

be considered to constitute a single farming unit.

(f) *Operation.* In determining the constitution of a farm, the county committee shall satisfy itself that the operator will be in general control of the farming operations on the farm for the program year.

4. In § 719.8, paragraphs (b) (4) and (5) are revised to read as follows:

§ 719.8 Rules for determining allotments and bases where reconstitution is made by division.

(b) *Designation of allotments and bases by landowner.* * * *

(4) Where the part of the farm from which the ownership is being transferred was owned for a period of less than 3 years, the provisions of this paragraph shall not be applicable to such transfer unless the State committee finds that the primary purpose of the ownership transfer was not to retain or sell an allotment or base. In the absence of such a finding, and if the farm contains land which has been owned for a period less than 3 years, that part which has been owned for less than 3 years shall be considered as a separate farm and the allotments and bases shall be assigned to that part using the rules in paragraphs (c) through (f) of this section, as applicable. Such apportionment shall be made prior to any designation of allotments and bases with respect to the part which has been owned for 3 years or more.

(5) This method is not applicable to Burley tobacco.

Signed at Washington, D.C., on January 18, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-1133 Filed 1-25-72; 8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
[21 CFR Part 130]

OVER-THE-COUNTER DRUGS

Proposal Establishing Rule Making Procedures for Classification; Correction

In F.R. Doc. 72-147 appearing at page 85 in the January 5, 1972, issue of the *FEDERAL REGISTER*, proposed § 130.301(a) (2) is corrected by changing the sentence immediately preceding the outlined information to read, "To be considered, eight copies of the data and/or views on any marketed drug within the class

must be submitted in the following format:".

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-1123 Filed 1-25-72; 8:47 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 121]

[Docket No. 11675; Notice 72-1]

UNAUTHORIZED OPERATORS

Proposed Applicability of Operating Rules

The Federal Aviation Administration is considering an amendment to Part 121 of the Federal Aviation Regulations to make those rules of Part 121 which currently apply to persons certificated under Part 121 apply as well to persons who engage in a Part 121 operation without obtaining the appropriate certification required by that part.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20591. All communications received on or before March 29, 1972, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Part 121 of the Federal Aviation Regulations prescribes the certification and operations requirements for domestic, flag, and supplemental air carriers and for commercial operators of large aircraft. Currently, the operating rules of the regulations in Part 121 applicable to certificate holders under that part do not apply to persons who engage in activities governed by Part 121 without the appropriate certificate and operations specifications required. As a consequence, while a Part 121 certificate holder may be subject to a \$1,000 civil penalty for each operating rule in Part 121 that he violated, an uncertificated operator engaging in operations regulated under Part 121 may be subject to a civil penalty solely for violation of the certificate and operations specifications requirements of § 121.3.

In order to deter persons from engaging in operations governed by Part 121 without compliance with that part, it is

proposed to add a new § 121.4 titled "Applicability of rules to unauthorized operators" immediately after § 121.3 which will make the rules of Part 121 applicable to certificate holders apply to any person who engages in Part 121 operations without the appropriate certificate and operations specifications required by that part.

In consideration of the foregoing, it is proposed to amend Part 121 of the Federal Aviation Regulations by adding a new § 121.4 immediately after § 121.3 in Subpart A of Part 121 to read as follows:

§ 121.4 Applicability of rules to unauthorized operators.

The rules in this part which refer to a person certificated under § 121.3 apply also to any person who engages in an operation governed by this part without the appropriate certificate and operations specifications required by § 121.3.

This notice of proposed rule making is issued under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 19, 1972.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[FR Doc.72-1090 Filed 1-25-72; 8:45 am]

Office of Pipeline Safety

[49 CFR Part 192]

[Notice 72-2; Docket No. OPS-15]

FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

Qualifications for Pipe

The Department of Transportation is considering several amendments to Part 192 to provide greater flexibility in qualifying pipe. An amendment to § 192.55 would permit the use of steel pipe manufactured before November 12, 1970, in compliance with an unlisted edition of a specification included in section I of Appendix B. An amendment to § 192.65 would permit the use of certain pipe transported by railroad before November 12, 1970, not in accordance with API RP5L1. Finally, amendments to Appendices A and B would add the 1971 editions to the lists of API pipe specifications.

Many operators have stockpiled a large amount of steel pipe which was manufactured before the effective date of Part 192. Most of this pipe was made in accordance with a specification included in section I of Appendix B, although not to an edition of that specification that has been accepted by the Department. It is estimated that approximately \$28 million worth of pipe fall within this category.

Under § 192.55, pipe not manufactured in compliance with an accepted edition of a specification included in section I of Appendix B may be used only if (1) it meets the requirements of section II of

Appendix B, (2) the allowable operating stress in the pipe is drastically reduced, or (3) in the case of pipe not previously used, it is employed for replacement purposes in a pipeline constructed of pipe manufactured to the same specification as the replacement pipe.

Early editions of specifications included in section I of Appendix B that have not been accepted by the Department contain the major requirements of the accepted editions and are equally worthy from a safety standpoint. Under these circumstances, it is unnecessary to use the alternative requirements to qualify pipe made according to an early edition. To alleviate the situation, a new paragraph (f) would be added to § 192.55. Under this new paragraph, new or used steel pipe made before November 12, 1970, in accordance with an early edition of a specification which has not been accepted by the Department would qualify for use if (1) the pipe can pass an inspection test, (2) its seams have been nondestructively inspected, and (3) it has chemical and physical properties that meet the requirements of an accepted edition of that specification.

Operators are faced with a second problem which has prevented the use of a large amount of stockpiled pipe. Under § 192.65, certain pipe that is transported by railroad may not be used unless the transportation is carried out in accordance with API RP5L1. It is estimated that roughly \$13 million worth of this pipe cannot be used because it was shipped by rail prior to the effective date of Part 192, and operators are unable to verify that the pipe moved according to the API recommended practice.

To prevent a considerable waste of pipe, § 192.65 would be amended to permit the use of certain pipe shipped before November 12, 1970, not in accordance with API RP5L1, provided it can withstand a hydrostatic test of at least 90 percent of SMYS.

The purpose of the API recommended practice is to eliminate fatigue cracks which sometimes occur during rail transit. However, fatigue cracks which are present in the pipe would leak or break out when subjected to a high level hydrostatic test. Therefore, the proposed amendment would not reduce the level of safety provided by § 192.65.

Subsequent to the issuance of Part 192 and the amendments of November 10, 1970, the 1971 editions of several API specifications were published. The new editions to API specifications 5A, 5L, 5LS, and 5LX have been reviewed by the Department and are proposed for inclusion in Appendices A and B.

Interested persons are invited to participate by submitting written comments on the proposals contained in this notice. Communications should identify the regulatory docket and notice numbers and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590. Communications received before March 15, 1972, will be considered before taking final action on the notice. All comments will be available for examination by in-

terested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposal contained in this notice may be changed in the light of comments received.

In consideration of the foregoing, it is proposed to amend Part 192 of Title 49 of the Code of Federal Regulations as set forth below.

1. It is proposed to add a new paragraph (f) to § 192.55 to read as follows:

§ 192.55 Steel pipe.

(f) New or used steel pipe manufactured before November 12, 1970, in accordance with a specification of which a later edition is listed in section I of Appendix B is qualified for use under this part if—

(1) The pipe meets the requirements of paragraph II-C of Appendix B to this part; and

(2) The edition of the specification to which the pipe was manufactured and any later edition of that specification listed in section I of Appendix B contain substantially the same requirements with respect to—

(i) Nondestructive inspection of the full thickness of welded seams over their entire length, and standards for the acceptance or rejection and repair of welded seams;

(ii) Physical properties of pipe, including yield and tensile strength, elongation, and yield to tensile ratio, and testing requirements to verify the physical properties; and

(iii) Chemical properties of pipe and testing requirements to verify the chemical properties.

2. It is proposed to amend § 192.65 to read as follows:

§ 192.65 Transportation of pipe.

In a pipeline to be operated at a hoop stress of 20 percent or more of SMYS, no operator may use pipe having an outer diameter wall thickness ratio of 70 to 1, or more, that is transported by railroad unless—

(a) The transportation was performed in accordance with API RP5L1; or

(b) In the case of pipe transported before November 12, 1970, the pipe is hydrostatically tested to at least 90 percent of SMYS.

3. In section II-A of Appendix A, it is proposed to amend items 1, 2, 3, and 5 to read as follows:

APPENDIX A—INCORPORATED BY REFERENCE

II. Documents incorporated by reference. A. American Petroleum Institute.

1. API Standard 5L "API Specification for Line Pipe" (1967, 1970, 1971 editions).

2. API Standard 5LS "API Specification for Spiral-Weld Line Pipe" (1967, 1970, 1971 editions).

3. API Standard 5LX "API Specification for High-Test Line Pipe" (1967, 1970, 1971 editions).

5. API Standard 5A "API Specification for Casing, Tubing, and Drill Pipe" (1968, 1971 editions).

4. It is proposed to amend section I of Appendix B to read as follows:

APPENDIX B—QUALIFICATION OF PIPE

I. Listed Pipe Specifications. Numbers in parentheses indicate applicable editions.
API 5L—Steel and iron pipe (1967, 1970, 1971).

API 5LS—Steel pipe (1967, 1970, 1971).

API 5LX—Steel pipe (1967, 1970, 1971).

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671, et seq.), § 1.58(d) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16488).

Issued in Washington, D.C., on January 19, 1972.

JOSEPH C. CALDWELL,
Acting Director,
Office of Pipeline Safety.

[FR Doc.72-1132 Filed 1-25-72;8:48 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 180]

CARBOFURAN

Proposed Tolerance for Pesticide Chemical in or on Raw Agricultural Commodity

FMC Corp., 100 Niagara Street, Milledale, NY 14105, submitted a petition (PP 2E1205) proposing establishment of a tolerance for negligible residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl N-methylcarbamate) and its metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl N-methylcarbamate in or on bananas at 0.1 part per million.

Based on consideration given the data submitted, and other relevant material, it is concluded that:

1. The pesticide is useful for the purpose for which the tolerance is proposed.

2. The proposed usage is not reasonably expected to result in residues of the insecticide in eggs, meat, milk, and poultry. The usage is classified in the category specified in § 180.6(a)(3).

3. The proposed tolerance will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), it is proposed that § 180.254 be amended by adding a new paragraph before the paragraph "0.1 part per million * * *", as follows: