

DEPARTMENT OF  
TRANSPORTATION

Hazardous Materials Regulations  
Board

[ 49 CFR Part 171 ]

[Docket No. HM-22; Notice No. 71-21]

TRANSPORTATION OF HAZARDOUS  
MATERIALS

Matter Incorporated by Reference

The Hazardous Materials Regulations Board of the Department of Transportation is considering amending § 171.1(d) of the Hazardous Materials Regulations by adding subparagraph (7). Paragraph (d)(7) will list Bureau of Explosives pamphlets referenced in Parts 170-189 of the Hazardous Materials Regulations.

The Board has been petitioned by the Bureau of Explosives, Association of American Railroads, to make this revision.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 171 as follows:

In § 171.7, paragraph (d)(7) would be added to read as follows:

§ 171.7 Matter incorporated by reference.

\* \* \* \* \*

(d) \* \* \*  
(7) Bureau of Explosives, Association of American Railroads:

(i) Bureau of Explosives Pamphlet No. 6 is titled, "Illustrating Methods for Loading and Bracing Carload and Less Than Carload Shipments of Explosives and Other Dangerous Articles," 1962 edition.

(ii) Bureau of Explosives Pamphlet No. 6A (includes Appendix No. 1, October 1944, and Appendix No. 2, December 1945) is titled, "Illustrating Methods for Loading and Bracing Carload and Less Than Carload Shipments of Loaded Projectiles, Loaded Bombs, etc.," 1943 edition.

(iii) Bureau of Explosives Pamphlet No. 6C is titled, "Illustrating Methods for Loading and Bracing Trailers and Less-Than Trailer Shipments of Explosives and Other Dangerous Articles via Trailer-on-Flat-Car (TOFC) or Container-on-Flat-Car (COFC)," September 1968.

(iv) Bureau of Explosives Pamphlet No. 22 is titled, "Handling Collisions and Derailments Involving Explosives, Gasoline and Other Dangerous Articles," revised September 1969.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590. Communications received on or before August 3, 1971, will be considered before final action is taken on the

address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Special purpose shipments.* (1) The minimum grade, size, cleanliness, and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

- (i) Charity;
- (ii) Certified seed;
- (iii) Seed pieces cut from stock eligible for certification as certified seed;
- (iv) Experimentation;
- (v) Canning, freezing, and "other processing" as hereinafter defined:

*Provided*, That shipments of potatoes for the purposes specified in subdivision (v) of this subparagraph shall be exempt from inspection requirements specified in § 945.65 and from assessment requirements specified in § 945.42.

(2) The minimum grade, size, cleanliness, and maturity requirements set forth in paragraphs (a) and (b) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) *Export.* *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and

(ii) *Prepeeling.* *Provided*, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility or Oregon Utility grade.

(d) *Safeguards.* Each handler making shipments of potatoes for charity, seed pieces cut from stock eligible for certification, experimentation, canning, freezing, and "other processing" as hereinafter defined, export, or for prepeeling pursuant to paragraph (c) of this section shall:

(1) First, apply to the committee for and obtain a Certificate of Privilege to make each shipment;

(2) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(3) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require;

(4) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(5) Bill each shipment directly to the applicable processor or receiver.

(e) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any shipment that exceeds 5 hundredweight of potatoes.

(f) *Definitions.* Effective July 10, 1971, through August 31, 1971, the terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," "moderately skinned," and "slightly skinned" shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "generally fairly clean" means that at least 90 percent of the potatoes in a given lot are "fairly clean." From September 1, 1971, through July 31, 1972, the terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," "moderately skinned," and "slightly skinned" shall have the same meaning as when used in the U.S. Standards for Grades of Potatoes (§§ 51.1540-51.1566 of this title effective September 1, 1971, as published in the FEDERAL REGISTER of December 1, 1970, 35 F.R. 18257), including the tolerances set forth therein. The term "generally fairly clean" means that at least 90 percent of the potatoes in a given lot are "fairly clean." The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (U.S. Standards for Grades of Peeled Potatoes, §§ 52.2421-52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing." The terms "Idaho Utility grade" and "Oregon Utility grade" shall have the same meanings as when used in the respective standards for potatoes for the respective States. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(g) *Applicability to imports.* Pursuant to section 608e-1 of the Act and § 980.1 "Import regulations" (§ 980.1 of this chapter), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 24, 1971.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[FR Doc.71-9177 Filed 6-28-71;8:51 am]

proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and Title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on June 23, 1971.

WILLIAM K. BYRD,  
*Acting Chairman, Hazardous  
Materials Regulations Board.*

[FR Doc.71-9115 Filed 6-28-71;8:48 am]

## ATOMIC ENERGY COMMISSION

[ 10 CFR Part 50 ]

### LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

#### Light-Water-Cooled Nuclear Power Reactors; Correction

In F.R. Doc. 71-8049 appearing at page 11113 in the issue for Wednesday, June 9, 1971, the first sentence of footnote 3 is corrected to read as follows: "An exposure rate such that a hypothetical individual continuously present in the open at any location on the boundary of the site or in the offsite environment would not incur an annual exposure in excess of 10 millirems."

Dated at Washington, D.C., this 23d day of June 1971.

For the Atomic Energy Commission.

W. B. McCool,  
*Secretary of the Commission.*

[FR Doc.71-9139 Filed 6-28-71;8:48 am]

## ENVIRONMENTAL PROTECTION AGENCY

[ 21 CFR Part 420 ]

### DINITRO-*o*-CYCLOHEXYLPHENOL AND ITS DICYCLOHEXYLAMINE SALT

#### Proposed Revocation of Pesticide Chemical Tolerances

As a result of the 1950 spray residue public hearings and pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act, tolerances were established in Part 420 for residues of the insecticide dinitro-*o*-cyclohexylphenol in or on citrus fruits at 1 part per million (§ 420.144) and for residues of the dicyclohexylamine salt of dinitro-*o*-cyclohexylphenol in or on apples, apricots, beans, blackberries, boysenberries, celery, cherries, citrus fruits, dewberries, grapes, loganberries, nectarines, peaches, pears, plums (fresh prunes), quinces, raspberries, strawberries, and youngberries at 1 part per million (§ 420.143).

In line with the Environmental Pro-

tection Agency policy of reducing existing tolerances to levels no higher than necessary and reviewing pesticide tolerances with respect to changes in pesticide usage, new scientific data, and information, as well as in keeping with the recommendations of the President's Science Advisory Committee report (May 15, 1963), a review was made of the established tolerances for dinitro-*o*-cyclohexylphenol and its dicyclohexylamine salt to determine whether current agricultural practices and available data justify the continuation of these tolerances. The review revealed that the tolerances are unnecessary since the manufacture, sale, and use of dinitro-*o*-cyclohexylphenol and its dicyclohexylamine salt as an insecticide have been discontinued.

The Pesticides Regulation Division advises that there are no registrations for either compound.

Based on consideration given to the above information and other relevant material, it is concluded that the subject tolerances should be revoked.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (e), (m), 68 Stat. 514, 517; 21 U.S.C. 346a (e), (m)), under authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and delegated by him to the Deputy Assistant Administrator for Pesticide Programs of the Environmental Protection Agency (36 F.R. 9038), it is proposed that Part 420 be amended by the revocation of § 420.143 *Dicyclohexylamine salt of dinitro-*o*-cyclohexylphenol; tolerances for residues* and § 420.144 *Dinitro-*o*-cyclohexylphenol; tolerance for residues*.

Any person who has registered or submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, within 30 days after publication hereof in the FEDERAL REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Act.

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Objections Clerk, Environmental Protection Agency, 1626 K Street NW., Washington, DC 20460, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 21, 1971.

WILLIAM M. UPHOLT,  
*Deputy Assistant Administrator  
for Pesticides Programs.*

[FR Doc.71-9134 Filed 6-28-71;8:47 am]

[ 45 CFR Part 1201 ]

### QUALIFICATIONS OF LOW-EMISSION VEHICLES

#### Notice of Proposed Rule Making

Notice is hereby given of a proposal to promulgate regulations establishing pro-

cedures in accordance with which the Administrator of the Environmental Protection Agency will determine whether an applicant vehicle qualifies as a "low-emission vehicle" under section 212 of the Clean Air Act (42 U.S.C. 1857 f-1 et seq.), as amended by the "Clean Air Amendments of 1970" (Public Law 91-604). It is proposed to publish the new regulations as Subpart S of Part 1201 of Title 45 of the Code of Federal Regulations.

Section 212 of the Clean Air Act requires the Federal Government to purchase certified low-emission vehicles in lieu of other vehicles if the cost of the certified vehicles does not exceed 150 percent of the cost of the vehicles for which they are to substitute. The proposed regulations relate only to the Administrator's determination of whether a vehicle qualifies as a "low-emission vehicle" and should be considered in conjunction with the regulations of the Low-Emission Vehicle Certification Board (40 CFR Part 400). The proposed regulations are applicable to vehicles which the applicant seeks to have certified as a suitable substitute for light-duty motor vehicles. Regulations relating to vehicles which the applicant seeks to substitute for heavy-duty motor vehicles will be proposed as soon as practicable.

Any interested person may within 30 days from the date of publication of this notice in the FEDERAL REGISTER submit in triplicate comments, views, data, or arguments concerning the proposal to the Office of Air Programs, Environmental Protection Agency, 5600 Fishers Lane, Rockville, MD 20852. All relevant comments postmarked no later than 30 days after publication of the regulations will be considered and the regulations will be amended as the Administrator deems appropriate after consideration of such comments. The regulations will become effective on the date of republication in the FEDERAL REGISTER.

Dated: June 24, 1971.

WILLIAM D. RUCKELSHAUS,  
*Administrator.*

#### Subpart S—Low-Emission Vehicles

Sec.	
1201.320	Definitions.
1201.321	Low-emission vehicle.
1201.322	Application for certification.
1201.323	Test vehicle selection.
1201.324	Data reporting.
1201.325	Testing by the Administrator.
1201.326	Administrator's determination.
1201.327	Post-certification testing.

AUTHORITY: The provisions of this Subpart S issued under sec. 212, 84 Stat. 1676, Public Law 91-664.

#### § 1201.320 Definitions.

(a) As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (42 U.S.C. 1857 f-1 et seq.) and in § 1201.1:

(1) "Motor vehicle" means any self-propelled vehicle designed for use in the United States on the highways, other than a vehicle designed or used for military field training, combat, or tactical purposes.