty Trust Company, 140 Broadway, New York 15, N. Y., arising out of a dollar deposit account entitled "Societe Generale Alsacienne de Banque, General Ruling No. 6 Account, Zurich, Switzerland," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same, excepting, however, the sum of $1,040.91 as of January 3, 1957, representing income derived from securities owned by Mr. Vilmos Walter and the heirs of his late wife, held by said bank in account "Societe Generale Alsacienne de Banque, Zurich, Switzerland XC 10553," and any and all income derived from said securities on and after January 3, 1957;

b. Two (2) Western Newspaper Union 6 percent Sinking Fund Debenture Bonds due August 1, 1956, number 1342 of $1000.00 face value and number 15 of $500.00 face value, in bearer form and presently in the custody of Guaranty Trust Company, 140 Broadway, New York 15, N. Y., in an account entitled "Societe Generale Alsacienne de Banque, Zurich, Switzerland XC 10553," together with any and all rights thereunder and thereto;

c. Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the names of the persons set forth in the aforesaid exhibit, and presently in the custody of Guaranty Trust Company, 140 Broadway, New York 15, N. Y., in an account entitled "Societe Generale Alsacienne de Banque, Zurich, Switzerland XC 10553," together with any and all securities derived from those certain shares of stock and all declared and unpaid dividends thereon;

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947 was, owned directly or indirectly by unknown nationals of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on September 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of issuer	Place of incorporation	Type of stock	Par value	Certificate Nos.	Number of shares	Registered owner
Commercial Solvents and Chemical Corp., 260 Madison Ave., New York 16, N. Y.	Maryland	Common	$1.00	A185698	100	Tegge & Co.
				A/0306797	20	Do.
Cooper Bessemer Corp., North Sandusky St., Mount Vernon, Ohio.	Ohio	do	5.00	NC/038147	39	Do.
				NC/043882	21	Do.
				NC/021960	40	Do.
				NC13322	100	Do.
				NC13323	100	Do.
				TNC034165	36	Do.
				TNC025939	20	Do.
				TNC17695	100	Do.
Helena Rubenstein, Inc., 655 Fifth Ave., New York, N. Y.	New York	do	No par	2017	100	Do.
				2018	100	Do.
				2019	100	Do.
				4411	100	Do.
				02498	60	Do.
				07404	80	Do.
Distillers Corp., Seagrams Ltd., Montreal, Quebec.	Canada	do	2.00	N7085	100	Zink & Co.
				N7086	100	Do.
				N7087	100	Do.
				NF509	30	Do.

[F. R. Doc. 57-7757; Filed, Sept. 20, 1957; 8:48 a. m.]

[Vesting Order SA-201]

UNKNOWN HUNGARIAN NATIONALS

In re: Debt owing to unknown Hungarian nationals. F-34-1693, F-63-10826.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Societe Generale, New York Agency, 60 Wall Street, New York 5, N. Y., arising out of an account entitled "Societe Generale Alsacienne de Banque, (Blocked Account), Case Postale Zurich 22, Zurich, Switzerland," maintained by the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by unknown nationals of Hungary, as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on September 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-7758; Filed, Sept. 20, 1957; 8:48 a. m.]

[Vesting Order SA-202]

HUNGARIAN COMMERCIAL BANK OF PEST

In re: Debt owing to the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank. F-34-256, F-51-28.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of The First National City Bank of New York, 55 Wall Street, New York 15, New York, in the sum of $138.00, arising out of an account entitled, "Christiania Bank og Kreditkasse, Oslo, Norway," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was owned directly or indirectly by the Hungarian Commercial Bank of Pest, also known as Pester Ungarische Commercial Bank, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Di-

rector, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on September 17, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-7759; Filed, Sept. 20, 1957; 8:48 a. m.]

[Vesting Order 9546, Amdt.]

SANDOR TATAR

In re: Estate of Sandor Tatar, deceased (File D-34-145; E. T. Sec. 5660).

Vesting Order 9546 dated July 31, 1947, is hereby amended to read as follows:

1. That Charles Tatar, whose last known address is Hungary, is a resident of Hungary and a national of a designated enemy country (Hungary);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Charles Tatar, if deceased, are residents of Hungary and nationals of a designated enemy country (Hungary);

3. That all right, title, interest and claim of any kind or character, whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Sandor Tatar, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Hungary);

4. That such property is in the process of administration by Hubbard C. Wilcox, as Administrator, acting under the judicial supervision of the Probate Court of Lorain County, Ohio;

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a desiginated enemy country (Hungary).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-7760; Filed, Sept. 20, 1957; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARKANSAS

NOTICE OF PROPOSED WITHDRAWAL

SEPTEMBER 18, 1957.

The Office of Associate Director of Parks, Publicity and Parks Commission, State of Arkansas, State Capitol, Little Rock, Arkansas, has filed an application for the withdrawal from location and entry, under the United States Mining Laws, for use of the Arkansas Publicity and Parks Commission, subject to valid existing rights, the lands hereinafter described.

The lands are within the Ouachita National Forest and the Wilhelmina State Park, and are needed for use in the development of the recreational resources of said Wilhelmina State Park and to prevent the damage or destruction of the esthetic values of the land due to mining exploration or activities.

For a period of 30 days from the date of publication of this notice, persons having cause may protest their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

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

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

The land involved in the application is:

FIFTH PRINCIPAL MERIDIAN, POLK COUNTY, ARKANSAS

T. 1 S., R. 32 W.,
Sec. 11, NW¼SW¼;
Sec. 12, NW¼SE¼.

The area described contains 80 acres.

H. K. SCHOLL,
Manager.

[F. R. Doc. 57-7764; Filed, Sept. 20, 1957; 8:49 a. m.]

Geological Survey

[Power Site Cancellation No. 113]

CALIFORNIA

CORRECTION OF LAND DESCRIPTION

In F. R. Doc. 57-6206, appearing at page 6023 of the issue for Wednesday, July 31, 1957, the following correction should be made:

That portion of the land description in T. 12 S., R. 25 E., sec. 15, now reading "SE¼SE¼ and NE¼NW¼" should be changed to read "SE¼NE¼ and NE¼ NW¼."

Dated: September 17, 1957.

R. H. LYDDAN,
Acting Director.

[F. R. Doc. 57-7763; Filed, Sept. 20, 1957; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-11409]

ROBERT MOSBACHER ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 17, 1957.

Take notice that Robert Mosbacher, et al. (Applicant) whose address is 1640 Bank of Commerce Building, Houston, Texas, filed an application on November 1, 1956, for permission and approval to abandon natural gas service pursuant to section 7 (b) of the Natural Gas Act, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon the sale of natural gas to Tennessee Gas Transmission Company from production in the New Ulm Field, Austin County, Texas. Such sale was previously authorized by the Commission's order issued October 20, 1955, in Docket No. G-6641.

Applicant states in support of the subject application that the available supply of gas has been completely depleted, the date of the last production of gas being June 3, 1956. Applicant states that since that date the only well on the acreage dedicated to the aforementioned contract has been reworked and has been reclassified as an oil well by the Texas Railroad Commission, and that continuance of service to Tennessee is, therefore, no longer possible.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 15, 1957 at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-

contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 7, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7743; Filed, Sept. 20, 1957; 8:45 a. m.]

[Docket No. G-12304]

EQUITABLE GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 17, 1957.

Take notice that Equitable Gas Company (Equitable), a Pennsylvania corporation, with its principal place of business in Pittsburgh, Pennsylvania, filed on March 28, 1957, an application for a certificate of public convenience and necessity, as supplemented on May 9, 1957, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 11.7 miles of gas storage pipelines and appurtenant facilities, and the development of the Rhodes Storage Pool, in Lewis County, West Virginia, all as more fully described in its application which is on file with the Commission and open to public inspection.

Applicant presently operates thirteen underground storage pools in Pennsylvania and West Virginia, having an aggregate estimated storage capacity of 32,327,000 Mcf at 14.73 psia based on the estimated maximum operating pressure for each storage pool. Based on expected normal growth in its customer requirements for gas during the next five years, Applicant alleges it will need additional total storage capacity of approximately 10,475,000 Mcf to provide working storage of approximately 4,800,000 Mcf.

The proposed Rhodes Storage Pool is at present a nearly exhausted gas "pool". It consists geologically of three separate pools in the Gantz sand designated "A", "B" and "C". Initially, Applicant proposes to develop the area described as "Area B". Upon completion of "Area B" Applicant proposes to develop the remaining two storage areas, referred to as "Area A" and "Area C". During 1957 Applicant expects to inject approximately 1,100,000 Mcf into "Area B".

The years of completion for Areas B, A and C are to be 1957, 1958 and 1959, respectively, at a total cost of approximately $988,270 for the drilling of 40 wells. Pipeline facilities in Areas B, A and C will be installed according to the general schedule proposed for the drilling of wells, at a total cost of approximately $622,230. Approximately $480,390 will be spent for construction of a dehydrating plant and alteration of piping at the existing Skin Creek Compressor Station which will be used with the proposed storage and metering equipment. The total estimated cost of the aforesaid facilities is $2,091,430 before salvage of equipment in the estimated amount of $20,000.

The total cost of the project will be financed out of company funds on hand.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 22, 1957, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 7, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for Applicant to appear or be represented at the hearing.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7744; Filed, Sept. 20, 1957; 8:45 a. m.]

[Docket No. G-12440]

WALTER KUHN AND PWC OIL CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 17, 1957.

Take notice that Walter Kuhn, Operator (Kuhn) and The PWC Oil Company (PWC), independent producers, filed a joint application on April 19, 1957, for authority to abandon and render natural gas service, pursuant to section 7 of the Natural Gas Act, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully described in the joint application, which is on file with the Commission and open to public inspection.

The joint application seeks authority for:

(1) Kuhn to abandon service to Northern Natural Gas Company (Northern Natural) and Cities Service Gas Company (Cities Service) from the Hugoton Field, Kearny County, Kansas, being rendered pursuant to contracts dated January 28, 1954, as amended, and June 23, 1950, as amended, respectively.[1]

(2) PWC to continue the services to Northern Natural and Cities Service proposed to be abandoned by Kuhn.

The application states that by instruments of assignment dated November 30, 1956, Kuhn conveyed to PWC his entire working interest in the producing properties dedicated under the aforementioned contracts subject to certain overriding royalty reservations. Kuhn, however, will continue as operator of the gas production units involved.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 15, 1957 at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 7, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7745; Filed, Sept. 20, 1957; 8:45 a. m.]

[Docket No. G-12747]

KENTUCKY OHIO GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 17, 1957.

Take notice that Kentucky Ohio Gas Company (Applicant), having its principal place of business in Ashland, Kentucky, filed an application on June 17, 1957, for permission and approval to

[1] Kuhn is one of the original signatory sellers to the Northern Natural contract and has acquired signatory status under the Cities Service contract by assignment from Stanolind Oil & Gas Company (now Pan American Petroleum Corporation).

abandon the sale of natural gas to Inland Gas Corporation (Inland) from its wells located in the Salt Lick Field, Floyd County, Kentucky, pursuant to section 7 (b) of the Natural Gas Act, as herein described, subject to the jurisdiction of the Commission, all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant states that the gas produced from its eight gas wells in the area can be injected into Inland's line only with the aid of a compressor station and that its compressor station equipment, consisting of a 100 horsepower Cooper Bessemer engine with auxiliary equipment, was so badly damaged in February that the cost of repairs is excessive to the extent that the volume of gas sold will not justify the replacement of said compressor unit. Applicant recites that it operated at a loss in said field prior to the compressor station damage, and has submitted a statement of revenues and expenses for the year 1956 showing a deficit of $1,851 resulting from the operation of the property involved herein. Applicant requests the approval of the proposed abandonment in order to meet its constantly increasing operating costs.

Applicant was previously authorized on October 24, 1956, in Docket No. G-3321, to continue the operations involved in the sale of natural gas to Inland now proposed to be abandoned.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 15, 1957, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matter involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 7, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7746; Filed, Sept. 20, 1957; 8:46 a. m.]

[Project No. 2075]

WASHINGTON WATER POWER CO.

NOTICE OF LAND WITHDRAWAL; MONTANA

SEPTEMBER 17, 1957.

Conformable to the provisions of section 24 of the act of June 10, 1920, as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power project No. 2075 for which completed application for license was filed July 1, 1957. Under said section 24 these lands are from said date of filing reserved from entry, location or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

All portions of the following described subdivisions lying within the project boundary as delimited on maps designated Exhibits "K" sheets 1A, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 21, 23 to 30 inclusive (F. P. C. Nos. 2075-90 to 112 inclusive), entitled "Noxon Rapids H. E. Development, Detail Map of Project Area, Washington Water Power Company."

MONTANA PRINCIPAL MERIDIAN, MONTANA

T. 21 N., R. 29 W.,
Sec. 6: Lot 8.
T. 22 N., R. 30 W.,
Sec. 26: NE¼SW¼, SE¼SW¼.
T. 23 N., R. 30 W.,
Sec. 26: Lots 1 and 5;
Sec. 28: Lot 1;
Sec. 34: Lots 2 and 8.
T. 24 N., R. 31 W.,
Sec. 15: Lots 1, 2, NW¼SW¼ excepting therefrom 1.86 acres acquired by Sanders County for highway location, and 4.86 acres decreed to the Interstate Power Company. (075489 Great Falls); Lot 14.
T. 24 N., R. 32 W.,
Sec. 2: Lots 5 and 10;
Sec. 5: Lot 1;
Sec. 12: Lots 1 to 7 inclusive.
T. 25 N., R. 32 W.,
Sec. 4: Lots 2, 6, 7, 8, 9, 10, 11, 12, N½NE¼ SE¼SW¼, NE¼NW¼SE¼SW¼;
Sec. 9: Lots 2, 3, NE¼SE¼ excepting therefrom 16.49 acres (Northern Pacific Railway right-of-way) as excepted in deed of conveyance to United States under Forest Exchange 01117 Montana, S½ NW¼, Exchange Survey No. 1263, Tract A;
Sec. 10: Lots 1 to 7 inclusive, E½SE¼;
Sec. 22: Lots 1, 2, 5 and 6;
Sec. 26: NW¼NW¼;
Sec. 27: Lot 8 excepting therefrom 18.94 acres (Northern Pacific Railway right-of-way) as excepted in deed of conveyance to the United States under Forest Exchange 01117 Montana, Exchange Survey No. 1263, Tract C, SE¼SE¼;
Sec. 28: Lot 4;
Sec. 32: N½S½SE¼NE¼, S½N½SE¼ NE¼, SE¼NE¼SW¼NE¼, SW¼SE¼ SW¼NW¼, W½NE¼NW¼SW¼, NW¼ SW¼NW¼SW¼, NE¼SW¼NE¼SW¼, SW¼SW¼NE¼SW¼, S½NE¼SE¼, S½ NW¼SE¼;
Sec. 33: Lots 1, 2, 3, 4, 5 and 9;
Sec. 34: Lots 3, 4, 6, 10 and 12;
Sec. 35: Exchange Survey No. 1263, Tract B, SW¼SE¼.
T. 26 N., R. 32 W.,
Sec. 29: Lots 5 and 8;
Sec. 32: Lots 1 and 4;
Sec. 33: Lot 1, N½NW¼, SE¼NW¼, SW¼ NE¼, N½SE¼;
Sec. 34: SW¼SW¼.

The area reserved pursuant to the filing of this application is approximately 1,425.05 acres of which approximately 1,391.13 acres fall within the Kaniksu and Lolo National Forests. Approximately 969.13 acres have heretofore been reserved in connection with either earlier withdrawals for this project (No. 2075), Project Nos. 2076, 2058 or Power Site Reserves No. 25, 48, 111, and 359. Also approximately 411.19 acres are included in the Bureau of Reclamations First Form Withdrawal of December 18, 1939, for the Cabinet Gorge reservoir.

This notice of withdrawal modifies and supersedes in its entirety, letter of withdrawal notification to the Bureau of Land Management for this project date March 19, 1951.

Copies of Project map Exhibits "J" sheets 1 and 2 (F. P. C. Nos. 2075-88 and 89) and aforesaid Exhibit "K" maps, have been transmitted to the Bureau of Land Management, Geological Survey, Forest Service and Bureau of Reclamation.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7747; Filed, Sept. 20, 1957; 8:46 a. m.]

[Docket No. G-12121, etc.]

SUPERIOR OIL CO. ET AL.

NOTICE OF DATE OF HEARING

SEPTEMBER 18, 1957.

In the matters of The Superior Oil Company, Docket No. G-12121; Texas Gulf Producing Company, Docket No. G-12128; United Gas Pipe Line Company, Docket No. G-12169; Olin Gas Transmission Corporation, Docket No. G-12417.

Take notice that a public hearing will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., on October 21, 1957, at 10:00 a. m., e. d. s. t., concerning the matters of fact involved in and the issues of law, if any, presented by the applications, as amended and supplemented, in each of the above-designated dockets, for certificates of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act.

Notice of the said applications was duly given, including publication thereof in the FEDERAL REGISTER on August 31, 1957 (22 F. R. 7063-4).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7765; Filed, Sept. 20, 1957; 8:49 a. m.]

[Docket No. G-12794]

ATLANTIC SEABOARD CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 17, 1957.

Take notice that Atlantic Seaboard Corporation (Applicant), a Delaware corporation with its principal place of

business in Charleston, West Virginia, filed an application on June 25, 1957, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities, and for permission and approval to abandon certain other facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to abandon three 2,200 horsepower steam engine driven compressor units and construct and operate two 2,000 horsepower gas engine driven compressor units to replace them, in its Boldman Compressor Station, located in Floyd County, Kentucky. This station contains three 2,200 horsepower steam engine driven compressor units and two 1,000 horsepower gas engine driven compressor units, for a total of 8,600 horsepower. Through these facilities, Applicant recompresses gas received at approximately 325 psig from its principal supplier, United Fuel Gas Company via the latter's Beaver Creek Compressor Station, and locally produced gas received from United at approximately 45 psig. The gas so received is compressed at Boldman for the purpose of maintaining a required initial line pressure of 425 psig during periods of heavy demand, on Atlantic's 20-inch Boldman, Kentucky-Pennsylvania transmission line.

Applicant states that it has now been advised by United that due to modifications of equipment and operations at the latter's Beaver Creek Compressor Station, United will be able and willing to make deliveries to Atlantic at Boldman Station at a pressure of 425 psig, thus eliminating the need to recompress this gas. For compression of only the locally produced gas, Applicant will require only 6,000 horsepower at Boldman Station. The existing 2,000 horsepower and the proposed 4,000 horsepower will give the necessary 6,000 horsepower. In addition to the decreased power requirement, Applicant submits that due to increased coal and labor costs for the existing steam facilities, it could effect a substantial saving through retirement of these facilities and replacement with gas engine driven compressor units.

Applicant estimates the cost of constructing the two 2,000 horsepower gas compressor units at Boldman Station as $1,600,000, which it proposes to finance with funds from its parent, The Columbia Gas System, Inc.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 16, 1957 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 11, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7766; Filed, Sept. 20, 1957; 8:50 a. m.]

[Docket No. G-12799]

LONE STAR PRODUCING CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 18, 1957.

Take notice that on June 26, 1957, Lone Star Producing Company (Applicant), a Texas corporation having its principal place of business in Dallas, Texas, filed in Docket No. G-12799 an application pursuant to section 7 of the Natural Gas Act for authorization to abandon sales of natural gas and to sell natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully described in the application which is on file with the Commission and open to public inspection.

Applicant seeks authority to:

(1) Abandon sales to Lone Star Gas Company (Lone Star) from certain acreage in the East Panhandle Field, Wheeler County, Texas, being rendered pursuant to nine gas sales contracts dated January 1, 1943, previously accepted for filing as Applicant's FPC Gas Rate Schedule Nos. 7, 8, 9, 12, 16, 20, 23, 25 and 32, and pursuant to two additional contracts dated April 24, 1952, previously accepted for filing as Applicant's FPC Gas Rate Schedule Nos. 40 and 47.

(2) Partially abandon service to Lone Star from the aforementioned field, being rendered pursuant to a sales contract dated April 24, 1952, previously accepted for filing as Applicant's FPC Gas Rate Schedule No. 49.

(3) Sell the available subject natural gas to Warren Petroleum Corporation (Warren) in lieu of Lone Star.

Applicant states that the gas producing properties covered by its FPC Gas Rate Schedule Nos. 12, 40 and 47 are depleted and that the wells thereon will be plugged and abandoned. Applicant states, further, that the properties covered by its FPC Gas Rate Schedule Nos. 7, 8, 9, 16, 20, 23, 25, 32 and a portion of the properties covered by its FPC Gas Rate Schedule No. 49 have become semi-depleted and the pressure of the gas therefrom is so low that it is not economically feasible for Lone Star to compress and transport it.

Applicant further states that Warren will purchase all the available gas production at the wellhead, process said low pressure gas in its Sitter Gasoline Plant located in Wheeler County, Texas, and sell the residue gas therefrom to Public Service Corporation of Texas which will transport said gas commingled with its other gas supplies for sale in other states.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 10, 1957, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 7, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7767; Filed, Sept. 20, 1957; 8:50 a. m.]

[Project No. 2210]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF APPLICATION FOR AMENDMENT OF PRELIMINARY PERMIT

SEPTEMBER 18, 1957.

Public notice is hereby given that Appalachian Electric Power Company, of Roanoke, Virginia, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of its preliminary permit for proposed Project No. 2210 to be located on the Roanoke River (sometimes called Stanton River) in Bedford, Campbell, Franklin, Pittsylvania, and Roanoke Counties, Virginia, affecting navigable waters of the United States. Under the amendment, Project No. 2210 would henceforth be known as Smith Mountain Combination Project,

comprising Smith Mountain Dam, now covered by the permit and whose height would be raised from 200 to 235 feet, and an additional development at a site 17 miles downstream from Smith Mountain Dam to be known as Lower Dam, so that Smith Mountain Combination Project now consists of: Upper Dam (Smith Mountain) composed of a rock-fill structure about 235 feet high creating a reservoir with a surface area of about 20,000 acres with a capacity of somewhat more than 1,000,000 acre-feet, a concrete side-channel spillway, and a powerhouse at the foot of the dam containing hydro-turbines and generators, some of which will be of the reversible type to operate as pumps and motors in connection with the pump storage phase of the project; and Lower Dam, near Leesville, composed of a rock-fill structure 90 feet high with a concrete side-channel spillway surmounted by control gates, creating a reservoir with a surface area of about 3,200 acres with a capacity of approximately 100,000 acre-feet, and a powerhouse at the foot of the dam containing conventional type hydro-turbines and generators. The combined generating capacity of both powerhouses will be at least 250,000 kilowatts with an average annual output of 300,000,000 kilowatt-hours. The power generated would be used in the applicant's existing electric system for sale to its present and future customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 28, 1957. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7768; Filed, Sept. 20, 1957; 8:50 a. m.]

[Project No. 2235]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

SEPTEMBER 18, 1957.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U. S. C. 791a–825r) by Washington Public Power Supply System, of Seattle, Washington, for preliminary permit for proposed water power Project No. 2235 to be located on Columbia River, a navigable waterway of the United States, in the Counties of Franklin and Benton, Washington, in the region of Richland, Pasco, Kennewick, Prosser and Yakima, Washington, and affecting lands of the United States in the Atomic Energy Commission Reservation and in Bonneville Power Administration rights-of-way, and other lands of the United States. The proposed project, to be known as Ben Franklin Hydroelectric Project, would consist of a combination concrete and earthfill embankment dam across the Columbia River at approximately river mile 347, with a total length of about 11,200 feet at an elevation of 400 feet, creating a reservoir extending upstream about 50 miles to the tailrace of Priest Rapids Dam (Project No. 2114); a concrete spillway terminating in a stilling basin, and sluiceways through the dam; provisions for installation of future navigation looks to the right of the spillway; suitable fish ladders for passing migratory fish; a powerhouse to house an initial installation of 12 units of 53,600 horsepower (40,000 kw) capacity, each (total 643,000 horsepower; 480,000 kw) and an ultimate installation of 15 units aggregating 804,000 horsepower (600,000 kw); and appurtenant hydraulic, mechanical, and electrical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 29, 1957. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-7769; Filed, Sept. 20, 1957; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3618]

MONONGAHELA POWER CO. AND MARIETTA ELECTRIC CO.

NOTICE OF PROPOSED ISSUANCE AND SALE OF CAPITAL STOCK BY SUBSIDIARY AND ACQUISITION AND PLEDGE OF SUCH SHARES BY PARENT COMPANY

SEPTEMBER 16, 1957.

Notice is hereby given that Monongahela Power Company ("Monongahela"), a public utility company and an exempt holding company which is a subsidiary of The West Penn Electric Company, a registered holding company, and Monongahela's wholly-owned public utility subsidiary, The Marietta Electric Company ("Marietta"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6, 7, 9, 10 and 12 of the act and Rules U-43 and U-44 thereunder as applicable to the proposed transactions, which are summarized as follows:

Marietta proposes to issue and sell 7,500 additional shares of its authorized capital stock of $100 par value, and Monongahela proposes to acquire such shares for a cash consideration of $750,000, the aggregate par value thereof.

Marietta will apply the proceeds from the sale to repay open account advances in the amount of $100,000 made to it by Monongahela and to provide for property additions and improvements. Marietta's construction expenditures are estimated at $824,000 for 1957 and $500,000 for 1958.

Monongahela will purchase the additional shares with available treasury funds, and will forthwith pledge such shares with City Bank Farmers Trust Company as Trustee (along with the presently outstanding 20,000 shares of Marietta's capital stock, heretofore pledged) pursuant to the terms of the Indenture dated August 1, 1945, as supplemented, securing Monongahela's First Mortgage Bonds.

No legal fees are to be incurred in connection with the transactions. Expenses incident thereto are estimated at $875 consisting of Federal stamp tax of $825 and miscellaneous expenses of $50.

Monongahela renders electric utility service in West Virginia, and Marietta serves a contiguous area in Ohio. The issuance and sale of the additional shares by Marietta have been approved by the Public Utilities Commission of Ohio; and the acquisition of said shares by Monongahela has been approved by the Public Service Commission of West Virginia.

Notice is further given that any interested person may, not later than October 1, 1957, at 5:30 p. m., 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, if any, 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 25, D. C. At any time after said date said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7748; Filed, Sept. 20, 1957; 8:46 a. m.]

[File No. 812-1106]

COMMONWEALTH INCOME FUND, INC.

NOTICE OF FILING OF APPLICATION PERMITTING CERTAIN REINVESTMENTS OF DIVIDEND DISTRIBUTIONS AT NET ASSET VALUE

SEPTEMBER 16, 1957.

Notice is hereby given that Commonwealth Income Fund, Inc. ("Applicant"), a registered open-end management investment company, has filed an application and an amendment thereto pursuant to Section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting from the provisions of section 22 (d) of the act the offering of certain shares of Applicant at net asset value where such shares represent investments of dividends paid under the company's proposed Automatic Withdrawal Plan described below.

Applicant has at the present time a dividend reinvestment plan under which holders of its shares may reinvest dis-

tributions representing capital gains in additional shares at net asset value and reinvest other dividends in additional shares at the public offering price.

Applicant's principal underwriter proposes to establish an Automatic Withdrawal Plan under which any holder of $10,000, or more of Applicant's shares at the public offering price may request Applicant to pay the shareholder a specified sum of money, either monthly or quarterly. Under such plan all distributions, whether from capital gains or income, will be automatically reinvested in additional shares at net asset value and credited to the account. It is contemplated that the amount of periodic withdrawals under such plan will be in excess of dividends from income. Applicant and its principal underwriter will exercise their right to reject any plan where the specified withdrawals do not exceed current investment income.

Among other things, section 22 (d) of the act, with certain exceptions not applicable here, prohibits a principal underwriter of a registered investment company from selling redeemable securities of such registered investment company except at a current public offering price described in the prospectus. Since the proposal set forth above may involve the offering of shares of Applicant below the normal public offering price thereof described in the prospectus in contravention of the provisions of section 22 (d) of the act, Applicant seeks an order pursuant to section 6 (c) of the act exempting such transactions from the provisions of section 22 (d) of the act.

Section 6 (c) of the act authorizes the Commission, by order upon application, to exempt conditionally or unconditionally, any transaction from any provisions of the act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act.

Notice is further given that any interested person may, not later than September 27, 1957, at 1:00 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7749; Filed, Sept. 20, 1957; 8:46 a. m.]

[File No. 70-3611]

UTAH POWER & LIGHT CO.

ORDER AUTHORIZING ISSUE AND SALE OF COMMON STOCK AND FIRST MORTGAGE BONDS

SEPTEMBER 16, 1957.

Utah Power & Light Company ("Company"), a registered holding company which is also a public-utility operating company, has filed a declaration and an amendment thereto pursuant to section 7 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 thereunder regarding the following proposed transactions.

The Company proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, (a) 400,000 shares of its Common Stock, with par value of $12.80 per share, and (b) $15,000,000 aggregate principal amount of First Mortgage Bonds, — percent Series due 1987, to be dated October 1, 1957 and to mature October 1, 1987.

The interest rate on the Bonds (a multiple of ⅛ of 1 percent) and the price (exclusive of accrued interest) to be paid for the Bonds (not less than 100 percent nor more than 102¾ percent of the principal amount) will be determined by competitive bidding. The Bonds will be issued under the Company's Mortgage and Deed of Trust to Guaranty Trust Company of New York et al., dated as of December 1, 1943, as heretofore supplemented and as further supplemented by an Eleventh Supplemental Indenture to be dated as of October 1, 1957. Such Bonds will also be entitled to the benefit of the Indenture dated as of December 1, 1943 between the Company's subsidiary, The Western Colorado Power Company, and said trustees.

The Company states that part of the proceeds from the sale of said securities will be used to pay bank loans aggregating $21,000,000 made in connection with its construction program; that the remainder of such proceeds, together with the Company's available cash, will be used to carry forward the construction program of the Company and its Colorado subsidiary, involving expenditures for the three-year period 1957–1959 aggregating $46,000,000; and that to the extent its cash resources are not sufficient to meet such expenditures, the Company will issue and sell such additional securities, from time to time, as it deems desirable.

By amendment the Company has filed copies of the orders issued by the Public Service Commission of Wyoming and the Idaho Public Utilities Commission approving the issue and sale of the securities as proposed. In the opinion of the Company's counsel, no other State commission, and no Federal commission except this Commission, has jurisdiction over the transactions.

Due notice having been given of the filing of said declaration (Holding Company Act Release No. 13535), and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the declaration as amended be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration as amended be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rules U-50 and U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7750; Filed, Sept. 20, 1957; 8:46 a. m.]

[File No. 812-1107]

HORACE MANN FUND, INC. AND HORACE MANN INVESTORS, INC.

NOTICE OF FILING OF APPLICATION FOR ORDER TEMPORARILY EXEMPTING APPLICANTS FROM CERTAIN REQUIREMENTS

SEPTEMBER 16, 1957.

Notice is hereby given that Horace Mann Investors, Inc. ("Fund"), a registered, open-end management company and Horace Mann Investors, Inc. ("Investors"), both of Springfield, Illinois, have filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission temporarily exempting Fund from the provisions of section 16 (a), and Investors from the provisions of section 15 (a), until the annual meeting of stockholders of Fund, scheduled for October 12, 1957.

The application discloses that Fund was organized on May 27, 1957, under the laws of the State of Maryland. The Fund registered on June 27, 1957, under the act and has filed a registration statement under the Securities Act of 1933 covering 300,000 shares of its capital stock; however, it has not yet commenced business operations and it has no stock outstanding. Investors is registered as broker-dealer under the Securities Exchange Act of 1934 and proposes to act as principal underwriter and investment adviser of Fund.

Fund proposes to obtain the $100,000 net worth required by section 14 (a) of the act, in connection with the provisions of sub-section (3) thereof, through the sale by Investors of 10,000 shares of Fund's capital stock at net asset value to not more than twenty-five persons for a total sales price of $100,000. After receiving said aggregate net consideration Fund proposes to sell through Investors, as its principal underwriter, additional shares in a public offering, and it is contemplated that Investors, when permitted by law, will act as investment adviser of Fund pursuant to the act.

The By-laws of Fund provide that the annual meeting of stockholders shall be held on the second Saturday in October of each year. Fund desires to sell its stock prior to October 12, 1957, the scheduled date of the first annual meet-

ing of stockholders. Accordingly, Fund proposes that its stockholders shall act on the following matters at the annual meeting on October 12, 1957, or at such earlier meeting as the Commission may by order direct: (1) To approve the contract between the Fund and Investors as investment adviser and (2) to elect a Board of Directors of the Fund.

Section 15 (a) of the act makes it unlawful for a person to act as an investment adviser for a registered investment company, except pursuant to a written contract containing certain specified statutory terms, which has been approved by the vote of a majority of the outstanding voting securities of the registered investment company.

Section 16 (a) of the act requires the directors of a registered investment company to be elected to that office by stockholders at an annual or special meeting and requires such a meeting to be held within 60 days if at any time less than a majority of the directors are so elected by stockholders.

Section 6 (c) of the act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the act, if and to the extent 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.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application on file in the offices of the Commission in Washington, D. C.

Notice is further given that any interested person may, not later than September 27, 1957, at 1:00 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7751; Filed, Sept. 20, 1957; 8:46 a. m.]

[File No. 812-1108]

SHAREHOLDERS' TRUST OF BOSTON

NOTICE OF FILING OF APPLICATION PERMITTING CERTAIN REINVESTMENTS OF DIVIDEND DISTRIBUTIONS AT NET ASSET VALUE

SEPTEMBER 16, 1957.

Notice is hereby given that Shareholders' Trust of Boston ("Applicant"), a registered open-end management investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting from the provisions of section 22 (d) of the act the offering of certain shares of Applicant at net asset value where such shares represent investments of dividends paid under the company's proposed Systematic Withdrawal Plan described below.

Applicant has at the present time a dividend reinvestment plan under which holders of its shares may reinvest distributions representing capital gains in additional shares at net asset value and reinvest other dividends in addtional shares at the public offering price.

Applicant's principal underwriter now proposes to establish a Systematic Withdrawal Plan under which any holder of $10,000, or more of Applicant's shares at the public offering price may request Applicant to pay the shareholder $50 or more, either monthly or quarterly. Under such plan all distributions, whether from capital gains or income, will be automatically reinvested in additional shares at net asset value and credited to the account. It is contemplated that the amount of periodic withdrawals under such plan will be in excess of dividends from income and the principal underwriter will not accept any plan application unless the amount of the monthly or quarterly withdrawal authorized is, in the judgment of the principal underwriter, likely to exceed current dividend on the shares proposed to be deposited.

Among other things, section 22 (d) of the act, with certain exceptions not applicable here, prohibits a principal underwriter of a registered investment company from selling redeemable securities of such registered investment company except at a current public offering price described in the prospectus. Since the proposal set forth above may involve the offering of shares of Applicant below the normal public offering price thereof described in the prospectus in contravention of the provisions of section 22 (d) of the act, Applicant seeks an order pursuant to section 6 (c) of the act exempting such transactions from the provisions of section 22 (d) of the act.

Section 6 (c) of the act authorizes the Commission, by order upon application, to exempt conditionally or unconditionally, any transaction from any provisions of the act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act.

Notice is further given that any interested person may, not later than September 27, 1957, at 1:00 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-7752; Filed, Sept. 20, 1957; 8:47 a. m.]

TARIFF COMMISSION

DRIED FIGS

REPORT TO THE PRESIDENT

SEPTEMBER 17, 1957.

The Chairman of the United States Tariff Commission advised the President by letter today, pursuant to paragraph 1 of Executive Order 10401, that the Commission is unanimously of the view that developments in the trade in dried figs since August 30, 1956, do not indicate such a change as to warrant the institution of a formal investigation under paragraph 2 of Executive Order 10401. This order prescribes procedures for the periodic review of "escape clause" actions with a view to determining whether a concession that has been modified or withdrawn may be restored in whole or in part without causing or threatening serious injury to the domestic industry concerned.

Following an escape-clause investigation by the Commisison in 1952, under section 7 of the Trade Agreements Extension Act of 1951, the tariff concession on dried figs granted by the United States in the General Agreement on Tariffs and Trade was modified and the import duty increased from 2½ cents per pound to 4½ cents per pound, effective August 30, 1952. Since then, the latter rate has remained in effect.

The Tariff Commission today also released its report to the President on the results of an investigation of dried figs and fig paste conducted under the provisions of section 22 of the Agricultural Adjustment Act, as amended. This report contains the data upon which the Commission's view expressed above is based.

Copies of the Commission's report of its investigation under section 22 are available upon request as long as the limited supply lasts. Address requests to the United States Tariff Commission, 8th and E Streets, N. W., Washington 25, D. C.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-7753; Filed, Sept. 20, 1957; 8:47 a. m.]