

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Agriculture Department
Atomic Energy Commission
Civil Aeronautics Board
Commodity Credit Corporation
Engineers Corps
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
Foreign Assets Control Office
Interior Department
Interstate Commerce Commission
Land Management Bureau
Public Health Service
Securities and Exchange Commission

Detailed list of Contents appears inside.



Announcing a New Statutory Citations Guide

How to Find U.S. Statutes and U.S. Code Citations

This pamphlet contains typical legal reference situations which require further citing. Official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using

them to make the search. Additional finding aids, some especially useful in citing current material, also have been included. Examples are furnished at pertinent points and a list of reference titles, with descriptions, is carried at the end.

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Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

- Rules and Regulations**
Wheat; county acreage allotments for 1966 crop; correction..... 12067
- Notices**
Cotton, upland and extra long staple; determinations to be made regarding 1966 crops..... 12079

AGRICULTURE DEPARTMENT

See also Agricultural Stabilization and Conservation Service; Commodity Credit Corporation.

- Rules and Regulations**
Public contracts and property management; labor; equal opportunity contract requirements..... 12071

ARMY DEPARTMENT

See Engineers Corps.

ATOMIC ENERGY COMMISSION

- Rules and Regulations**
Computation of quantities of special nuclear material in agreement States for purposes of exemption..... 12069
- Proposed Rule Making**
Financial protection requirements and indemnity agreements; restoration of limit of liability endorsement; correction..... 12077
- Notices**
General Atomic Division, General Dynamics Corp.; issuance of facility export license..... 12086

CIVIL AERONAUTICS BOARD

- Notices**
New York-San Juan cargo rates investigation; hearing, etc..... 12086

COMMODITY CREDIT CORPORATION

- Rules and Regulations**
Soybean loan and purchase program, 1965 crop; correction..... 12067
- Tobacco; purchase under CCC export credit sales program; terms and conditions..... 12067

DEFENSE DEPARTMENT

See Engineers Corps.

ENGINEERS CORPS

- Rules and Regulations**
Public use of Demopolis, Jackson, and Warrior Reservoir Areas, Alabama..... 12070

FEDERAL COMMUNICATIONS COMMISSION

- Notices**
UHF assignment plan; notice regarding correction..... 12086

FEDERAL MARITIME COMMISSION

- Notices**
Port of Bellingham, Wash., and Georgia-Pacific Corp.; petition filed for consideration..... 12086

FEDERAL POWER COMMISSION

- Rules and Regulations**
Natural gas pipeline companies; changes in a tariff..... 12069
- Proposed Rule Making**
Natural gas pipeline company certificates and authorizations; applicants' fees..... 12077
- Notices**
Hearings, etc.:
Battle Creek Gas Co. and Panhandle Eastern Pipe Line Co. 12082
Mississippi Power Co. 12083
Natural Gas Pipe Line Company of America et al. 12083
W. C. Feazel Estate et al. 12079

FOOD AND DRUG ADMINISTRATION

- Rules and Regulations**
Food additives:
Lactylic esters of fatty acids..... 12070
Synthetic isoparaffinic petroleum hydrocarbons..... 12070

FOREIGN ASSETS CONTROL OFFICE

- Notices**
Kudzu, roots; importation from Hong Kong; available certification..... 12079

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Public Health Service.

INTERIOR DEPARTMENT

See also Land Management Bureau.

- Notices**
Oil imports and petrochemicals; hearing..... 12079

INTERSTATE COMMERCE COMMISSION

- Notices**
Berlin Mills Railway; diversion and rerouting of traffic..... 12108
- Fourth section application for relief..... 12108
- Motor carrier:
Applications and certain other proceedings..... 12103
- Broker, water carrier, and freight forwarder applications..... 12089
- Intrastate applications..... 12103
- Transfer proceedings; correction..... 12108

LAND MANAGEMENT BUREAU

- Rules and Regulations**
Public land orders:
Alaska; partial revocation of previous orders (2 documents)..... 12075
- Montana; revocation of air navigation site withdrawal..... 12075
- Oregon:
Revocation of previous order..... 12076
- Withdrawal for National Forest recreation area..... 12076

PUBLIC HEALTH SERVICE

- Notices**
Organization and functions; authority delegations..... 12083

SECURITIES AND EXCHANGE COMMISSION

- Proposed Rule Making**
Nondisclosure of material contracts; withdrawal of proposal..... 12078
- Notices**
Hearings, etc.:
Connecticut Light and Power Co. et al. 12087
- Milwaukee Gas Light Co. 12088
- Tennessee Natural Gas Lines, Inc. 12089

TREASURY DEPARTMENT

See Foreign Assets Control Office.

12065

List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

7 CFR

728	12067
1421	12067
1489	12067

10 CFR

150	12069
PROPOSED RULES:	
140	12077

17 CFR

PROPOSED RULES:	
230	12078

18 CFR

154	12069
PROPOSED RULES:	
152	12077
153	12077
156	12077
157	12077
159	12077

21 CFR

121 (2 documents)	12070
-------------------	-------

36 CFR

326	12070
-----	-------

41 CFR

4-12	12071
------	-------

43 CFR

PUBLIC LAND ORDERS:	
2040 (revoked by PLO 3827)	12076
2345 (revoked in part by PLO 3826)	12075
3492 (revoked in part by PLO 3825)	12075
3824	12075
3825	12075
3826	12075
3827	12076
3828	12076

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—1966-67 Marketing Year COUNTY ACREAGE ALLOTMENTS FOR 1966 CROP OF WHEAT

Correction

In F.R. Doc. 65-9722, appearing at page 11831 of the issue for Thursday, September 16, 1965, the following corrections are made in the tabular matter of § 728.307:

1. For Arizona, District 7, Yuma, there should be an entry in the county reserve column reading "5".

2. For Delaware, District 8, Sussex, the entry in the acreage apportioned column should read "4,404".

3. For Indiana, District 7, in the county reserve column:

a. The entry for Knox should read "70" instead of "10";

b. The entry for Martin should read "10" instead of "70";

c. The entry for Pike should read "16" instead of "51";

d. The entry for Posey should read "52" instead of "22";

e. The entry for Spencer should read "29" instead of "96".

4. For Michigan, in the county reserve column:

a. Under District 4, the entry for Newaygo should read "50" instead of "10"; and there should be an entry for Oceana reading "10".

b. Under District 5, the entry for Gladwin should read "30" instead of "50", and the entry for Gratiot should read "100" instead of "130".

5. For Ohio, in the county reserve column:

a. Under District 4, the entry for Champaign should read "50" instead of "5";

b. Under District 7, the entry for Warren should read "25" instead of "2".

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1965-Crop Soybean Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1965-Crop Soybean Loan and Purchase Program

Correction

In F.R. Doc. 65-9544, appearing at page 11686 of the issue for Saturday,

September 11, 1965, the following correction is made in the tabular matter of § 1421.2950(a): The rate per bushel entry for Texas County, Mo., should read "\$2.21" instead of "\$2.18".

SUBCHAPTER C—EXPORT PROGRAMS

[Announcement PR TB-2]

PART 1489—TERMS AND CONDITIONS FOR PURCHASE OF TOBACCO UNDER COMMODITY CREDIT CORPORATION EXPORT CREDIT SALES PROGRAM

Sec.

- 1489.1 General statement.
- 1489.2 Associations through which tobacco may be purchased.
- 1489.3 Purchase of tobacco.
- 1489.4 Export requirements for tobacco purchased.
- 1489.5 Failure to perform.

AUTHORITY: The provisions of this Part 1489 issued under secs. 4, 5, 62 Stat. 1070, as amended; 15 U.S.C. 714b, 714c.

§ 1489.1 General statement.

Price support on tobacco is made available to producers through loans made by Commodity Credit Corporation (hereinafter referred to as "CCC") to producer-owned and controlled associations (hereinafter referred to as "the associations"). Tobacco which the associations receive from producers and pledge to CCC as loan collateral is processed, stored and sold by the associations in accordance with usual trade practices. Sales proceeds are applied to repay the loan from CCC. Information on inventories, prices, and other terms and conditions of sale is issued and distributed by the associations, and will be furnished by the associations to any interested person upon request. This part sets forth the additional terms and conditions applicable to purchases of tobacco under the CCC Export Credit Sales Program (GSM-3, Revision 1) set out at 30 F.R. 10942 and any amendments thereof or supplements thereto.

§ 1489.2 Associations through which tobacco may be purchased.

The kind of tobacco handled by each of the associations and the names and addresses of the associations through which tobacco may be purchased are as follows:

Kind	Association
Flue-Cured Tobacco.	Flue-Cured Tobacco Cooperative Stabilization Corp., Post Office Box 2718, Raleigh, N.C.
Burley Tobacco.	Burley Tobacco Growers Cooperative Association, Post Office Box 860, Lexington, Ky.; Virginia Burley Tobacco Growers Association, Inc., Post Office Box 549, Abingdon, Va.; Burley Stabilization Corp., 3919 Holston Drive NE, Knoxville, Tenn.

Kind
Dark-Fired
and Dark
Air-Cured
Tobacco.

Cigar Filler
and Binder
Tobacco.

Maryland
Tobacco.

Association

Eastern Dark-Fired Tobacco Growers Association, 1109-11 South Main St., Springfield, Tenn.; Stemming District Tobacco Association, 125 First St., Henderson, Ky.; Western Dark-Fired Tobacco Growers Association, 202-206 East Maple St., Murray, Ky.; Dark Tobacco Sales Cooperative, Post Office Box 301, Farmville, Va.

Cigar Tobacco Cooperative, Post Office Box 23, Arcanum, Ohio.; Conn-Mass Tobacco Cooperative, Inc., Post Office Box 550, Holyoke, Mass.; Northern Wisconsin Cooperative Tobacco Pool, Inc., Viroqua, Wis.; Wisconsin Cooperative Tobacco Growers Association, 23 West Fulton St., Edgerton, Wis.; Maryland Tobacco Cooperative, Inc., Post Office Box 368, Upper Marlboro, Md.

§ 1489.3 Purchase of tobacco.

(a) Upon issuance of a credit approval to a purchaser of tobacco (hereinafter referred to as "the exporter"), CCC will notify the appropriate association of the credit approval number, name of approved exporter, amount of approval, and other pertinent information.

(b) The exporter should arrange with the appropriate association for the selection and acquisition of the tobacco to be purchased. Selection may be made from any stocks pledged to CCC which the association has available for sale. To the extent that export requirements for the tobacco purchased are to be met by exporting cigarettes, the tobacco purchased shall be flue-cured, burley and Maryland tobaccos, in the following proportions: 58 to 63 percent flue-cured, 36 to 40 percent burley, and 1 to 2 percent Maryland. If less than an entire hoghead of any of the types of tobacco is needed to attain such percentages, the exporter shall make direct payment to the association for the remaining part of each such hoghead, and that part shall not be deemed to be purchased under the credit arrangement.

(c) The association shall invoice the selected tobacco to the exporter at the association's price and in accordance with all other usual sale arrangements of the association. The exporter shall submit a copy of the invoice, accompanied by the bank obligation prescribed by the credit arrangement, to Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250. Upon receipt of a copy of the invoice and an acceptable bank obligation, CCC will credit the amount of the association's sales price to the appropriate loan account of the association. CCC shall promptly notify the association of the credit to the loan account.

§ 1489.4 Export requirements for tobacco purchased.

(a) Within 90 calendar days from the date of the invoice or such extension of time as may be approved by CCC for good cause, the exporter shall cause exportation to the destination specified in the credit arrangement of the tobacco purchased under the credit arrangement or the equivalent of such quantity as determined under paragraph (c) of this section, of the same kind of tobacco: *Provided*, That, if the tobacco purchased under the credit arrangement is flue-cured, burley and Maryland tobaccos in the proportions stated in section 1489.3, the exporter's obligation to export the tobacco purchased or an equivalent quantity of the same kind of tobacco may be met by exporting a quantity of cigarettes whose value at the rate of \$2.25 per thousand for nonfilter brand cigarettes (including all-tobacco tipped standard brands) and \$1.75 per thousand for filter and "economy" brands equals or exceeds the invoice value of the tobacco purchased under the credit arrangement.

(b) The exporter shall within 30 calendar days after exportation furnish to the Fiscal Controls Branch, Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250, proof of exportation which shall consist of:

(1) In the case of exportation by water, a nonnegotiable copy, certified as true and correct by the exporter or other person who exported the tobacco or cigarettes, of an onboard ocean bill of lading showing the number of containers of tobacco or cigarettes, the gross (or net) weight of such containers, the date and place of loading on board vessel, name of vessel, the name of the person who exported the tobacco or cigarettes, and the consignee and destination.

(2) In the case of exportation by rail or truck, a copy of the bill of lading under which the tobacco or cigarettes were shipped, together with (i) an authenticated landing certificate issued by an official of the Government of the country to which the tobacco or cigarettes were exported, or (ii) a copy of Shipper's Export Declaration authenticated by the appropriate U.S. Customs official. The bill of lading and supporting export form (landing certificate or Shipper's Export Declaration) must apply to the same shipment of tobacco or cigarettes, and such forms, or properly authenticated attachments, must show the number of hogsheads of tobacco or containers of cigarettes, the gross (or net) weight of such hogsheads or containers, the date and place of entry into the country of destination, and the name and address of both the person who exported the tobacco or cigarettes and the person to whom they were shipped.

(3) Where exportation is effected by other than the exporter, certification on the bill of lading, signed by such other person and the exporter, that such exportation was caused by the exporter pursuant to this part.

(4) Where exportation or transshipment of tobacco has been made or caused to be made by the exporter to one or more of the countries or areas for which

an export license is required by the Bureau of International Commerce, U.S. Department of Commerce, the license issued for such movement by such agency shall be identified in the bill of lading, by license number.

(5) A statement, certified by the exporter, showing information as to the kind or type, form, and quantity of the tobacco purchased under the credit arrangement, and of the tobacco or cigarettes exported, as follows: (i) The kind or type of tobacco exported, (ii) If the tobacco exported is stemmed tobacco, whether it was purchased in that form, (iii) If stemmed tobacco was purchased and substitute stemmed tobacco exported, the quantity of each kind or type of unstemmed leaf tobacco, packed-weight basis, that is contained in the stemmed tobacco exported, with the quantities of unstemmed tobacco converted to a stemmed leaf equivalent by dividing the unstemmed quantities by the factor 1.29 for flue-cured and 1.35 for other kinds of tobacco, (iv) If unstemmed leaf tobacco was purchased and stemmed tobacco exported, the quantity of each kind or type of unstemmed leaf, packed-weight basis, that is contained in the stemmed leaf exported, (v) If cigarettes are exported, the brand name of the product, whether filter or nonfilter tip and the computations made in determining the amount (value) to be applied against the invoice value of the tobacco purchased.

(6) Such other proof of exportation as may be required by CCC.

(c) The quantity of tobacco exported shall be considered equivalent to the quantity of tobacco purchased (and required to be exported), if the weights of the tobacco exported (as shown by the proof of exportation) correspond to the weights of the tobacco purchased in the following manner:

(1) If unstemmed leaf was purchased and unstemmed leaf exported, the gross or net weights of the tobacco exported must equal or exceed the gross or net weight of the tobacco purchased.

(2) If unstemmed leaf tobacco was purchased and stemmed tobacco exported, the quantity of unstemmed leaf tobacco used in the stemmed tobacco exported must equal or exceed the quantity purchased.

(3) If stemmed tobacco was purchased and substitute stemmed tobacco exported the quantity of unstemmed leaf tobacco used in the stemmed tobacco exported, divided by the factor 1.29 for flue-cured and 1.35 for other kinds of tobacco, must equal or exceed the net weight of the stemmed tobacco purchased.

(4) If stemmed tobacco was purchased and unstemmed leaf tobacco exported, the quantity exported divided by the factor 1.29 for flue-cured and 1.35 for other kinds of tobacco must equal or exceed the net weight of the stemmed tobacco purchased.

(d) The proof of exportation furnished under this part shall not have been used, and shall not subsequently be used, as evidence of exportation of tobacco or cigarettes under any other CCC or Department of Agriculture export program,

unless the proof covers a quantity in excess of that needed to support the export requirements of this part, and has been, or will be, used only in connection with the excess quantity to support the export requirements of the other programs.

(e) By submitting documents evidencing exportation the exporter represents and warrants that the commodity covered by such documents was not exported to, and has not and will not be transhipped or caused to be transhipped by the exporter to, any country or area for which an export license is required under the regulations issued by the Bureau of International Commerce, U.S. Department of Commerce, unless a license for such exportation or transshipment thereto has been obtained from such Bureau.¹

§ 1489.5 Failure to perform.

The exporter agrees to export tobacco or cigarettes as required by this part within the time specified herein, or to pay liquidated damages as herein provided. Failure to furnish proof of exportation within 30 calendar days after 90 calendar days after the date of the invoice or any extended period approved by CCC shall be prima facie evidence of failure to export. Failure of the exporter to export tobacco or cigarettes within the time required under this part will result in damage to CCC's export and price support programs. Since it will be difficult, if not impossible, to prove the exact amount of such damage, the exporter shall pay to CCC liquidated damages as follows: (a) Where the export requirements for tobacco are not met, for each day of delay in exportation, one-sixth of one percent of a base amount determined by multiplying the number of pounds by which the export requirements for tobacco are not met by the average invoice price per pound of the tobacco acquired from the association, or (b) where the export requirements for cigarettes are not met, for each day of delay in exportation, one-sixth of one percent of a base amount equal to the amount by which the value of the cigarettes exported, as determined under § 1489.4, fails to equal the invoice value of the tobacco bought under the credit arrangement: *Provided*, That in the case of either paragraph (a) or (b) of this section the total amount of liquidated damages assessed shall not exceed ten percent of the base amount: *And provided, further*, That no liquidated damages shall be assessed if CCC determines that failure to export or delay in exportation was due solely to causes without the fault or negligence of the exporter. In acquiring tobacco under a credit arrangement, the exporter agrees that these rates are a reasonable estimate of probable actual damages that

¹Information to exporters: The Department of Commerce Regulations prohibit exportation or reexportation by anyone, including a foreign exporter, of the commodity exported pursuant to the terms of these regulations, to prohibited countries and areas. The attention of the exporter is invited to the "Notice to Exporters" which accompanies these regulations.

would be incurred by CCC by reason of failure to export in accordance with this part.

Effective date. Date of filing with the Office of the Federal Register.

Signed at Washington, D.C., on September 16, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East, including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information, if desired, and for any changes that may be made therein.

[F.R. Doc. 65-10067; Filed, Sept. 21, 1965; 8:48 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES UNDER SECTION 274

Computation of Quantities of Special Nuclear Material in Agreement States for Purposes of Exemption

1. On June 5, 1965, the Commission published a proposed amendment to 10 CFR Part 150 which would revise the basis for computation of whether a quantity of special nuclear material within an agreement State¹ is sufficient to form a critical mass, allowing thirty days for public comment. (30 F.R. 7445) After consideration of the comments received in response to the notice of proposed rule making, and other factors involved, the Commission has decided to adopt the proposed amendment in the form published in the notice, as an effective rule.

2. Subsection 274b. of the Atomic Energy Act of 1954, as amended, authorizes

the Commission to enter into agreements with individual States for the discontinuance of Commission regulatory authority under the Act, with respect to certain atomic energy materials. Among those materials are special nuclear materials in quantities not sufficient to form a critical mass.

3. The Commission has, thus far, entered into agreements with eleven States pursuant to subsection 274b. It has also promulgated a regulation, 10 CFR Part 150, to carry out such agreements.

4. Section 150.10 of Part 150 exempts persons in agreement States who manufacture, produce, receive, possess, use or transfer special nuclear material in quantities not sufficient to form a critical mass from the requirements for a license contained in the Act and from the Commission's licensing regulations. Paragraph (a) of § 150.11 sets out the quantities of special nuclear materials which are deemed to be not sufficient to form a critical mass. Paragraph (b) of that section provides, in effect, that in determining whether the exemption applies, the total quantity of special nuclear material which a person is authorized to receive, possess or use anywhere in a particular agreement State at any one time shall be included in the quantity computed under paragraph (a).

5. The amendment to § 150.11(b) set forth below provides that in determining whether the exemption of § 150.10 applies at any particular plant or other authorized location of use, only the material which the person is authorized to receive, possess or use at that plant or location at any one time need be included in the computation. Even though the total quantity of special nuclear material which a person is authorized to possess or use within an agreement State may be sufficient to form a critical mass, no problems of accidental criticality are presented so long as the quantity of material possessed and used at any separate location at any one time is insufficient to form a critical mass.

6. Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendment to 10 CFR Part 150 is published as a document subject to codification to be effective thirty days after publication in the FEDERAL REGISTER.

7. Paragraph (b) of § 150.11 is amended to read as follows:

§ 150.11 Critical mass.

(b) To determine whether the exemption granted in § 150.10 applies to the receipt, possession or use of special nuclear material at any particular plant or other authorized location of use, a person shall include in the quantity computed according to paragraph (a) of this section the total quantity of special nuclear material which he is authorized to receive, possess or use at the plant or other location of use at any one time.

(Secs. 161, 274, 88 Stat. 948, 73 Stat. 688; 42 U.S.C. 2201, 2201)

Dated at Washington, D.C., this 10th day of September 1965.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 65-10031; Filed, Sept. 21, 1965; 8:45 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-281; Order No. 304]

PART 154—RATE SCHEDULES AND TARIFFS

Changes by Natural Gas Pipeline Companies in a Tariff

SEPTEMBER 15, 1965.

This order amends § 154.63(e) (4) (i) of the Commission's regulations under the Natural Gas Act to omit the requirement that an additional set of working papers be furnished to the Head, Houston Field Office. This requirement for change in a tariff has become unnecessary by reason of the abolition of the Houston Field Office.

The Commission finds:

(1) Compliance with the notice provisions of section 4 of the Administrative Procedure Act is unnecessary since the amendment herein adopted is of a clarifying nature in that it merely deletes a requirement which can no longer be complied with.

(2) The amendment adopted herein is necessary and appropriate for the purposes of administration of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly sections 4(d) and 16 thereof (52 Stat. 822, 830; 15 U.S.C. 717c(d), 717o) orders:

(A) Section 154.63(e) (4) (i), Part 154, Subchapter E of Chapter I, Title 18 of the Code of Federal Regulations, is amended by deleting the last sentence, which reads "An additional set of the working papers is to be furnished to the Head, Houston Field Office." As thus amended the subdivision will read as follows:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

(e) ***

(4) Working papers and supporting data. (i) In the Statements described in paragraph (f) of this section, certain items are designated as being included in working papers. There is to be furnished to the Chief, Pipeline Division (Bureau of Natural Gas) upon filing the rate increase, one set of working papers for use by the staff and six additional copies of such working papers to be available to intervenors according to

¹ A State to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to section 274 of the Atomic Energy Act of 1954, as amended.