

**DEPARTMENT OF
TRANSPORTATION**

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69-WE-22]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-197 from Palmdale, Calif., 1,200 feet AGL INT Palmdale 314° T (299° M) and Bakersfield, Calif., 137° T (121° M) radials; 1,200 feet AGL Bakersfield. The proposed airway segment between Palmdale and Bakersfield would reduce the en route mileage by approximately 7 miles. Numerous pilots currently request direct routing between Palmdale and Bakersfield. The proposed airway would eliminate the need for issuing direct clearances and radar vectors between the two points.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007 Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on May 1, 1969.

T. McCORMACK,
*Acting Chief, Airspace and
Air Traffic Rules Division.*

[F.R. Doc. 69-5544; Filed, May 8, 1969;
8:45 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 69-SW-9]

JET ROUTE

Proposed Designation

The Federal Aviation Administration is considering amendments to Part 75

of the Federal Aviation Regulations that would designate J-33 from Humble, Tex., via the INT of Humble 347° T (339° M) and Greater Southwest, Tex., 139° T (130° M) radials; to Greater Southwest. It is also proposed to realign J-87 (34 F.R. 6079) from Humble via the INT of Humble 332° T (324° M) and Greater Southwest 154° T (145° M) radials; to Greater Southwest. The designation of J-33 would expedite the movement of air traffic between Humble and Greater Southwest by providing a dual route with J-87. The alignment of the Greater Southwest radial of J-33 over the Red Oak Intersection would improve the handling of northbound traffic in the Dallas/Fort Worth terminal area by permitting use of this intersection as a handoff point for traffic destined for Dallas. It is necessary to realign J-87, 2° west to provide 15° angular separation between J-33 and J-87.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on May 1, 1969.

T. McCORMACK,
*Acting Chief, Airspace and
Air Traffic Rules Division.*

[F.R. Doc. 69-5545; Filed, May 8, 1969;
8:45 a.m.]

**Hazardous Materials Regulations
Board**

[49 CFR Parts 170-189]

[Docket No. HM-4]

TRANSPORTATION OF PESTICIDES

**Advance Notice of Proposed Rule
Making; Request for Public Advice**

The use of liquid class B poisons (particularly pesticides) is increasing

rapidly throughout the United States. From reported incidents, we believe the leakage of liquid pesticides during transportation is also increasing rapidly. Accordingly, it is important that the present regulations be reviewed to determine whether they provide an adequate level of safety for the transportation of these poisons.

This advance notice of proposed rule making invites the public to advise us on the reasons for the leakage, the resulting safety hazard, and appropriate regulatory action. We invite advice only on liquid poisons in this proceeding.

Recent regulatory action. On December 21, 1967, the Department published Amendment No. 67-1 (32 F.R. 20982) in Docket No. HM-4, Miscellaneous Restrictions Against Loading and Transporting Class B Poisonous Liquids or Solids with Foodstuffs. This regulation restricted transportation of any Class B poison in the same vehicle with foodstuffs, feeds, or any other material intended for consumption by humans or animals. The amendment also provided for inspection and decontamination of vehicles.

This regulation sought to minimize harm resulting from leaks, but it did nothing to prevent leaks. Further, it applies only to foodstuffs and feeds, not to clothing, cosmetics, and other consumer items capable of transmitting the poisons.

Numerous petitions and complaints were filed with the Board since issuance of Amendment 67-1. The Board has issued a notice of proposed rule making (Notice No. 69-12, Docket No. HM-4, 34 F.R. 7456) to resolve some of these problems by clarifying the language, adopting additional restrictions on the commingling of poisons and foodstuffs and making the rule also applicable to Class A poisons.

Facts. Our knowledge of the number of leaks and the quantities of poisons which escaped is limited to major spills. We do not have a system for collecting information on all accidents and incidents. We are developing such a system, but it is of no help in this instance.

From the limited information we have, we know that hundreds of containers of class B poisons leaked last year. This leads us to believe that thousands of leaks actually occurred during transportation. A substantial number of the leaks were of the more toxic class B poisons.

We do not know of any deaths in the United States resulting from these leaks, but there have been hundreds of deaths abroad from similar leaks.

The following examples of recent poison leaks were selected to show that leaks occur (i) in more than one container on some shipments, (ii) in drums of different sizes, built to different specifications, (iii) in seams, chimes, heads, and closures, and (iv) in both truck and train transport. The containers were made by different manufacturers, filled with different poisons by different shippers, and shipped via different carriers.

Date of incident	Number of leakers	Size and specification	Description of leaks	Kind of carrier
Jan. 16, 1969	3	30-gal. 17E	Side seams	Truck
Jan. 28, 1969	2	55-gal. 17E	Seams and chimes	Train
Feb. 7, 1969	2	55-gal. 17C	Seams and top chimes	Do.
Feb. 13, 1969	2	5-gal. 17E	Bottom heads	Do.
Feb. 17, 1969	2	55-gal. 17E	do	Truck
Feb. 17, 1969	5	55-gal. 17E	do	Do.
Mar. 4, 1969	17	55-gal. 17C	Loose closures	Train
Mar. 18, 1969	5	55-gal. 17C	Side seam and loose closures	Do.

Safety problems. During the past year we have worked with shippers, carriers, container manufacturers, and Federal and State government officials, seeking the precise causes of the leaks. The number of leaks indicate a need for regulation, but we need more precise information to determine what regulation is needed. The first step is to define the safety problems: the causes of the leaks.

The principal safety problems appear to be inadequacy of containers and carelessness of shippers. Theoretically, the authorized containers are adequate, if the manufacturers, shippers, and carriers carefully follow all regulatory requirements. Actually, many of the containers leak during transit. It follows that our safety standards are not high enough; they are not people-proof; they do not provide a margin for predictable error.

More particularly, these are areas of inquiry to define the safety problems:

1. Whether the authorized containers, such as Specification 17E and possibly others of the Specification 17 series, are adequate for the transportation of the more toxic materials. This inquiry covers everything which contributes to container integrity, such as gauge and quality of the steel, quality and resilience of lining material, the manufacturing process, inspection and quality control, and testing of finished containers.

2. Whether the leaks result from improper filling and closing of containers. If so, is it because the regulations are inadequate or because the regulations are not followed? If they are not followed, is it because of practical or other problems of complying with the regulations?

3. Whether the leaks result from damage in transit. If so, is it because the regulations are inadequate or because the regulations are not followed? If they are not followed, is it because of practical or other problems of complying with the regulations?

4. Whether regulatory standards should be higher for the more toxic class B poisons.

Possible solutions. As we have been defining the safety problems, we have been considering possible solutions. We have received specific recommendations from the California State Health Department, the National Agricultural Chemicals Association, and the Steel Shipping Container Institute. These are some of the regulatory solutions which we are considering:

1. Require shippers (where appropriate, this term includes the person who fills the container) to use containers produced by manufacturers approved by the Hazardous Materials Regulations Board. Provide for the Board to withdraw ap-

proval from manufacturers who do not meet regulatory standards.

2. Prohibit use of Specification 17E and possibly others of the Specification 17 series.

3. Improve integrity of presently authorized containers (for example, by raising the specification standards for gauge of steel or quality of steel, or both) with particular attention to drum heads.

4. Require manufacturing procedures which will not unduly stress the steel.

5. Require comprehensive nondestructive testing of each container and complete destructive testing of frequent random samples, relating test procedures to the actual use for which the container is built.

6. Establish quality standards for lining material, including sufficient resilience to withstand transportation shocks without cracking.

7. Require quality control procedures which will ensure that the manufacturer meets regulatory standards.

8. Require shippers to inspect each container before filling, to ensure that it has not been damaged in transit to him; prohibit use of damaged containers.

9. Require shippers to leave enough outage after filling so that container can be closed without overflow.

10. Require shippers to use fail-safe closure devices and attachment procedures.

11. Require shippers to inspect and clean each container after filling.

12. Require shippers to observe containers in both the upright and inverted positions long enough to detect leaks.

13. Require shippers to palletize or crate (bottom, side, and top protection) all shipments of small containers.

14. Require shippers to inspect each container after storage and before shipment.

15. Require shipper to furnish, and carrier to have, precise chemical name and emergency instructions with each shipment.

16. Prescribe stowage rules, including vertical bulkheads between poisons and other freight, horizontal partitions between layers of containers, and stack height limitations.

17. Prohibit trailer-on-flat-car carriage.

18. Require "poison" label on each package, even in truckload or carload lots, and placard on each truck, even when the amount of poison is less than 1,000 pounds.

19. Impose routing and stop-over restrictions, to limit extent of public exposure.

20. Require shipment in fully enclosed vehicles, to lessen chance of loss of containers.

21. Prohibit shipment on vehicles which have wooden floors, because of difficulty of decontamination after a leak.

22. Prescribe rules for handling contaminated freight and decontaminating vehicles.

Scope of notice. This is not a proposal to change the regulations. It is an effort to obtain public participation early in the rule-making process. It is an effort to develop facts upon which to base rational rule making. We invite the general public to advise us on all aspects of this subject.

We invite interested persons to give us their views by July 21, 1969. Advice (identifying the docket number) should be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590.

Issued in Washington, D.C., on May 5, 1969.

WILLIAM C. JENNINGS,
Director,
Office of Hazardous Materials.

[F.R. Doc. 69-5524; Filed, May 8, 1969; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18541; FCC 69-475]

FM BROADCAST STATIONS

Table of Assignments; Carthage, Miss., etc.

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Carthage, Miss., Mifflinburg, Pa., Forest City, Iowa, Hampton, S.C., Tylertown, Miss., French Lick, Ind., New Boston, Tex., Breckenridge, Minn., Minocqua, Wis., Charleston, Miss., and Southampton, N.Y.); Docket No. 18541, RM-1396, RM-1398, RM-1401, RM-1410, RM-1411, RM-1412, RM-1415, RM-1419, RM-1421, RM-1430, RM-1433.

1. Notice is hereby given of proposed rule making in the above-entitled matter, concerning amendments of the FM Table of Assignments contained in § 73.202 of the Commission's rules. All proposed assignments are alleged and appear to meet the spacing requirements of the rules. Any proposed assignments which are within 250 miles of the United States-Canada border will require coordination with the Canadian Government under the terms of the Canadian-United States Agreement of 1947 and the Working Arrangement of 1963. All population figures are from the 1960 U.S. Census.

2. RM-1396, Carthage, Miss. (Meredith Colon Johnston); RM-1398, Mifflinburg, Pa. (Wireline Radio, Inc.); RM-1401, Forest City, Iowa (Marvin L. Hull); RM-1410, Hampton, S.C. (Hampton County Broadcasters, Inc.); RM-1411,