

combine to account for 23 routes. This completes action on Airspace Docket No. 71-WA-9.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., October 12, 1972, as hereinafter set forth.

In § 75.400 (37 F.R. 2400) the following area high routes are added:

Waypoint name	Location N. lat./W. long.	Reference facility
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J856R (ATLANTA, GA., TO PITTSBURGH, PA.)

Canton, Ga.	34°19'29"/84°25'39"	Chattanooga, Tenn.
Henderson, W. Va.	38°45'15"/82°01'35"	Charleston, W. Va.
Warwood, W. Va.	40°07'30"/80°40'54"	Appleton, Ohio.

J860R (MEMPHIS, TENN., TO LOUISVILLE, KY.)

Ashport, Tenn.	35°48'04"/89°41'49"	Memphis, Tenn.
Leopold, Ind.	38°01'52"/86°33'55"	Evansville, Ind.

J862R (JACKSONVILLE, FLA., TO PITTSBURGH, PA.)

Simon, Fla.	30°41'20"/81°17'25"	Alma, Ga.
Columbia, S.C.	33°51'26"/81°03'15"	Spartanburg, S.C.
Elkins, W. Va.	38°54'52"/80°05'58"	Charleston, W. Va.
Newton, Pa.	40°11'39"/79°42'49"	Bellaire, Ohio.

J863R (NEW YORK, N.Y., TO ATLANTA, GA.)

Coyle, N.J.	39°49'02"/74°25'55"	Coyle, N.J.
Rapidan, Va.	38°08'14"/77°50'37"	Richmond, Va.
Galax, Va.	36°32'27"/80°47'47"	Greensboro, N.C.
Lanier, Ga.	34°19'21"/83°40'53"	Spartanburg, S.C.

J864R (CHICAGO, ILL., TO WASHINGTON, D.C.)

Peotone, Ill.	41°16'11"/87°47'28"	Indianapolis, Ind.
Tippecanoe, Ind.	41°06'17"/85°59'10"	Indianapolis, Ind.
Rosewood, Ohio.	40°17'16"/84°02'36"	Rosewood, Ohio.
Cameron, Ohio.	39°41'31"/80°55'50"	Bellaire, Ohio.
Front Royal, Va.	39°05'26"/78°12'02"	Casanova, Va.
Herndon, Va.	39°01'10"/77°27'42"	Casanova, Va.

J866R (DENVER, COLO., TO CHICAGO, ILL.)

Wiggins, Colo.	40°10'04"/104°01'30"	Goodland, Kans.
North Star, Nebr.	41°18'52"/98°19'53"	O'Neill, Nebr.
Shipley, Iowa.	42°00'03"/93°46'45"	Des Moines, Iowa.
Scales Mound, Ill.	42°22'53"/90°24'00"	Iowa City, Iowa.
Lakewood, Ill.	42°12'21"/88°15'53"	Milwaukee, Wis.

J867R (CHICAGO, ILL., TO DENVER, COLO.)

Morrison, Ill.	41°55'53"/89°47'00"	Bradford, Ill.
Des Moines, Iowa.	41°26'15"/93°38'54"	Lamoni, Iowa.
Lincoln, Nebr.	40°55'28"/96°44'30"	Pawnee City, Nebr.
Trumbull, Nebr.	40°42'04"/98°09'38"	Wolbach, Nebr.
Strasburg, Colo.	39°43'59"/103°17'28"	Goodland, Kans.

J878R (ATLANTA, GA., TO CLEVELAND, OHIO)

Canton, Ga.	34°19'29"/84°25'39"	Chattanooga, Tenn.
Henderson, W. Va.	38°45'15"/82°01'35"	Charleston, W. Va.
Rittman, Ohio.	40°59'52"/81°44'06"	Bellaire, Ohio.

Waypoint name	Location N. lat./W. long.	Reference facility
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J879R (CLEVELAND, OHIO, TO ATLANTA, GA.)

Appleton, Ohio.	40°09'04"/82°35'18"	Charleston, W. Va.
Princess, W. Va.	38°24'34"/82°45'05"	Charleston, W. Va.
Crabtree, N.C.	35°54'52"/82°58'18"	Spartanburg, S.C.
Lanier, Ga.	34°19'21"/83°40'53"	Spartanburg, S.C.

J880R (JACKSONVILLE, FLA., TO CLEVELAND, OHIO)

Kings, Ga.	30°45'00"/81°44'02"	Savannah, Ga.
Augusta, Ga.	33°32'40"/82°08'00"	Columbia, S.C.
Beech Mountain, N.C.	36°05'30"/82°04'58"	Greensboro, N.C.
Henderson, W. Va.	38°45'15"/82°01'35"	Charleston, W. Va.
Rittman, Ohio.	40°59'52"/81°44'06"	Bellaire, Ohio.

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

Issued in Washington, D.C., on July 20, 1972.

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

[FR Doc. 72-11694 Filed 7-28-72; 8:45 am]

[Airspace Docket No. 71-WA-13]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Routes

On April 22, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 7604) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate 25 area high routes as a part of the overall program to establish an area navigation route structure.

Sixteen of the proposed routes have now been successfully flight inspected and are being designated in this rule. Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received concerning these routes were favorable.

In J804R small latitude/longitude changes were made to make "Darby" waypoint coincident with "Darby" intersection in present Victor 97 airway; reference facilities for the second and third waypoints were changed to improve signal coverage. In J885R reference facilities were changed for both waypoints to improve signal coverage and a one-second error in longitude was corrected in the second waypoint. In J890R reference facilities were changed for three waypoints to improve signal coverage and the third waypoint was relocated to the point where this route crosses present route J800R; however, this did not affect route alignment as proposed in the notice. In J891R reference facilities were changed in the first and third waypoints to improve signal coverage. In J894R the first waypoint was relocated and a new waypoint was added at Orlando, Fla., resulting in realignment of the route. The maximum extent of route relocation is 11 NM westerly at "Orlando, Fla."; these changes were made to enhance overall traffic movement. In J895R the reference facility of one waypoint was changed to provide improved signal coverage, and a small longitude error was corrected for another waypoint. In J896R reference facilities were changed for the third waypoint to improve signal coverage. Also, a small change was made to the location of the last waypoint to improve arrival handling. In J897R reference facilities for the third and fourth waypoints were changed to improve signal coverage. Also, the first waypoint was relocated and a slight change effected in the second waypoint to make this segment of the route compatible with traffic flow in another route structure. The third waypoint was made consistent with the present "Shiloh" waypoint. In J951R a portion of the route was realigned northward to overlie the "Henderson, W. Va." VORTAC that will become a common waypoint for five routes; also, reference facilities of three waypoints were changed to provide improved signal coverage; also, a gap filler waypoint was added between the second and third waypoints.

In J952R reference facilities for the first, second, fourth, fifth, and seventh waypoints were changed to improve signal coverage. A portion of this route was improved by making a great circle path between "Gordonsville, Va. VORTAC" and "Meridian, Miss. VORTAC." This also shortened the route somewhat. As a result, the third and fourth waypoints were relocated and gap filler waypoints were added between the third and fourth waypoints and between the fourth and fifth waypoints. The maximum extent of route segment relocation is from over Chattanooga, Tenn., 25 NM in a southeasterly direction. In J953R two new waypoints were added between the second and third waypoints, thus, making this portion of J953R identical with present route J814R. In the third waypoint, proposed in the notice, latitude/longitude changes were made for great circle path compatibility. The fourth waypoint was relocated to improve integrity of the route and this necessitated a change of reference facilities. The next to last waypoint was moved slightly for great circle path compatibility. Notwithstanding these changes, only minor alteration to route alignment is involved. In J954R two reference facilities were changed to improve signal coverage and the last waypoint was repositioned to be just south of the United States-Canadian border; however, route alignment is not affected. In J956R the second waypoint was relocated to the point where this route intercepts present route J824R; however, this did not affect alignment of the route. The reference facilities for the third and fourth waypoints were changed to match the last two waypoints in existing route J824R. Portions of J957R were realigned to the west so as to avoid warning areas W-157 and W-60. Accordingly, latitude/longitude changes were made and new reference facilities were selected to provide the necessary signal coverage for

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the first three waypoints. Portions of J958R were also realigned to the west to effect compatibility with changes made in J957R. Commensurate latitude/longitude and reference facility changes were made in J958R, accordingly. The maximum points of realignment involved are: J957R—18 NM northwesterly to overlie Florence, S.C.; VORTAC; J958R—27 NM northwesterly to overlie Gordonsville, Va., VORTAC. In J959R a gap filler waypoint is added between the second and third waypoints; also, the sixth waypoint is relocated from "Rosewood, Ohio" VORTAC to "Dayton, Ohio," VORTAC. The maximum extent of route relocation is 20 NM at Dayton, Ohio. Accordingly, the reference facility for the sixth waypoint is changed and the positions of the fourth and fifth waypoints are relocated onto the realigned portion of J959R; further, J959R is extended from "Dayton, Ohio," to "Milan, Minn.," compatible with present J882R route.

Small changes made in routes J885R, J890R, J891R, J895R, J954R, and J956R did not affect route alignments as proposed in the notice; only minor changes to route alignments were made in routes J804R, J896R, J897R, and J953R; changes made in routes J894R, J951, and J959R do affect alignments as proposed in the notice, but these changes are made to improve traffic flow and enhance ATC handling; J952R changes are made to straighten, shorten and improve the route; J957R and J958R are changed to effect segregation from warning area activities, thus enhance traffic flow.

The following routes are hereby deleted from the notice because other area high routes already designated or soon to be designated will serve the terminals involved: J805R, J806R, J886R, J887R, J888R, J889R, J893R, J898R, and J955R. Thus, deletion of these nine routes and designation of the 16 routes herein combine to account for 25 routes. This completes action on Airspace Docket No. 71-WA-13.

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

In § 75.400 (37 F.R. 2400) the following area high routes are added:

Waypoint name	Location N. lat./W. long.	Reference facility
J804R (TAMPA, FLA., TO ATLANTA, GA.)		
Darby, Fla.	28°11'59"/82°51'58"	Gainesville, Fla.
Amsterdam, Ga.	30°43'23"/84°23'02"	Tallahassee, Fla.
Texas, Ga.	33°02'35"/85°12'27"	Montgomery, Ala.
J885R (ST. LOUIS, MO., TO MEMPHIS, TENN.)		
St. Louis, Mo.	38°51'38"/90°28'56"	Centralia, Ill.
Memphis, Tenn.	34°56'34"/89°57'35"	Walnut Ridge, Ariz.
J890R (CLEVELAND, OHIO, TO ST. LOUIS, MO.)		
Mansfield, Ohio	40°52'07"/82°35'28"	Rosewood, Ohio
Rosewood, Ohio	40°17'16"/84°02'36"	Rosewood, Ohio
Mayhew, Ind.	39°56'38"/85°42'55"	Lafayette, Ind.
Prairie, Ill.	38°58'18"/89°51'27"	Capital, Ill.

Waypoint name	Location N. lat./W. long.	Reference facility
J891R (CHICAGO, ILL., TO MEMPHIS, TENN.)		
Roberts, Ill.	40°34'54"/88°09'51"	Capital, Ill.
Anna, Ill.	37°28'10"/89°11'24"	Farmington, Mo.
Memphis, Tenn.	34°56'34"/89°57'35"	Walnut Ridge, Ariz.
J894R (JACKSONVILLE, FLA., TO MIAMI, FLA.)		
Shand, Fla.	30°06'15"/81°31'20"	Jacksonville, Fla.
Orlando, Fla.	28°32'33"/81°20'07"	Orlando, Fla.
Bay, Fla.	26°49'42"/80°44'58"	Palm Beach, Fla.
J895R (ATLANTA, GA., TO NEW YORK, N.Y.)		
Social Circle, Ga.	33°37'10"/83°36'42"	Augusta, Ga.
Semora, N.C.	36°31'24"/79°25'48"	Raleigh-Durham, N.C.
Atlantic City, N.J.	39°27'21"/74°34'36"	Westminster, Md.
J896R (CHICAGO, ILL., TO PHILADELPHIA, PA.)		
Peotone, Ill.	41°16'11"/87°47'28"	Indianapolis, Ind.
Tippecanoe, Ind.	41°06'17"/85°50'10"	Indianapolis, Ind.
Rosewood, Ohio	40°17'16"/84°02'36"	Rosewood, Ohio
Conifer, Ohio	40°19'10"/80°48'55"	Bellaire, Ohio
Harrisburg, Pa.	40°14'29"/77°01'19"	Westminster, Md.
Bucktown, Pa.	40°04'49"/75°43'26"	Westminster, Md.
J897R (PHILADELPHIA, PA., TO CHICAGO, ILL.)		
Maiden, Pa.	40°22'03"/75°47'30"	Phillipsburg, Pa.
Furnace, Pa.	40°36'35"/78°02'40"	Phillipsburg, Pa.
Shiloh, Ohio	40°57'44"/82°30'16"	Appleton, Ohio
Plant, Ill.	41°37'29"/87°15'57"	Lafayette, Ind.
J951R (WASHINGTON, D.C., TO ST. LOUIS, MO.)		
Casanova, Va.	38°38'28"/77°51'51"	Gordonsville, Va.
Henderson, W. Va.	38°45'15"/82°01'35"	Charleston, W. Va.
Minerva, Ky.	38°42'23"/83°57'21"	Rosewood, Ohio
Borden, Ind.	38°37'12"/86°02'11"	Evansville, Ind.
Centralia, Ill.	38°25'12"/89°09'32"	Capital, Ill.
Mounds, Ill.	38°34'28"/90°01'43"	Capital, Ill.
J952R (NEW YORK, N.Y., TO HOUSTON, TEX.)		
Coyle, N.J.	39°40'02"/74°25'55"	Coyle, N.J.
Gordonsville, Va.	38°00'48"/78°09'12"	Richmond, Va.
Copper Valley, Va.	36°52'22"/80°35'26"	Greensboro, N.C.
Mt. Mitchell, N.C.	35°52'49"/82°34'35"	Spartanburg, S.C.
Summersville, Ga.	34°27'25"/85°14'12"	Atlanta, Ga.
Iron Mtn., Ala.	33°19'28"/87°13'18"	Montgomery, Ala.
Meridian, Miss.	32°22'42"/88°48'15"	Jackson, Miss.
Burkeville, La.	30°43'23"/93°24'11"	Lake Charles, La.
Humble, Tex.	29°57'24"/95°20'44"	Houston, Tex.
J953R (NEW ORLEANS, LA., TO NEW YORK, N.Y.)		
New Orleans, La.	30°01'47"/90°10'20"	New Orleans, La.
Monroeville, Ala.	31°27'37"/87°21'10"	Montgomery, Ala.
Montgomery, Ala.	32°13'20"/86°19'11"	Montgomery, Ala.
Texas, Ga.	33°02'35"/85°12'27"	Montgomery, Ala.
Kenwood, Ga.	33°32'59"/84°28'37"	Macon, Ga.
Gramling, S.C.	35°04'19"/82°11'18"	Columbia, S.C.

Waypoint name	Location N. lat./W. long.	Reference facility
J953R—Continued		
Sand River, Va.	36°42'42"/79°32'36"	Raleigh-Durham, N.C.
Atlantic City, N.J.	39°27'21"/74°34'36"	Westminster, Md.
J954R (WASHINGTON, D.C., TO DETROIT, MICH.)		
Martinsburg, W. Va.	39°23'08"/77°50'55"	Phillipsburg, Pa.
Balsam, Ohio	40°29'20"/81°04'05"	Appleton, Ohio
Burt, Ohio	41°42'00"/82°45'00"	Appleton, Ohio
J956R (MEMPHIS, TENN., TO CHICAGO, ILL.)		
Memphis, Tenn.	34°56'34"/89°57'35"	Walnut Ridge, Ariz.
Cantrall, Ill.	39°56'55"/89°37'16"	Centralia, Ill.
Kappa, Ill.	40°50'22"/88°54'07"	Bradford, Ill.
Joliet, Ill.	41°32'47"/88°19'06"	Joliet, Ill.
Warren, Ill.	41°48'38"/88°10'07"	Joliet, Ill.
J957R (JACKSONVILLE, FLA., TO WASHINGTON, D.C.)		
Simon, Fla.	30°41'20"/81°17'25"	Alma, Ga.
Badger, S.C.	32°38'40"/80°27'00"	Charleston, S.C.
Florence, S.C.	34°13'58"/79°39'26"	Florence, S.C.
Richmond, Va.	37°30'08"/77°19'14"	Flat Rock, Va.
Marburg, Va.	38°30'27"/77°07'05"	Flat Rock, Va.
J958R (WASHINGTON, D.C., TO JACKSONVILLE, FLA.)		
Brooke, Va.	38°20'10"/77°21'11"	Richmond, Va.
Gordonsville, Va.	38°00'48"/78°09'12"	Richmond, Va.
Society, S.C.	34°37'30"/79°45'00"	Florence, S.C.
Ritter, S.C.	32°47'00"/80°37'30"	Charleston, S.C.
Chester, Ga.	30°52'25"/81°28'52"	Jacksonville, Fla.
J959R (MIAMI, FLA., TO DETROIT, MICH.)		
Andy, Fla.	26°09'43"/80°17'36"	Vero Beach, Fla.
Ponte Vedra, Fla.	30°12'23"/81°21'39"	Jacksonville, Fla.
Augusta, Ga.	33°32'40"/82°08'00"	Columbia, S.C.
Rader, Tenn.	36°06'51"/82°59'07"	Knoxville, Tenn.
Foxport, Ky.	38°30'45"/83°50'02"	Louisville, Ky.
Dayton, Ohio	40°00'59"/84°23'49"	Fort Wayne, Ind.
Milan, Mich.	42°03'05"/83°44'55"	Fort Wayne, Ind.

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

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

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

[FR Doc. 72-11695 Filed 7-28-72; 8:45 am]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-2233]

PART 13—PROHIBITED TRADE PRACTICES

Soundarama Marketing Co., Inc., et al.
Correction

In F.R. Doc. 72-10828 appearing at page 13799 in the issue for Friday,

July 14, 1972, make the following change:
On page 13800, column 2, fifth paragraph, delete lines 4 and 5 reading "Oscar Herman Turk, Jr., and Roxie R. Turk not engage in the promotion," and insert in lieu thereof "advertisement, solicitation and/or sale of any type of franchise, until such time".

Title 24—HOUSING AND URBAN DEVELOPMENT

[Docket No. R-72-202]

Chapter X—Federal Insurance Administration, Department of Housing and Urban Development

FEDERAL CRIME INSURANCE PROGRAM

Premium Rate Reductions and Minimum Commissions

The purpose of the Federal crime insurance program is to make needed crime insurance coverage available to both residential and business property owners and tenants at premium rates they can afford, in States where such insurance is not available either through a State program or the private insurance market. Although the program has now been in effect in 10 major urban States for nearly a year, only 6,000 policies have been sold. Inquiries made by the Federal Insurance Administration and correspondence from Members of Congress, State, and local officials, agents and brokers groups, the servicing companies, consumer organizations, and members of the general public have all indicated that a substantial number of those for whom the program is primarily intended, especially commercial risks with low gross receipts, believe that present premium rates are too high and that the coverage is uneconomical to purchase. Thus, the primary change to be effected by the following amendments is a substantial reduction in crime insurance premium rates for commercial properties, particularly small businesses. Residential rates are also being reduced, and increased limits of coverage are being provided.

To provide greater incentive to agents and brokers to publicize the availability of crime insurance to potential customers, minimum commissions are being established in the amount of \$15 annually on commercial policies and \$5 annually on residential policies. Residential policies are being made available for secondary residences, and the amendments make explicit the normal industry usage of the term "accessible opening" in order to clarify existing standards with respect to protective devices on commercial properties. Quick-reference premium rate tables are also being incorporated into the regulations, to make it possible for the public to look up applicable rates and to simplify for agents and brokers the task of computing rates.

Changes are being made to permit existing policyholders to cancel their

present policies without penalty in order to obtain new coverage at the new lower rates if they wish to do so. For administrative reasons, however, the new rates will otherwise not apply to renewals until 45 days after they become effective for new policies.

Finally, on the basis of the Administrator's continuing review of the crime insurance availability situation in the various States, and on the basis of findings and recommendations by the Governor and the Commissioner of Insurance of the State of Tennessee, it has also been determined that a critical unavailability situation exists in that State, and Tennessee will be made eligible for the sale of crime insurance on the effective date of this regulation.

In view of the critical unavailability situation in Tennessee, and inasmuch as these amendments reduce certain costs and ease certain public requirements, it is unnecessary to provide for notice and public procedure, and good cause exists for making these amendments effective on August 1, 1972.

(Sec. 1247, 82 Stat. 566; 12 U.S.C. 1749 bbb-17)

Subchapter C of Chapter X of Title 24 is amended as follows:

PART 1930—DESCRIPTION OF PROGRAM AND OFFER TO AGENTS

1. Paragraph (c) of § 1930.4 is revised to read as follows:

§ 1930.4 Offer to agents and brokers to sell Federal crime insurance.

(c) Subject to a minimum annual commission of \$15 on each commercial policy and \$5 on each residential policy, the specified commission percentages of the policyholder premium for both residential and commercial insurance coverages shall be the following: Initial policies, territory 01, 16 percent; 02, 15 percent; 03, 14 percent; and for all renewal business, the commission shall be 12 percent. The renewal commission rate shall apply to any property that has previously been insured under the program unless the lapse of time since the termination of the previous policy is in excess of 2 years: *Provided*, That the commission for any such renewed policy shall be deemed payable only to the agent or broker, if any, who actually submits the renewal application or, if the renewal payment is sent by the insured directly to the servicing company, to the agent or broker, if any, who wrote the policy.

PART 1931—PURCHASE OF INSURANCE AND ADJUSTMENT OF CLAIMS

2. The table of contents for Part 1931 is amended by adding a new § 1931.7a cancellations in order to renew.

3. Paragraph (b) of § 1931.1 is revised to read as follows:

§ 1931.1 States eligible for the sale of crime insurance.

(b) On the basis of the information available to date, the Administrator has concluded that the following States have an unresolved critical market unavailability situation which necessitates the implementation of the Federal crime insurance program within such States:

Connecticut	Missouri
District of Columbia	New York
Illinois	Ohio
Maryland	Pennsylvania
Massachusetts	Rhode Island
	Tennessee

4. Section 1931.4 is amended by adding a new paragraph (d), to read as follows:

§ 1931.4 Terms and conditions of policy to govern.

(d) Changes in premium rates shall apply to outstanding policies only upon the next renewal date that occurs 45 days or more after the effective date of the rate change.

5. Paragraphs (b) and (d) of § 1931.7 are revised to read as follows:

§ 1931.7 Cancellations, modifications, and renewals of coverage.

(b) A renewal notice will be sent by the servicing company to the insured at least 45 days prior to the expiration date of each policy. Insureds renewing policies shall be furnished with such additional forms, if any, as the insurer may require in order to obtain current information pertaining to the risk. Any such form must be completed and returned by the insured with the premium. The 6-month premium installment then due, together with the insured's certification as required, must be received by the servicing company not later than the expiration date of the previous policy in order to prevent a lapse in coverage. If timely payment is received, no new policy will normally be issued, and an eligible insured's check or receipt shall constitute his proof of payment. However, if timely payment is not received, or if substantial changes have been made in the regulations or provisions governing the pertinent crime insurance coverage during the term of the insured's previous coverage, a new policy in its entirety may be issued. Reinstatement of lapsed policies by servicing companies shall not be permitted.

(d) Notwithstanding any unqualified cancellation provisions contained in the prescribed policy forms, the insurer hereby limits his right to cancel, or to refuse to renew coverage, to the following grounds: (1) Any nonpayment of premium, (2) fraud or misrepresentation in the application or upon any renewal of coverage, or in connection with either, (3) fraud or misrepresentation in connection with the submission of a claim, (4) the use of the insured premises with

the knowledge of any insured for any illegal activity, or (5) any other substantial failure to comply with the provisions of this subchapter or of the insurance policy, as determined by the insurer and stated in its notice of cancellation. Cancellations on any of the grounds in subparagraph (2), (3), or (4) of this paragraph may, at the discretion of the insurer, be made retroactive to the date of the first known wrongful act. Refunds of unearned premiums, if any, shall be subject to offsets for the insurer's administrative expenses (including the payment of agents' commissions in prior years, if any) in connection with the issuance of the policy and any inspections of the applicant's premises. Except as provided by § 1932.4 of this chapter, cancellations by the insurer on the basis of subparagraph (5) of this paragraph, or as provided by paragraph (e) of this section, shall be upon 30 days' written notice, and the insured shall be entitled to a short-rate refund of unearned premium, if any.

6. A new § 1931.7a is added, to read as follows:

§ 1931.7a Cancellations in order to renew.

(a) Notwithstanding the provisions of § 1931.7(c), an insured shall be permitted for a period of 90 days after the effective date of any applicable rate reduction to cancel an existing crime insurance policy and receive a pro rata refund of unearned premium if at the time of cancellation he applies for new coverage under the program.

(b) In the event of any cancellation to obtain new coverage at lower rates as provided by paragraph (a) of this section, the amount of the commission payable to the insured's agent or broker, if any, upon the cancellation and contemporaneous writing of new coverage shall be determined by the length of time that has elapsed since the original policy was written. If the cancellation occurs and the new policy is written less than 1 year after the original policy was written, the agent or broker responsible for the writing of the new policy shall be entitled to the commission rate applicable to new policies. If the cancellation and rewriting occurs more than 1 year after the date of the original policy, then the agent or broker, if any, who procures the new policy shall be entitled to the commission rate applicable to renewals.

PART 1932—PROTECTIVE DEVICE REQUIREMENTS

7. Paragraph (e) of § 1932.31 is amended by adding the following sentence at the end thereof:

§ 1932.31 Minimum standards for industrial and commercial properties.

(e) * * * For the purposes of this paragraph, an "accessible opening" is an opening such as a window, transom, skylight, or vent, regardless of whether it is made to be opened, which exceeds 96 square inches in area and 6 inches in the

smallest dimension, any part of which is—

(1) 18 feet or less above either the ground or the roof of an adjoining building, or

(2) 14 feet or less from directly or diagonally opposite windows, fire escapes, or roofs, or

(3) 3 feet or less from openings, fire escapes, etc., in or projecting from the same wall or an adjacent wall leading to other premises.

PART 1933—COVERAGES, RATES, AND PRESCRIBED POLICY FORMS

8. The table of contents for Part 1933 is amended by adding a new § 1933.25a Quick-reference commercial rate tables.

9. Paragraph (c) of § 1933.1 is revised to read as follows:

§ 1933.1 Description of residential coverage.

(c) The residential crime insurance policy shall be written only for an individual or for a single family or household with respect to a one to four family house or separate living quarters in an apartment building or dormitory. Premises in hotels (other than residence hotels where normal occupancy exceeds 6 months in duration) and premises within residential properties used in whole or in part for business purposes are not eligible for coverage under the residential policy.

10. Section 1933.2 is revised to read as follows:

§ 1933.2 Limits of residential coverage.

The residential crime insurance policy may be written in amounts not less than \$1,000 and not in excess of \$10,000 for each insurable premise. Any amount of insurance, or fraction thereof, above a specified limit shall be charged the applicable rate for the next higher limit of coverage. Specified limits of coverage are set forth in § 1933.4.

11. Section 1933.4 is revised to read as follows:

§ 1933.4 Residential crime insurance rates.

The premium rates for the residential crime insurance policy vary according to the territory in which the insured premises are located, as set forth in Part 1934 of this chapter. Annual premiums for policy limits of \$1,000, \$3,000, \$5,000, \$7,000, and \$10,000 in each of these territorial classifications shall be as follows: (a) Territory 01 (low risk)—\$20, \$30, \$40, \$50, and \$60; (b) territory 02 (average risk)—\$30, \$40, \$50, \$60, and \$70; and (c) territory 03 (high risk)—\$40, \$50, \$60, \$70, and \$80.

12. Subparagraphs (2), (3), and (4) of paragraph (b) of § 1933.25 are revised to read as follows:

§ 1933.25 Commercial crime insurance rates.

(b) * * * (2) For risks having annual gross receipts of less than \$2 million, the base

rate for the first \$1,000 of coverage shall be determined in accordance with the following table:

Class	Territory		
	01	02	03
01.....	\$70	\$80	\$100
02.....	80	100	120
03.....	100	120	150

For risks having annual gross receipts between \$2 million and \$4,999,999, the base rate for the first \$1,000 of coverage shall be 0.00008 of such gross receipts. For risks having annual gross receipts of \$5 million or more, the base rate shall be 0.0001 of such gross receipts.

(3) The base rate determined in subparagraph (2) of this paragraph shall be multiplied by the appropriate multiplier from the following table, as determined by the applicant's Federal income tax return for the most recent taxable year, in order to obtain the actual premium for the first \$1,000 of coverage. If the applicant is a nonprofit or public entity whose gross receipts constitute less than its operating budget, its operating budget shall be used in lieu of gross receipts to determine the appropriate multiplier.

Category	Gross receipts (or operating budget, if applicable)	Multiplier
I	Less than \$25,000.....	1.00
II	\$25,000 to \$49,999.....	1.00
III	\$50,000 to \$99,999.....	1.00
IV	\$100,000 to \$249,999.....	1.50
V	\$250,000 to \$499,999.....	2.00
VI	\$500,000 to \$999,999.....	2.50
VII	\$1,000,000 to \$1,499,999.....	4.00
VIII	\$1,500,000 to \$1,999,999.....	4.50
IX	\$2,000,000 or over.....	5.00

(4) Rates for higher limits of coverage shall be determined by applying to the premium base derived in accordance with subparagraph (3) of this paragraph the appropriate higher limits factor from the following table for the applicable amount of coverage:

Rate for applicable amount of coverage:	Higher limits factor
\$1,000.....	1.00
\$2,000.....	1.90
\$3,000.....	2.70
\$4,000.....	3.40
\$5,000.....	4.00
\$6,000.....	4.50
\$7,000.....	4.90
\$8,000.....	5.20
\$9,000.....	5.40
\$10,000.....	5.50
\$11,000.....	5.55
\$12,000.....	5.60
\$13,000.....	5.65
\$14,000.....	5.70
\$15,000.....	5.75

13. Subchapter C is amended by adding a new § 1933.25a, to read as follows:

§ 1933.25a Quick-reference commercial rate tables.

The following rate tables implement the procedures set forth in § 1933.25(b) and may be used to determine rates for industrial and commercial risks having gross receipts of less than \$1 million annually:

FEDERAL CRIME INSURANCE PROGRAM
[Annual premium effective Aug. 1, 1972]

Gross receipts	Amount of coverage											
	Options			Options			Options			Options		
	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
TERRITORY 1—CLASS 2 AND TERRITORY 2—CLASS 1—continued												
	\$9,000			\$10,000			\$11,000			\$12,000		
Less than \$25,000	432	259	216	440	264	220	414	263	222	448	269	224
\$25,000 to \$49,999	432	259	216	440	264	220	414	266	222	448	269	224
\$50,000 to \$99,999	432	259	216	440	264	220	414	266	222	448	269	224
\$100,000 to \$149,999	648	389	324	660	396	330	666	400	333	672	403	336
\$150,000 to \$199,999	864	518	432	880	528	440	888	533	444	896	537	448
\$200,000 to \$249,999	1,080	648	540	1,100	660	550	1,110	666	555	1,120	672	560
\$250,000 to \$299,999												
\$300,000 to \$349,999												
\$350,000 to \$399,999												
\$400,000 to \$449,999												
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\$550,000 to \$599,999												
\$600,000 to \$649,999												
\$650,000 to \$699,999												
\$700,000 to \$749,999												
\$750,000 to \$799,999												
\$800,000 to \$849,999												
\$850,000 to \$899,999												
\$900,000 to \$999,999												
\$1,000,000 to \$1,049,999												
\$1,050,000 to \$1,099,999												
\$1,100,000 to \$1,149,999												
\$1,150,000 to \$1,199,999												
\$1,200,000 to \$1,249,999												
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\$1,700,000 to \$1,749,999												
\$1,750,000 to \$1,799,999												
\$1,800,000 to \$1,849,999												
\$1,850,000 to \$1,899,999												
\$1,900,000 to \$1,949,999												
\$1,950,000 to \$1,999,999												
\$2,000,000 to \$2,049,999												
\$2,050,000 to \$2,099,999												
\$2,100,000 to \$2,149,999												
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\$7,050,000 to \$7,099,999												
\$7,100,000 to \$7,149,999												
\$7,150,000 to \$7,199,999												
\$7,200,000 to \$7,249,999									</			

FEDERAL CRIME INSURANCE PROGRAM

[Annual premium effective Aug. 1, 1972]

Gross receipts	Amount of coverage											
	Options			Options			Options			Options		
	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)	(1)	(2)	(3)
TERRITORY 1—CLASS 3, TERRITORY 2—CLASS 2, AND TERRITORY 3—CLASS 1—Continued												
	\$13,000			\$14,000			\$15,000					
Less than \$25,000.....	565	339	283	570	342	285	575	345	288			
\$25,000 to \$49,999.....	565	339	283	570	342	285	575	345	288			
\$50,000 to \$99,999.....	565	339	283	570	342	285	575	345	288			
\$100,000 to \$299,999.....	848	509	424	855	513	428	863	518	432			
\$300,000 to \$499,999.....	1,130	678	565	1,140	684	570	1,150	690	575			
\$500,000 to \$999,999.....	1,413	848	707	1,425	855	713	1,438	863	719			
TERRITORY 2—CLASS 3 AND TERRITORY 3—CLASS 2												
	\$1,000			\$2,000			\$3,000			\$4,000		
Less than \$25,000.....	\$120	\$72	\$60	\$228	\$137	\$114	\$324	\$194	\$162	\$408	\$245	\$204
\$25,000 to \$49,999.....	120	72	60	228	137	114	324	194	162	408	245	204
\$50,000 to \$99,999.....	120	72	60	228	137	114	324	194	162	408	245	204
\$100,000 to \$299,999.....	180	108	90	342	205	171	486	292	243	612	367	306
\$300,000 to \$499,999.....	240	144	120	456	274	228	648	389	324	816	490	408
\$500,000 to \$999,999.....	300	180	150	570	342	285	810	486	405	1,020	612	510
	\$5,000			\$6,000			\$7,000			\$8,000		
Less than \$25,000.....	480	288	240	540	324	270	588	353	294	624	374	312
\$25,000 to \$49,999.....	480	288	240	540	324	270	588	353	294	624	374	312
\$50,000 to \$99,999.....	480	288	240	540	324	270	588	353	294	624	374	312
\$100,000 to \$299,999.....	720	432	360	810	486	405	882	529	441	936	562	468
\$300,000 to \$499,999.....	960	576	480	1,080	648	540	1,176	706	588	1,248	749	624
\$500,000 to \$999,999.....	1,200	720	600	1,350	810	675	1,470	882	735	1,560	936	780
	\$9,000			\$10,000			\$11,000			\$12,000		
Less than \$25,000.....	648	389	324	660	396	330	666	400	333	672	403	336
\$25,000 to \$49,999.....	648	389	324	660	396	330	666	400	333	672	403	336
\$50,000 to \$99,999.....	648	389	324	660	396	330	666	400	333	672	403	336
\$100,000 to \$299,999.....	972	583	486	990	594	495	999	599	500	1,008	605	504
\$300,000 to \$499,999.....	1,296	778	648	1,320	792	660	1,332	799	666	1,344	806	672
\$500,000 to \$999,999.....	1,620	972	810	1,650	990	825	1,665	999	833	1,680	1,008	840
	\$13,000			\$14,000			\$15,000					
Less than \$25,000.....	678	407	339	684	410	342	690	414	345			
\$25,000 to \$49,999.....	678	407	339	684	410	342	690	414	345			
\$50,000 to \$99,999.....	678	407	339	684	410	342	690	414	345			
\$100,000 to \$299,999.....	1,017	610	509	1,026	616	513	1,035	621	518			
\$300,000 to \$499,999.....	1,356	814	678	1,368	821	684	1,380	828	690			
\$500,000 to \$999,999.....	1,695	1,017	848	1,710	1,026	855	1,725	1,035	863			
TERRITORY 3—CLASS 3												
	\$1,000			\$2,000			\$3,000			\$4,000		
Less than \$25,000.....	\$130	\$78	\$65	\$247	\$148	\$124	\$351	\$211	\$176	\$442	\$265	\$221
\$25,000 to \$49,999.....	130	78	65	247	148	124	351	211	176	442	265	221
\$50,000 to \$99,999.....	130	78	65	247	148	124	351	211	176	442	265	221
\$100,000 to \$299,999.....	195	117	98	371	223	186	527	316	264	663	398	332
\$300,000 to \$499,999.....	260	156	130	494	296	247	702	421	351	884	530	442
\$500,000 to \$999,999.....	325	195	163	618	371	309	878	527	439	1,105	663	553
	\$5,000			\$6,000			\$7,000			\$8,000		
Less than \$25,000.....	520	312	260	585	351	293	637	382	319	676	406	338
\$25,000 to \$49,999.....	520	312	260	585	351	293	637	382	319	676	406	338
\$50,000 to \$99,999.....	520	312	260	585	351	293	637	382	319	676	406	338
\$100,000 to \$299,999.....	780	468	390	878	527	439	956	574	478	1,014	608	507
\$300,000 to \$499,999.....	1,040	624	520	1,170	702	585	1,274	764	637	1,352	811	676
\$500,000 to \$999,999.....	1,300	780	650	1,463	878	732	1,593	956	797	1,690	1,014	845
	\$9,000			\$10,000			\$11,000			\$12,000		
Less than \$25,000.....	702	421	351	715	429	358	722	433	361	728	437	364
\$25,000 to \$49,999.....	702	421	351	715	429	358	722	433	361	728	437	364
\$50,000 to \$99,999.....	702	421	351	715	429	358	722	433	361	728	437	364
\$100,000 to \$299,999.....	1,053	632	527	1,073	644	537	1,082	649	541	1,092	655	546
\$300,000 to \$499,999.....	1,404	842	702	1,430	858	715	1,443	866	722	1,456	874	728
\$500,000 to \$999,999.....	1,755	1,053	878	1,788	1,073	894	1,804	1,082	902	1,820	1,092	910
	\$13,000			\$14,000			\$15,000					
Less than \$25,000.....	735	441	368	741	445	371	748	449	374			
\$25,000 to \$49,999.....	735	441	368	741	445	371	748	449	374			
\$50,000 to \$99,999.....	735	441	368	741	445	371	748	449	374			
\$100,000 to \$299,999.....	1,102	661	551	1,112	667	556	1,121	673	561			
\$300,000 to \$499,999.....	1,469	881	735	1,482	889	741	1,495	897	748			
\$500,000 to \$999,999.....	1,836	1,102	918	1,853	1,112	927	1,869	1,121	935			

NOTE: Consult servicing companies for rate information if gross receipts are \$1 million or more.

Option (1)—Burglary and robbery coverage in uniform amount; option (2)—Robbery only coverage; option (3)—Burglary only coverage.

The rate for option (4) consists of the sum of the rates for the selected amounts of coverage under options (2) and (3).

Effective date. These regulations shall be effective August 1, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-11853 Filed 7-28-72;8:45 am]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines,
Department of the InteriorSUBCHAPTER O—COAL MINE HEALTH AND
SAFETYPART 75—MANDATORY SAFETY
STANDARDS, UNDERGROUND
COAL MINESFire Suppression Devices and Fire-
Resistant Hydraulic Fluids on
Underground Equipment

In accordance with the provisions of section 311(e) of the Federal Coal Mine Health and Safety Act of 1969 and pursuant to the authority vested in the Secretary of the Interior under section 301 (d) of the Act, there was promulgated in the FEDERAL REGISTER on Friday, October 8, 1971 (36 F.R. 19583), §§ 75.1107-1 through 75.1107-15 of Part 75, Subchapter O, Chapter I, Title 30, Code of Federal Regulations, which set forth specifications for fire suppression devices required to be installed on attended and unattended underground equipment and designated suitable fire-resistant hydraulic fluids approved by the Secretary for use in hydraulic systems of such equipment. For various reasons the effective date of those standards promulgated on October 8, 1971, has from time to time been extended. By notice published in the FEDERAL REGISTER on Friday, April 28, 1972 (37 F.R. 8529), the effective date of these standards was suspended until July 28, 1972.

Subsequent to the promulgation of the aforementioned standards on October 8, 1971, meetings have been held with representatives of manufacturers of fire protection equipment designed for use in mines and representatives of the coal mining industry and miners pursuant to section 101(c) of the Act. Investigations, studies, and consultations which have been made and held have resulted in the development of improved standards.

Pursuant to section 101 of the Act, there was published in the FEDERAL REGISTER on Tuesday, March 21, 1972 (37 F.R. 5756), a notice of proposed rule making whereby it was proposed to revoke §§ 75.1107-1 through 75.1107-15 and substitute in lieu thereof new §§ 75.1107-1 through 75.1107-16. Interested persons were afforded a period of 30 days following publication of this notice to submit written data, comments, suggestions, or objections to the proposed new standards. Written data, comments, suggestions, or objections were received and have been carefully and thoroughly considered and additional consultations and meetings have been held with interested parties to discuss

and consider the proposed standards. Some comments and suggestions were found to have substantial merit and have been adopted. In other instances changes and revisions have been made in the proposed standards based upon comments and suggestions received and further consultations and meetings which have been held.

Sections 75.1107-3, 75.1107-7, and 75.1107-13 make reference to nationally recognized agencies approved by the Secretary for certain purposes described in those sections. From time to time by a separate notice published in the *FEDERAL REGISTER* those nationally recognized agencies which have been approved by the Secretary for the purposes of those sections will be listed. Interested persons are advised that concurrently with the promulgation of these standards such a notice is published in the "Notices" section of the *FEDERAL REGISTER* of those nationally recognized agencies which have been approved by the Secretary at this time.

Pursuant to the authority of section 101 of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91-173, 30 U.S.C. sec. 811) §§ 75.1107-1 through 75.1107-15 of Part 75, as promulgated on October 8, 1971, are hereby revoked, and there is hereby substituted in lieu thereof new §§ 75.1107-1 through 75.1107-17 as set forth below.

Effective date. The new §§ 75.1107-1 through 75.1107-17 shall become effective on the date of publication (7-29-72). *Provided, however,* That operators shall have a period of 180 days from the date of publication in which to acquire, install, and make operative fire suppression devices required by these standards and to make other adjustments in the mine which will meet the requirements of these standards. During such period of 180 days, operators of mines will be advised by means of "safeguard notices" of conditions or practices in a mine which fail to comply with these standards or which fail to meet the requirements of these standards. From and after 180 days from the effective date, operators who fail to comply with the provisions of §§ 75.1107-1 through 75.1107-7 will be subject to the issuance of notices, orders, and assessment of penalties pursuant to the Act.

HOLLIS M. DOLE,
Assistant Secretary of the Interior,
JULY 27, 1972.

Part 75, Subchapter O of Chapter I, Title 30, Code of Federal Regulations is amended by revoking §§ 75.1107-1 through 75.1107-15 promulgated on October 8, 1971, and substituting in lieu thereof and by adding to Part 75 the following §§ 75.1107-1 through 75.1107-17.

§ 75.1107-1 Fire-resistant hydraulic fluids and fire suppression devices on underground equipment.

(a) (1) Unattended electrically powered equipment used underground which uses hydraulic fluid shall use approved fire-resistant hydraulic fluid.

(2) Except as provided in subparagraph (3) of this paragraph (a), within 24 production shift hours after being installed, unattended electrically powered equipment used underground shall be equipped with a fire suppression device which meets the applicable requirements of §§ 75.1107-3 through 75.1107-16.

(3) Unattended enclosed motors, controls, transformers, rectifiers, and other similar noncombustible electrically powered equipment containing no flammable fluid may be protected:

(i) By an approved fire suppression device, or

(ii) Be located at least 2 feet from coal or other combustible materials, or

(iii) Be separated from the coal or combustible materials by a 4-inch-thick masonry firewall or equivalent; and be mounted on a minimum 4-inch-thick noncombustible surface, platform, or equivalent. The electrical cables at such equipment shall conform with the requirements of Part 18 of this chapter (Bureau of Mines Schedule 2G) or be in metal conduit.

(b) Attended electrically powered equipment used underground which uses hydraulic fluid shall use approved fire-resistant hydraulic fluid unless such equipment is protected by a fire suppression device which meets the applicable requirements of §§ 75.1107-3 through 75.1107-16.

(c) For purpose of §§ 75.1107-75.1107-16 the following underground equipment shall be considered attended equipment:

(1) Any machine or device regularly operated by a miner assigned to operate such machine or device;

(2) Any machine or device which is mounted in the direct line of sight of a jobsite which is located within 500 feet of such machine or device and which jobsite is regularly occupied by a miner assigned to perform job duties at such jobsite during each production shift.

(d) Machines and devices described under paragraph (c) of this section must be inspected for fire and the input powerline deenergized when workmen leave the area for more than 30 minutes.

§ 75.1107-2 Approved fire-resistant hydraulic fluids; minimum requirements.

Fire-resistant hydraulic fluids and concentrates required to be employed in the hydraulic system of underground equipment in accordance with the provisions of § 75.1107-1 shall be considered suitable only if they have been produced under an approval, or any modification thereof, issued pursuant to Part 35 Subchapter I of this chapter (Bureau of Mines Schedule 30), or any revision thereof.

§ 75.1107-3 Fire suppression devices; approved components; installation requirements.

(a) The components of each fire suppression device required to be installed in accordance with the provisions of § 75.1107-1 shall be approved by the Secretary, or where appropriate be listed as approved by a nationally recognized agency approved by the Secretary.

(b) Where used, pressure vessels shall conform with the requirements of sections 3603, 3606, 3607, 3707, and 3708 of National Fire Code No. 22 "Water Tanks for Private Fire Protection" (NFPA No. 22-1971).

(c) The cover of hose of fire suppression devices, if used on the protected equipment and installed after the effective date of this section, shall meet the flame-resistant requirements of Part 18 of this chapter (Bureau of Mines Schedule 2G).

(d) Fire suppression devices required to be installed in accordance with the provisions of § 75.1107-1 shall where appropriate be installed in accordance with the manufacturer's specifications.

§ 75.1107-4 Automatic fire sensors and manual actuators; installation; minimum requirements.

(a) (1) Where fire suppression devices are installed on unattended underground equipment, one or more point-type sensors or equivalent shall be installed for each 50 square feet of top surface area, or fraction thereof, of such equipment, and each sensor shall be designed to activate the fire suppression system and disconnect the electrical power source to the equipment protected, and, except where sprinklers are used, there shall be in addition, a manual actuator installed to operate the system. Where sprinklers are used, provision shall be made for manual application of water to the protected equipment in lieu of a manual actuator.

(2) Two or more manual actuators, where practicable, shall be installed, as provided in subdivisions (i) and (ii) of this subparagraph (2), to activate fire suppression devices on attended equipment purchased on or after the effective date of this § 75.1107-4. At least one manual actuator shall be used on equipment purchased prior to the effective date of this § 75.1107-4.

(i) Manual actuators installed on attended equipment regularly operated by a miner, as provided in § 75.1107-1(c) (1) shall be located at different locations on the equipment, and at least one manual actuator shall be located within easy reach of the operator's normal operating position.

(ii) Manual actuators to activate fire suppression devices on attended equipment not regularly operated by a miner, as provided in § 75.1107-1(c) (2), shall be installed at different locations, and at least one manual actuator shall be installed so as to be easily reached by the miner at the jobsite or by persons approaching the equipment.

(b) Sensors shall, where practicable, be installed in accordance with the recommendations set forth in National Fire Code No. 72A "Local Protective Signaling Systems" (NFPA No. 72A-1967).

(c) On unattended equipment the fire suppression device shall operate independently of the power to the main motor (or equivalent) so it will remain operative if the circuit breakers (or other protective device) actuates. On attended equipment powered through a trailing cable the fire suppression device shall

operate independently of the electrical power provided by the cable.

(d) Point-type sensors (such as thermocouple, bimetallic strip, or rate of temperature rise) located in ventilated passageways shall be installed downwind from the equipment to be protected.

(e) Sensor systems shall include a device or method for determining their operative condition.

§ 75.1107-5 Electrical components of fire suppression devices; permissibility requirements.

The electrical components of each fire suppression device used on permissible equipment in the last open crosscut or on equipment in the return airways of any coal mine shall be permissible or intrinsically safe and such components shall be maintained in permissible or intrinsically safe condition.

§ 75.1107-6 Capacity of fire suppression devices; location and direction of nozzles.

(a) Each fire suppression device shall be:

(1) Adequate in size and capacity to extinguish potential fires in or on the equipment protected; and

(2) Suitable for the atmospheric conditions surrounding the equipment protected (e.g., air velocity, type, and proximity of adjacent combustible material); and

(3) Rugged enough to withstand rough usage and vibration when installed on mining equipment.

(b) The extinguishant-discharge nozzles of each fire suppression device shall, where practicable, be located so as to take advantage of mine ventilation air currents. The fire suppression device may be of the internal injection, inundating, or combination type. Where fire control is achieved by internal injection, or combination of internal injection and inundation, hazardous locations shall be enclosed to minimize runoff and overshoot of the extinguishing agent and the extinguishing agent shall be directed onto:

(1) Cable reel compartments and electrical cables on the equipment which are subject to flexing or to external damage; and

(2) All hydraulic components on the equipment which are exposed directly to or located in the immediate vicinity of electrical cables which are subject to flexing or to damage.

§ 75.1107-7 Water spray devices; capacity; water supply; minimum requirements.

(a) Where water spray devices are used on unattended underground equipment the rate of flow shall be at least 0.25 gallon per minute per square foot over the top surface area of the equipment and the supply of water shall be adequate to provide the required flow of water for 10 minutes.

(b) Where water spray devices are used for inundating attended underground equipment the rate of flow shall be at least 0.18 gallon per minute per square foot over the top surface area of

the equipment (excluding conveyors, cutters, and gathering heads), and the supply of water shall be adequate to provide the required flow of water for 10 minutes.

(c) Where water is used for internal injection on attended equipment the total quantity of water shall be at least 4.5 gallons times the number of hazardous locations; however, the total minimum amount of water shall not be less than the following:

Type of equipment:	Water in gallons
(1) Cutting machines.....	36
(2) Continuous miners.....	36
(3) Haulage vehicles.....	22.5
(4) All other attended equipment..	18.0

The rate of flow shall be not less than 7 gallons per minute.

(d) Where water is used in a combination internal injection and inundation system on attended equipment the rate of flow shall be at least 0.12 gallon per minute per square foot over the top surface area of the equipment (excluding conveyors, cutters, and gathering heads), and the supply of water shall be adequate to provide the required flow of water for 10 minutes.

(e) On equipment provided with a cable reel and an internal injection or combination-type system, the amount of water discharged into the cable reel compartments shall be approximately 25 percent of the amount required to be discharged by the system, however, such quantity need not exceed 10 gallons.

(f) Liquid chemicals may be used, as approved by the Secretary in self-contained fire suppression devices. Such liquid chemicals shall be nontoxic and when applied to a fire shall not produce excessive toxic compounds. The quantity of liquid chemicals required shall be proportionately less than water as based on equivalency ratings established by the Secretary or equivalency ratings made by a nationally recognized agency approved by the Secretary.

§ 75.1107-8 Fire suppression devices; extinguishant supply systems.

(a) Fire suppression systems using water or liquid chemical to protect attended equipment shall:

(1) Be maintained at a pressure consistent with the pipe, fittings, valves, and nozzles used in the system.

(2) Be located so as to be protected against damage during operation of the equipment protected.

(3) Employ liquid which is free from excessive sediment and noncorrosive to the system.

(4) Include strainers equipped with flush-out connections or equivalent protective devices and a rising stem or other visual indicator-type shutoff valve.

(b) Water supplies for fire suppression devices installed on underground equipment may be maintained in mounted water tanks or by connection to water mains. Such water supplies shall be continuously connected to the fire suppression device whenever the equipment is connected to a power source, except for a reasonable time for changing hose

connections to hydrants while the machine is stopped in a ventilated passageway.

§ 75.1107-9 Dry chemical devices; capacity; minimum requirements.

(a) Dry chemical fire extinguishing systems used on underground equipment shall be of the multipurpose powder-type and shall include the following:

(1) The system including all hose and nozzles shall be protected against the entrance of moisture, dust, or dirt;

(2) The system shall be guarded against damage during operation of the equipment protected;

(3) Hose and pipe shall be as short as possible; the distance between the chemical container and furthest nozzle shall not exceed 50 feet;

(4) Hose, piping, and fittings between the actuator and the chemical container shall have a bursting pressure of 500 pounds per square inch (gage) or higher; the hose, piping, and fittings between the chemical container and the nozzles shall have a bursting pressure of 300 pounds per square inch (gage) or higher; and

(5) The system shall discharge in 1 minute or less, for quantities less than 50 pounds (nominal)¹ and in less than 2 minutes for quantities more than 50 pounds;

(b) On unattended underground equipment, the number of pounds of dry chemical employed by the system shall be not less than 1 pound per square foot of top surface area of the equipment; however, the minimum amount in any system shall be 20 pounds (nominal). The discharge shall be directed into and on potentially hazardous locations of the equipment.

(c) On attended underground equipment, the number of pounds (nominal) employed by the system shall equal 5 times the total number of hazardous locations; however, the minimum amount in any system shall not be less than the following, except that systems on haulage vehicles installed prior to the effective date of this section may contain 20 pounds (nominal).

Type of equipment:	Dry chemical pounds (nominal)
(1) Cutting machines.....	40
(2) Continuous miners.....	40
(3) Haulage vehicles.....	30
(4) All other attended equipment....	20

(d) The amount of dry chemical discharged into the cable reel compartments of attended underground equipment shall be approximately 25 percent of the total amount required to be discharged by the system; however, the quantity discharged

¹ Many dry chemical systems were originally designed for sodium bicarbonate before all-purpose chemical (ammonium phosphate) was shown to be more effective. Sodium bicarbonate is denser than ammonium phosphate; hence, for example, a 50-pound system designed for the sodium bicarbonate will hold slightly more by weight than all-purpose dry chemical (ammonium phosphate) by weight. The word "nominal" is used in § 75.1107-9 to express the approximate weight in pounds of all-purpose dry chemical.

into cable reel compartments need not exceed 10 pounds.

§ 75.1107-10 High expansion foam devices; minimum capacity.

(a) On unattended underground equipment the amount of water delivered as high expansion foam for a period of approximately 20 minutes shall be not less than 0.06 gallon per minute per square foot of surface area of the equipment protected; however, the minimum total rate for any system shall be not less than 3 gallons per minute.

(b) On attended underground equipment, foam may be delivered by internal injection, inundation, or combination-type systems. Each system shall deliver water as foam for a minimum of 10 minutes. For internal injection, the rate of water application as high expansion foam shall be not less than 0.5 gallon per minute per hazardous location; however, the minimum total rate shall be not less than 2 gallons per minute. For inundation, the rate of water application as high expansion foam shall be not less than 0.05 gallon per minute per square foot of top surface area of the equipment protected; however, the minimum total rate shall be not less than 5 gallons of water per minute.

(c) In combined internal injection and inundation systems the rate of water applied as foam shall not be less than 0.035 gallon per minute per square foot of top surface area of the equipment protected; however, the minimum total rate shall not be less than 3.5 gallons of water per minute.

(d) Where internal injection is employed, the amount of water discharged as high expansion foam into the cable reel compartments of underground equipment regularly operated by a miner shall be approximately 25 percent of the total amount required to be discharged by the system; however, the quantity of water discharged as foam into the cable reel compartment need not exceed 1.5 gallons.

§ 75.1107-11 Extinguishing agents; requirements on mining equipment employed in low coal.

On mining equipment no more than 32 inches high, the quantity of extinguishing agent required under the provisions of §§ 75.1107-7, 75.1107-9, and 75.1107-10 may be reduced by one-fourth if space limitations on the equipment require such reduction.

§ 75.1107-12 Inerting of mine atmosphere prohibited.

No fire suppression device designed to control fire by total flooding shall be installed to protect unattended underground equipment except in enclosed dead-end entries or enclosed rooms.

§ 75.1107-13 Approval of other fire suppression devices.

Notwithstanding the provisions of §§ 75.1107-1 through 75.1107-12 the District Manager for the District in which the mine is located may approve any other fire suppression system or device which provides substantially equivalent

protection as would be achieved through compliance with those sections: Provided, that no such system or device shall be approved which does not meet the following minimum criteria:

(a) Components shall be approved by the Secretary, or where appropriate be listed as approved by a nationally recognized agency approved by the Secretary.

(b) The fire suppression equipment shall be designed to withstand the rigors of the mine environment. Where used, pressure vessels shall conform with the requirements of sections 3603, 3606, 3607, 3707, and 3708 of National Fire Code No. 22 "Water Tanks for Private Fire Protection" (NFPA No. 22-1971).

(c) The cover of hose of fire suppression devices, if used on the protected equipment, shall meet the flame-resistant requirements of Part 18 of this chapter (Bureau of Mines Schedule 2G).

(d) Extinguishing agents shall not create a serious toxic or other hazard to the miners.

(e) The electrical components of the fire suppression device shall meet the requirements for electrical components of the mining machine.

(f) Where used, manual actuators for initiating the operation of the fire suppression device shall be readily accessible to the machine operator. On unattended equipment, an automatic as well as a manual actuator shall be provided.

(g) On unattended equipment the fire suppression device shall operate independently of the power to the main motor (or equivalent) so it will remain operative if the circuit breakers (or other protective device) actuates. On attended equipment powered through a trailing cable the fire suppression device shall operate independently of the electrical power provided by the cable.

(h) On unattended equipment, the sensor system shall have a means for checking its operative condition.

(i) The fire suppression agent shall be directed at locations where the greatest potential fire hazard exists. Cable reel compartments shall receive approximately twice the quantity of extinguishing agent as each other hazardous location.

(j) The rate of application of the fire suppression agent shall minimize the time for quenching and the total quantity applied shall be sufficient to quench a fire in its incipient stage.

(k) The effectiveness of the quenching agent, together with the total quantity of agent and its rate of application shall provide equivalent protection to the water, dry powder, or foam systems described in §§ 75.1107-7, 75.1107-9, and 75.1107-10.

(l) The fire suppression device shall be operable at all times electrical power is connected to the mining machine, except during tramming when the machine is in a ventilated passageway, the water hose if used, may be switched from one hydrant to another in a reasonable time and except in systems meeting the minimum special criteria set forth in paragraph (m) of this section.

(m) Systems for attended equipment which are not continuously connected to

a water supply shall not be approved unless they meet the following minimum criteria:

(1) The machine shall be equipped with a firehose at least 50 feet in length which is continuously connected to the machine-mounted portion of the system.

(2) Hydrants in proximity to the area where the machine is to be used shall be equipped with sufficient hose to reach the machine at any time it is connected to a power source.

(3) The machine shall be used only where the operator (or other person) will always be in ventilated air uncontaminated by smoke and hot gases from the machine fire while extending the machine-mounted hose to connect with the hydrant-mounted hose.

(4) The machine and hydrant hoses shall be readily accessible so that the connection between the machine-mounted hose and the hydrant hose can be made and water flow achieved in not more than 3 minutes under actual mining conditions for any location of the machine while electric power is connected.

(5) The rate of water flow at the machine shall provide a minimum of 0.12 gallon of water per minute per square foot of top surface area (excluding conveyors, cutters, and gathering heads). The water shall discharge to all hazardous locations on the machine.

(6) Hose, if used on the machine, in addition to meeting the flame resistant requirements for the cover of a hose provided in §§ 75.1107-3(b) and 75.1107-13(c) shall have a minimum burst pressure 4 times that of the static water pressure at the mining machine. Fabric braid hose shall have at least two braids, and wire braid hose shall have at least a single braid.

(7) In addition to the hose located at the hydrant (which is intended to be connected to the hose on the machine) the firefighting equipment required by § 75.1100-2(a) shall be maintained.

(8) A sufficient number of trained miners shall be kept on the section when the machine is in use to connect the machine hose to the hydrant hose and achieve water flow in not more than 3 minutes.

§ 75.1107-14 Guards and handrails; requirements where fire suppression devices are employed.

All unattended underground equipment provided with fire suppression devices which are mounted in dead end entries, enclosed rooms or other potentially hazardous locations shall be equipped with adequate guards at moving or rotating components. Handrails or other effective protective devices shall be installed at such locations where necessary to facilitate rapid egress from the area surrounding such equipment.

§ 75.1107-15 Fire suppression devices; hazards; training of miners.

Each operator shall instruct all miners normally assigned to the active workings of the mine with respect to any hazards inherent in the operation of all fire suppression devices installed in accordance

with § 75.1107-1 and, where appropriate, the safeguards available at each such installation.

§ 75.1107-16 Inspection of fire suppression devices.

(a) All fire suppression devices shall be visually inspected at least once each week by a person qualified to make such inspections.

(b) Each fire suppression device shall be tested and maintained in accordance with the requirements specified in the appropriate National Fire Code listed as follows for the type and kind of device used:

National Fire Code No. 11A "High Expansion Foam Systems" (NFPA No. 11A-1970).

National Fire Code No. 13A "Care and Maintenance of Sprinkler Systems" (NFPA No. 13A-1971).

National Fire Code No. 15 "Water Spray Fixed Systems for Fire Protection" (NFPA No. 15-1969).

National Fire Code No. 17 "Dry Chemical Extinguishing Systems" (NFPA No. 17-1969).

National Fire Code No. 72A "Local Protective Signaling Systems" (NFPA No. 72A-1967).

National Fire Code No. 198 "Care of Fire Hose" (NFPA No. 198-1969).

(c) A record of the inspections required by this section shall be maintained by the operator. The record of the weekly inspections may be maintained at an appropriate location by each fire suppression device.

§ 75.1107-17 Incorporation by reference; availability of publications.

In accordance with 5 U.S.C. 552(a), the technical publications to which reference is made in §§ 75.1107-1 through 75.1107-16, and which have been prepared by organizations other than the Bureau of Mines, are hereby incorporated by reference and made a part hereof. The incorporated publications are available for examination at each Coal Mine Health and Safety District and Subdistrict Office of the Bureau of Mines. National Fire Codes are available from the National Fire Protection Association, 60 Batterymarch Street, Boston, MA 02110.

[FR Doc.72-11986 Filed 7-28-72; 9:53 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

[CGD 72-11CR]

PART 110—ANCHORAGE REGULATIONS

Neenah Harbor, Neenah, Wis.

Correction

In F.R. Doc. 72-11371 appearing on page 14694 of the issue for Saturday, July 22, 1972, the figures in the description of Neenah Harbor in § 110.79a

should read in degrees and feet, rather than degrees and minutes, as follows: "A line beginning at a point bearing 117.5°, 1,050 feet from the point where the southeasterly side of the First Street/Oak Street Bridge crosses the south shoreline of the river; thence 254°, 162 feet; thence 146°, 462 feet; 164°, 138 feet; 123°, 367 feet; 068°, 400 feet; 044°, 400 feet; thence 320°, 107 feet; thence 283°, 1,054 feet to the point of beginning."

Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

Petition for Review of Interlocutory Decision

The Commissioner of Patents is amending § 2.127(b) of the rules of practice to extend the time for filing a petition for reconsideration or modification of an interlocutory decision. The existing rule requires that such petition be filed within 10 days from the date of the decision. Recent experience has demonstrated that this time period is insufficient in view of the possibility of delays in communicating the decision to the concerned parties. Accordingly, the rule is amended to permit filing of a petition within 30 days from the date of the decision. Since this change imposes no burden on any person, notice and public procedures thereon are deemed unnecessary.

Therefore, pursuant to the authority contained in section 41 of the Act of July 5, 1946 (60 Stat. 440; 15 U.S.C. 1123) and section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), Part 2 of Chapter I of Title 37 of the Code of Federal Regulations is hereby amended as follows:

§ 2.127 Motions.

(b) Any petition for reconsideration or modification of a decision must be filed within 30 days from the date thereof. Any brief in opposition shall be filed within 15 days after service of the petition.

Effective date. This amendment shall be applicable to all decisions dated on or after September 1, 1972.

ROBERT GOTTSCHALK,
Commissioner of Patents.

Approved: July 21, 1972.

JAMES H. WAKELIN, Jr.,
Assistant Secretary for
Science and Technology.

July 18, 1972.

[FR Doc.72-11883 Filed 7-28-72; 8:54 am]

Title 39—POSTAL SERVICE

Chapter I—United States Postal Service

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter I of Title 39 is amended as follows:

PART 125—SECOND-CLASS BULK MAILINGS

Section 125.5(c) is amended to give publishers submitting mailing statements on a monthly basis a reasonable time period within which to prepare and submit required information. Other amendments are made in Part 125 to update office designations. Accordingly, in Part 125 make the following changes:

§ 125.3 [Amended]

1. In § 125.3 *Mailing*, under paragraph (d) (2) change the reference "Regional Director" to "Regional Mail Classification Branch".

§ 125.4 [Amended]

2. In § 125.4 *Newspaper treatment*, under paragraph (a) change the reference "Office of Mail Classification, Bureau of Finance and Administration" to "Mail Classification Division, Finance Department".

3. In § 125.5 amend paragraph (a) (2) to change the reference "Director, Office of Rates and Classification, Finance Department" to "Mail Classification Division, Finance Department", and amend paragraph (c) to read as follows:

§ 125.5 Statement and copy filed with mailings.

(a) *Copies filed by publishers.* * * *

(2) *Copies marked to show advertising.* * * * Mail Classification Division, Finance Department.

(c) *Statement showing number of copies mailed.* When postage is to be computed on the bulk weight of one issue as provided for by § 125.6(a), the publisher must file with the first mailing of each issue a statement on Form 3542, (Statement Showing Number of Copies of Second-Class or Controlled Circulation Publication Mailed), showing the number of copies included in each zone or other separation necessary for computing the postage, and the average weight per copy as determined in the manner prescribed by § 125.6(b). When postage is to be computed at the end of each calendar month on the total bulk weight of all issues mailed during the month as provided for by § 125.6(c), the statement must be filed not later than 72 hours after the first mailing of the last issue mailed each month and must show the average number of copies of each issue included in each separation, the weight of one sheet, and the combined weight of one copy from each issue as determined in the manner prescribed by § 125.6(d). The publisher