

Quality Control Regions from the table of 107(d) attainment status designations in the Code of Federal Regulations (40 CFR 81.331).

EFFECTIVE DATE: March 3, 1978.

FOR FURTHER INFORMATION CONTACT: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Room 1005, 26 Federal Plaza, New York, New York 10278, (212) 264-2517.

SUPPLEMENTARY INFORMATION: Section 107(d) of the Clean Air Act, as amended in August 1977, directed each state to submit to the Administrator of the Environmental Protection Agency (EPA) a list of the national ambient air quality standards attainment status designations for all areas within the state. EPA received such designations from the State of New Jersey on December 5, 1977, and promulgated them, with the necessary modifications, on March 3, 1978 (43 FR 8962).

In the lists that were promulgated at 40 CFR Parts 81, footnotes were used to indicate that an EPA designation replaced a state recommendation. However, in the March 3, 1978, notice several EPA designations which replaced the New Jersey State recommendations for 107(d) attainment status designations for carbon monoxide (CO) were not so footnoted. Today's notice corrects these omissions by adding the appropriate footnotes to the designations at 40 CFR 81.331.

Consistent with EPA guidance based on the scope of the CO problem, as a minimum, EPA designated entire cities or boroughs as non-attainment of the CO standard. In its submittal New Jersey designated only the Central Business District of each city or borough as non-attainment.

In addition, at the request of the State, on August 18, 1983 (48 FR 37404) EPA approved a revision to the CO designation for the City of Asbury Park in Monmouth County from "does not meet primary standards" to "better than national standards." However, when the 107(d) attainment status designation table which contained this revision was published at 40 CFR Part 81 on July 1, 1984, two of New Jersey's four Air Quality Control Regions (AQCR's), the New Jersey Intrastate AQCR and the Pennsylvania Upper Delaware Valley Interstate AQCR, were missing from the table. The 107(d) attainment status designation table published in today's notice includes all four of New Jersey's AQCRs and, as such, corrects the omission of the New Jersey Intrastate AQCR and the Pennsylvania Upper Delaware Valley AQCR from 40 CFR 81.331.

List of Subjects in 40 CFR Part 81

Air pollution control.

July 6, 1988.

Christopher J. Daggett,
Regional Administrator, Environmental
Protection Agency, Region II.

For the reasons set out in the preamble, Title 40, Chapter I, of the Code of Federal Regulations is amended as set forth below.

PART 81—[AMENDED]

1. The authority citation for Part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 81.331 is amended by revising the table entitled, "New Jersey-CO" to read as follows:

§ 81.331 New Jersey.

NEW JERSEY—CO

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
New Jersey-New York-Connecticut Interstate AQCR:		
The City of Paterson.	1X.....	
The City of Hackensack.	1X.....	
The City of Jersey City.	1X.....	
The City of Newark.	1X.....	
The City of Elizabeth.	1X.....	
The City of Morristown.	1X.....	
The City of Perth Amboy.	1X.....	
The Borough of Somerville.	1X.....	
The Borough of Freehold.	1X.....	
Remainder of AQCR.		X
Metropolitan Philadelphia Interstate AQCR:		
The City of Trenton.	1X.....	
The City of Burlington.	1X.....	
The City of Camden.	1X.....	
The Borough of Penns Grove (those portions within 100 yards of the intersections of U.S. Route 130 and County Roads 675 and 607).	1X.....	
Remainder of AQCR.		X
New Jersey Intrastate AQCR:		
The City of Atlantic City.	1X.....	

NEW JERSEY—CO—Continued

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
Toms River (portion of Dover Township).	1X.....	
Remainder of AQCR.		X
Northeast Pennsylvania Upper Delaware Valley Interstate AQCR.		X

¹ EPA designation replaces State designation.

[FR Doc. 88-16191 Filed 7-19-88; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 180

[PP 7F3517/R972; FRL-3417-1]

Pesticide Tolerance for Fenarimol

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for residues of the fungicide fenarimol in or on pears. This regulation, to establish a maximum permissible level of residues of fenarimol in or on the commodity, was requested in a petition submitted by Elanco Products Co.

EFFECTIVE DATE: Effective on July 7, 1988.

ADDRESS: Written objections, identified by the document control number [PP 7F3517/R972] may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M-3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

Lois A. Rossi, Product Manager (PM) 21, Registration Division (TS-767C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 227, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-557-1900.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the Federal Register of May 25, 1988 (53 FR 18897), which announced that Elanco Products Co., 740 South Alabama St., Indianapolis, IN 46285, submitted pesticide petition (PP) 7F3517 to EPA requesting that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act, propose

the establishment of a tolerance for the fungicide fenarimol [α -(2-chlorophenyl)- α -(4-chlorophenyl)-5-pyrimidinemethanol] in or on the raw agricultural commodity pears at 0.1 part per million (ppm).

There were no comments received in response to the notice of filing.

The data submitted in support of this petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. The toxicological data considered in support of the tolerance include:

1. A 1-year dog feeding study using doses of 0, 1.25, 12.5, and 125 milligrams/kilograms (mg/kg) body weight (bwt)/day. The no-observed-effect level (NOEL) is 12.5 mg/kg bwt/day. The 125 mg/kg bwt/day dose level caused increased serum alkaline phosphatase, increased liver weights, increase in *p*-nitroanisole *o*-demethylase activity, and mild hepatic bile stasis.

2. An initial 2-year chronic feeding/oncogenicity study in rats using dietary concentrations of 0, 50, 130, and 350 ppm (nominal doses of 0, 2.5, 6.5, and 17.5 mg/kg bwt/day). The compound did not demonstrate any oncogenic effects under the conditions of the study. Because of the appearance of a low incidence of fatty change of the liver (nonneoplastic pathological lesions) in the low-dose groups in this study, it was unclear if a NOEL for fatty change of the liver was established in this study.

3. Additional 2-year chronic feeding/oncogenicity studies in rats using dietary concentrations of 0, 12.5, 25, and 50 ppm (nominal doses of 0, 0.63, 1.25, and 2.5 mg/kg bwt/day). The purpose of these additional studies was to assist in determining a NOEL for fatty liver changes. The first of these two studies was compromised, however, by an outbreak of chronic respiratory disease which reduced survival in all experimental groups, including control. The study was then repeated with the same dose levels. In the second study, no fatty liver changes or oncogenic effects were observed at the doses tested under the conditions of the study. Using data from all three 2-year studies, a NOEL for fatty liver change of 6.5 mg/kg bwt/day was established.

4. A 2-year oncogenicity study in mice using dietary concentrations of 0, 50, 170, and 600 ppm (equivalent to doses of 0, 7, 24.3, and 85.7 mg/kg bwt/day) that was negative for oncogenic effects at all doses tested under the conditions of the study. At 600 ppm, an increase in fatty change of the liver was demonstrated.

The NOEL for this effect was 170 ppm (24.3 mg/kg bwt/day).

5. A rabbit teratology study that was negative for teratogenic effects at all doses tested (0, 5, 10, and 35 mg/kg).

6. A rat teratology study that demonstrated hydronephrosis at 35 mg/kg (doses tested were 0, 5, 13, and 35 mg/kg). A second study in rats (with a postpartum evaluation) again demonstrated hydronephrosis at 35 mg/kg, but also indicated that the dose level of 35 mg/kg was associated with a maternal toxic effect (decreased body weight gain during treatment). The Agency considers the NOEL for hydronephrosis and for maternal toxicity to be 13 mg/kg.

7. A multigeneration reproduction study in rats that demonstrated decreased fertility in males and delayed parturition and dystocia in females at 5 mg/kg bwt/day. The NOEL for reproductive effects in this study was 2.5 mg/kg bwt/day.

8. Multigeneration reproduction studies in guinea pigs and mice that were negative for reproductive effects at doses up to 35 mg/kg bwt/day (highest dose tested) and 20 mg/kg bwt/day, respectively.

9. An aromatase inhibition study in rats that showed fenarimol to be a moderately weak inhibitor of aromatase activity.

The adverse reproductive effects observed in the rat multigeneration reproduction study are considered to be a species-specific effect caused by aromatase inhibition. This enzyme promotes normal sexual behavior in rats and mice, but not in guinea pigs, primates, or man. A NOEL of 35 mg/kg bwt/day for reproductive effects relevant to humans was established in the multigeneration reproduction study in guinea pigs.

10. A mouse lymphoma forward mutation assay; a DNA repair synthesis study in rat liver culture systems; gene mutation assays in *Salmonella typhimurium* (Ames test) and in *Escherichia coli*; a dominant lethal assay in Wistar rats; an assay for transformation activity in the C3H/10T 1/2 embryonic mouse fibroblast; and an *in vivo* assay for chromosome aberration in the Chinese hamster. Fenarimol did not demonstrate mutagenic activity in any of these studies.

In a previous Federal Register Notice (51 FR 7567, March 5, 1986), the Agency indicated fenarimol to be oncogenic. Since that time, the compound has been reevaluated. A discussion of the findings leading to the conclusion in the reevaluation follows:

The Agency's initial conclusion that fenarimol was oncogenic was based on

a finding in the 2-year rat study of a statistically significant increase in hepatic lesions (adenomas and hyperplastic nodules) at the highest dose tested (nominal dose of 17.5 mg/kg bwt/day), when data for male and female rats were combined. Presently, in the analyses of oncogenic activity by the Agency, it is considered more appropriate to separate data for males and females and to also separate hyperplastic nodules from tumors (adenomas and carcinomas). When a reevaluation of the hepatic lesions for males and females was performed separately with the elimination of hyperplastic nodules, the data did not demonstrate a statistically significant increase incidence in adenomas and/or carcinomas in either sex. Moreover, the mouse oncogenicity study did not demonstrate oncogenic potential at dose levels up to and including a nominal dose of 85.7 mg/kg bwt/day (the highest dose level tested).

The mutagenic potential of fenarimol has been evaluated in several assay systems (see item 10 above). Fenarimol did not demonstrate a mutagenic effect in any of these studies. Furthermore, fenarimol did not induce altered foci or neoplastic nodules in an initiation and promotion study in rat liver tissue.

Based on the above findings, the Agency concludes that fenarimol was not oncogenic in long-term studies in rats and mice under test conditions in which the highest dose tested for both species approached a maximum tolerated dose as evidenced by increased fatty change in the liver.

The acceptable daily intake (ADI) based on the 2-year rat chronic feeding study (NOEL of 6.5 mg/kg bwt/day), and using a hundredfold safety factor, is calculated to be 0.065 mg/kg bwt/day. The maximum permitted intake for a 60-kg person is calculated to be 3.9 mg/day. The theoretical maximum residue contribution from the established and proposed tolerances is 0.0001 mg/day and utilizes 0.187 percent of the ADI. Previous tolerances have been established for fenarimol in pecans, apples, apple pomace, milk and byproducts of cattle, goats, hogs, horses, and sheep; fat and liver of cattle, goats, hogs, horses and sheep.

The nature of the residue is adequately understood, and an adequate analytical method is available for enforcement purposes. Because of the long lead time from establishing this tolerance to publication of the enforcement methodology in the *Pesticide Analytical Manual*, Vol. II, the analytical methodology is being made available in the interim to anyone

interested in pesticide enforcement when requested from:

William Grosse, Chief, Information Service Branch, Program Management and Support Division (TS-757C), 401 M Street SW., Washington, DC 20460
Office location and telephone number: Room 223, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-557-2613.

The pesticide is considered useful for the purposes for which the tolerance is sought. Based on the information and date considered, the Agency concludes that the establishment of the tolerance will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the *Federal Register*, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds

for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Pursuant to the requirement of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the *Federal Register* on May 4, 1981 (46 FR 24950).

The Office of Management and Budget has exempted this rule from the requirement of section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 7, 1988.

Susan H. Wayland,
Acting Director, Office of Pesticide Programs.

Therefore, 40 CFR Part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.421 is amended by adding and alphabetically inserting the raw agricultural commodity pears, to read as follows:

§ 180.421 Fenarimol; tolerances for residues.

				Parts per million
Commodity				
Pears.....	*	*	*	0.1

[FR Doc. 88-16331 Filed 7-19-88; 8:45 am]

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Proposed Rules

Federal Register

Vol. 53, No. 139

Wednesday, July 20, 1988

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 88-ANM-14]

Proposed Establishment of a VOR Federal Airway and Alteration of a VOR Federal Airway

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the description of Federal Airway V-134 and establish Federal Airway V-591 located in the vicinity of Red Table, CO, very high frequency omni-directional radio range (VOR). V-134 and V-591 would have the Carbondale nondirectional radio beacon (NDB), CO, added to their descriptions. This action would improve the departure/arrival flow in the Aspen, CO, area.

DATES: Comments must be received on or before September 6, 1988.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA, Northwest Mountain Region, Attention: Manager, Air Traffic Division, Docket No. 88-ANM-14, Federal Aviation Administration, 17900 Pacific Highway South, C-68966, Seattle, WA 98168.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue SW., Washington, DC.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Branch (ATO)-240, Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence

Avenue SW., Washington, DC 20591; telephone: (202) 267-9250.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 88-ANM-14." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the description of V-134 between Grand Junction, CO, and Red Table, CO, by adding the Carbondale, CO, NDB (lat. 39°24'42"N., long 107°09'23"W.) to the route description. New VOR Federal Airway V-591 will be added between Grand Junction and Snow, CO, via the Carbondale NDB. Air Traffic in Aspen, CO, has been increasing and this action would improve the traffic flow in that area. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6D dated January 4, 1988.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation Safety, VOR Federal Airways.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

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

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 17.123 [Amended]

1. Section 71.123 is amended as follows:

V-134 [Amended]

By removing the words "Grand Junction, CO: 33 miles 12 AGL, 21 miles 127 MSL, 16 miles 120 MSL, 34 miles 12 AGL, Red Table, CO;" and substituting the words "Grand Junction, CO: Carbondale, CO, NDB; Red Table, CO;"

V-591 [New]

From Grand Junction, CO; Carbondale, CO, NDB; to Snow, CO.

Issued in Washington, DC., on July 14, 1988.

Temple H. Johnson,

Acting Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 88-16242 Filed 7-19-88; 8:45 am]

BILLING CODE 4910-13-M

Office of the Secretary**14 CFR Part 221**

[Docket 45705: Notice 88-11]

RIN 2105-AB38

Posting of Tariffs; Contract of Carriage

AGENCY: Office of the Secretary, Department of Transportation.

ACTION: Notice of Proposed rulemaking.

SUMMARY: The Department of Transportation (the "Department" or "D.O.T.") is proposing to allow carriers an alternative to the current requirement that they post their entire tariffs for passenger and cargo foreign air transportation in hard copy at each ticket sales location. Carriers would be able to provide more useful information to consumers using summaries, computer terminals, and printed copies of tariff information. This proposal would allow airlines to make tariff information available in an electronic medium rather than in paper medium.

DATE: Comments must be received no later than September 19, 1988.

ADDRESS: Five (5) copies of any comments should be sent to the Documentary Services Division, C-55, U.S. Department of Transportation, 400 7th Street SW., Washington, DC 20590. Comments should refer to Docket 45705. Persons wishing acknowledgment of their comments should include a stamped, self-addressed postcard with their comments. The Docket Clerk will time and date-stamp the card and return it to the commenter.

FOR FURTHER INFORMATION CONTACT: Thomas G. Moore, Chief, Tariffs Division, P-44, Department of Transportation, 400 7th Street SW., Washington, DC 20590. Telephone: (202) 366-2414.

SUPPLEMENTARY INFORMATION:**Background**

The Department is concerned that consumers have available to them all terms and conditions with respect to any transportation being purchased or considered. An airline ticket or air waybill embodies the contract of carriage between the carrier and the consumer but, as the Civil Aeronautics Board (C.A.B.) noted on an earlier occasion, "[un]like the situation in many other industries, customers of airlines are governed by contract terms of which they do not have a copy."¹ To this end, going back almost to the beginning of federal airline regulation, the airlines have been required to make available to the public, upon request, all terms of any contract for air transportation, foreign or domestic.

For many years, the only method for making the information available consisted of posting the tariff at airline sales locations. Since all fares, rates, other charges, and rules applying to air transportation, in short, all contract terms, had to be filed formally in tariffs with the C.A.B., or D.O.T., the most straightforward fashion of ensuring that all applicable contract terms were made available to the public was to require the airlines to make copies of the tariffs available for inspection at all airline sales locations.

This was precisely what the regulations required for the period up to the early 1980's. Then, effective January 1, 1983, the Airline Deregulation Act of 1978 (ADA) eliminated domestic tariffs and the related requirement that those tariffs be posted. With the elimination of tariffs as a legal component of the contract of carriage, the C.A.B. recognized that a workable means had to be found to ensure that the public was adequately informed of applicable contract terms through the ticketing process.

The C.A.B. adopted a new regulatory approach regarding domestic air transportation, embodied in 14 CFR Part 253 (47 FR 52128, November 19, 1982).² In general, Part 253 provides that a domestic airline ticket may incorporate contract terms by reference, i.e., without stating their full text, provided that the ticket so notifies the passenger. It further requires the carrier to make

available for inspection at its airport and other ticket offices the full text of all incorporated terms and conditions (fare and non-fare). However, the medium by which the carrier must make this information available is left to the carrier's discretion. Carriers must also provide a copy of any term or condition, free of charge, by mail or other delivery service, to any person requesting it.

Part 253 has worked well. Not only has it accomplished the transition from a tariff to a non-tariff environment, but perhaps even more important, it has enabled the industry to mesh its consumer information obligations with the efficiencies of an electronic age. Specifically, it has permitted the airlines to satisfy the disclosure requirements quickly and economically by largely eliminating the costly and onerous medium of paper. Under Part 253, the airlines furnish information on fares and on rules subject to frequent change through the use of electronic transmissions to display terminals at their sales locations. This process also allows airlines to provide consumers with printed copies of this information upon request. Only those rules subject to infrequent changes are maintained in printed form.

This gain in efficiency has been achieved at no apparent loss in availability of information to the public. During the five years that Part 253 has been in effect, we have received an average of just four complaints a year concerning information on domestic contracts of carriage. Given the total number of enplaned passengers in domestic air transportation for this period, this translates to only one complaint to us per 88.5 million enplaned passengers.³

On August 19, 1985, the Department issued an Advance Notice of Proposed Rulemaking (ANPRM) (50 FR 33452, Docket 43343) indicating that it was considering the amendment of Part 221 to allow carriers to file tariffs electronically. As part of that notice, we set forth the possibility that, in an automated environment, carriers could fulfill the posting requirement by making tariffs available in an electronic, computerized format.

The responses the Department received on the posting issue ranged from no comment at all to the belief that the tariff posting requirement "has become obsolete and unnecessary even under our present system."⁴ The

¹ Order 83-9-116, September 28, 1983, CAB Docket 41357, denying the Petition of Certain Members of the Air Transport Association of America to repeal the notice concerning public inspection of tariffs (14 CFR 221.173).

² Since the ADA did not relieve airlines of the duty to file international tariffs, there was no impetus to alter the regulatory requirements on the posting of international tariffs.

³ Source: Domestic Monthly Air Carrier Traffic Statistics and consumer complaint records of the Civil Aeronautics Board and the Department of Transportation.

⁴ Comments of Airline Tariff Publishing Company.