

the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through December 31, 1969.

This amendment is effective October 30, 1970. However, compliance with the regulations as amended herein is authorized immediately.

This amendment 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).

Issued in Washington, D.C., on August 3, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

[F.R. Doc. 70-10264; Filed, Aug. 6, 1970;
8:46 a.m.]

[Docket No. HM-40; Amendment Nos. 173-
32, 178-13]

PART 173—SHIPPERS

PART 178—SHIPPING CONTAINER SPECIFICATIONS

MC 330 and MC 331 Cargo Tanks in Chlorine Service

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to (1) extend the frequency of testing angle valves on chlorine cargo tanks, (2) adopt latest drawings of The Chlorine Institute pertinent to excess-flow valves and safety relief valves and (3) to prescribe the use of an additional type of insulation material on cargo tanks.

On January 30, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-40; Notice No. 70-1 (35 F.R. 1241), which proposed amendments to 49 CFR sections 173.33, 173.315 and 178.337 to accommodate the provisions stated above.

Interested persons were invited to give their views on the proposals. Of the comments received, most commenters favored the changes as proposed. One commenter contended that the requirements limiting the overall thermal conductance for polyurethane foam as an insulation material for chlorine cargo tanks were too restrictive and alleged that this factor and the minimum thickness requirement would preclude newer and more efficient insulation materials. The commenter failed to support his statement with factual data and did not

show cause that the present thermal conductance factor and minimum insulation thickness requirement, which remained unchanged in the notice, are inadequate. Accordingly, the Board does not believe this comment supports modification of the proposal.

One commenter requested retention of the present last sentence in section 173.33(g) (10) which reads as follows: "Leaks which are detected shall be corrected before the cargo tank motor vehicle is shipped." As proposed, this sentence would be deleted and substituted therefor would be the requirement to inspect the chlorine tanks at each loading and, at the same time, to examine and test the angle valves to determine that they are not leaking and are in proper condition for transportation. The Board believes it is axiomatic that a leaking cargo tank must not begin its journey in a need of repair but realizes the benefit of retaining the positive requirement that some responsible person must correct any leaks that are detected during the course of the examination and test. Accordingly, the amendment of section 173.33 subparagraph (g) (10) is modified to make specific the intent of the rule.

In consideration of the foregoing, 49 CFR Parts 173 and 178 are amended as follows:

I. Part 173 is amended as follows:

(A) In § 173.33 paragraphs (g) (10), (i) (4), and paragraph (j) are amended to read as follows:

§ 173.33 Cargo tank use authorization.

(g) * * *

(10) Chlorine cargo tank angle valves must be tested before installation to be leak free at not less than 225 p.s.i.g. using dry air or inert gas. The angle valves must also be tested as above once every five loadings or once a week whichever occurs first. At each loading, tanks must be inspected and the angle valves and gasketed joints must be examined and tested at a pressure of not less than 50 p.s.i.g. to determine that they are not leaking and are in proper condition for transportation. Leaks which are detected must be corrected before the cargo tank motor vehicle is shipped.

(i) * * *

(4) Angle valves and excess-flow valves on chlorine tank motor vehicles must conform to the standards of The Chlorine Institute, Inc. Angle valves must conform with Dwg. 104-4 dated May 5, 1958. Excess-flow valves conforming with Dwg. 101-4, dated May 16, 1969, must be installed under each liquid angle valve; and the excess-flow valves conforming with Dwg. 106-3 dated May 16, 1969, must be installed under each gas angle valve.

(j) Each tank for chlorine, carbon dioxide, and nitrous oxide must be insulated with a suitable insulation material of such thickness that the overall thermal conductance is not more than 0.08 B.t.u. per square foot per degree F. differential in temperature per hour. The

conductance must be determined at 60° F. Insulation material used on tanks for nitrous oxide must be noncombustible. Insulation material used on tanks for chlorine must be corkboard or self-extinguishing polyurethane foam with minimum thickness of 4 inches.

(B) In § 173.315 subparagraph (i) (11) is amended to read as follows:

§ 173.315 Compressed gases in cargo tanks and portable tank containers.

(i) * * *

(11) Safety relief valve on chlorine tank motor vehicles must conform with the standard of The Chlorine Institute, Inc., Type 1½ JQ225 Dwg. H51970 dated October 7, 1968.

II. Part 178 is amended as follows:

(A) In § 178.337-1 paragraph (e) is amended; in § 178.337-8 paragraph (b) is amended; in § 178.337-9 subparagraph (a) (1) is amended; in § 178.337-11 subparagraph (a) (4) is amended to read as follows:

§ 178.337 Specification MC 331; cargo tanks constructed of steel, primarily for transportation of compressed gases as defined in the Compressed Gas Section.

§ 178.337-1 General requirements.

(e) *Insulation for carbon dioxide, chlorine, and nitrous oxide tanks.* Each tank for chlorine, carbon dioxide, and nitrous oxide must be insulated with a suitable insulation material of such thickness that the overall thermal conductance at 60° F. is not more than 0.08 B.t.u. per square foot per degree F. differential in temperature per hour. Insulation material on tanks for nitrous oxide must be noncombustible. Insulation material on tanks for chlorine must be corkboard or self-extinguishing polyurethane foam with minimum thickness of 4 inches.

§ 178.337-3 Outlets.

(b) *Chlorine tank valves.* Chlorine tank angle valves must conform with The Chlorine Institute, Inc., Dwg. 104-4, dated May 5, 1958. The angle valves must be tested before installation to be leak-free at not less than 225 p.s.i.g. using dry air or inert gas. Regarding chlorine tank outlets, see also § 178.337-1(c) (2).

§ 178.337-9 Safety relief devices, valves and connections.

(a) * * *

(1) Each tank must be provided with one or more safety relief devices which, unless otherwise specified in Part 173, must be safety relief valves of the spring-loaded type. Valves must be arranged to discharge upward and unobstructed to the outside of the protective housing in such a manner as to prevent any impingement of escaping gas upon the

tank. For chlorine tanks the protective housing must be as required in § 178.337-10(c) and the safety relief valve must conform with the standard of The Chlorine Institute, Inc., Type 1½ JQ225 Dwg. H51970, dated October 7, 1968.

§ 178.337-11 Emergency discharge control.

(a) For chlorine tanks, an excess-flow valve conforming with The Chlorine Institute, Inc., Dwg. 101-4, dated May 16, 1969, must be installed under each liquid angle valve; and an excess-flow valve conforming with Dwg. 106-3, dated May 16, 1969, must be installed under each gas angle valve.

This amendment is effective October 30, 1970. However, compliance with the regulations, as amended herein, is authorized immediately.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on August 3, 1970.

C. R. BENDER,
*Admiral, U.S. Coast Guard
Commandant.*

ROBERT A. KAYE,
*Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.*

[F.R. Doc. 70-10265; Filed, Aug. 6, 1970;
8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Lacreek National Wildlife Refuge, S. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of deer with firearms on the Lacreek National Wildlife Refuge, S. Dak., is permitted from November 14 through November 22, 1970, but only on the area designated by signs as open to hunting. This open area comprising 310 acres is delineated on a map available at the refuge headquarters, Martin, S. Dak. 57561, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this regulation supplement the regulations which govern hunting on wildlife refuge areas generally which set forth in Title 50, Code of

Federal Regulations, Part 32 and are effective through November 22, 1970.

ALFRED L. RADTKE, JR.,
*Acting Refuge Manager, Lacreek
National Wildlife Refuge,
Martin, S. Dak.*

JULY 31, 1970.

[F.R. Doc. 70-10279; Filed, Aug. 6, 1970;
8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.

Eligibility of Incidental Services

Part 202 of Chapter II, Title 22 (A.I.D. Reg. 1) is amended as follows:

Section 201.13(b)(3)(i) is amended by adding the phrase "Unless otherwise authorized," at the beginning of the sentence and by deleting the comma and adding the word "only" between the words "commodities" and "it".

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: July 29, 1970.

JOHN A. HANNAH,
Administrator.

[F.R. Doc. 70-10295; Filed, Aug. 6, 1970;
8:48 a.m.]