

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

143 CFR Part 2800, 28701

RIGHTS-OF-WAY

Competitive Bidding for Use and Occupancy of Lands for Solar Evaporation Ponds

The purpose of this amendment is to provide regulations for issuance of rights-of-way under competitive bid for solar evaporation ponds used in connection with the extraction of minerals from brines. These regulations are promulgated under the authority vested in the Secretary of the Interior by the Act of February 15, 1901 (43 U.S.C. 959).

In accordance with the Department's policy on public participation in rule making (36 F.R. 8336) interested parties may submit written comments, suggestions, or objections with respect to the proposed rules to the Director (210), Bureau of Land Management, Washington, D.C. 20240, until July 11, 1972.

Copies of comments, suggestions, or objections made pursuant to this notice will be available for public inspection in the Office of Information, Bureau of Land Management, Room 5643, Interior Building, Washington, D.C., during regular business hours (7:45 a.m.-4:15 p.m.).

Subparts 2802 and 2873, Chapter II, Title 43 of the Code of Federal Regulations are amended as follows:

§ 2802.1-7 [Amended]

1. In the first sentence of paragraph (a) of § 2802.1-7 the reference "(b) and (c) of this section," is revised to read "(b) and (c) of this section and § 2873.2."

2. A new § 2873.2 is added to read as follows:

§ 2873.2 Solar evaporation ponds.

(a) Lands may be made available for use and occupancy for solar evaporation ponds for the recovery of minerals only by competitive bidding.

(b) When the authorized officer determines, on his own motion, or pursuant to an application, that lands shall be made available for use and occupancy for solar evaporation ponds, he will have notice thereof published weekly for 5 consecutive weeks in an appropriate newspaper in accordance with § 1824.3 of this chapter. The high bidder for the lands will be required to pay the cost of publication of the notice. The time and place for submitting the bids will be specified in the public notice. Bids may be made by the principal or his agent, either personally or by air mail. Bids sent by mail will be considered only if received at the place and prior to the hour fixed in the notice.

These bids must be accompanied by certified checks, post office money orders, bank drafts, or cashier's checks, made payable to the Bureau of Land Management for the amount of the bids plus the cost of publication and must be enclosed in sealed envelopes which must be marked as prescribed in the notice. In the event that valid bids of the same amount are received through the mail from two or more persons, the first in time as shown by the time and date noted by the post office on the envelope will be considered the highest of those bids. If two or more envelopes containing valid bids of the same amount bear the same time and date stamp, they will be considered simultaneously filed. The determination of which is the highest of these bids will be by drawing.

HARRISON LOESCH,
Assistant Secretary
of the Interior.

MAY 30, 1972.

[FR Doc.72-8471 Filed 6-5-72; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health
Administration

129 CFR Part 19101

SANITATION

Proposed Safety and Health Standards

Pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655), Secretary of Labor's Order No. 12-71 (36 F.R. 8754) and 29 CFR Part 1911 (36 F.R. 17506), it is hereby proposed to amend 29 CFR 1910.141(c) (2) (ii) as set forth below.

Written data, views, and arguments concerning the proposal may be mailed to the Office of Safety and Health Standards, Room 305, 400 First Street NW., Washington, DC 20210, within 30 days after the publication of this notice in the FEDERAL REGISTER. The data, views, and arguments will be available for public inspection and copying at the Office of Safety and Health Standards located at the above address.

Pursuant to 29 CFR 1911.11 (b) and (c), interested persons may in addition to filing written matter as provided above, file objections to the proposal requesting an informal hearing with respect thereto in accordance with the following conditions:

- (1) The objections must include the name and address of the objector;
- (2) The objections must be postmarked on or before the 30th day after

the date of publication of this notice of proposed rule making;

(3) The objections must specify with particularity the provision of the proposed rule to which objection is taken, and must state the grounds therefor;

(4) Each objection must be separately stated and numbered; and

(5) The objections must be accompanied by a summary of the evidence proposed to be adduced at the requested hearing.

The terms of the proposed amendment read as follows:

§ 1910.141 Sanitation.

(c) Toilet facilities . . .

(2) Construction of toilet rooms . . .

(i) The walls of compartments or partitions between fixtures may be less than the height of room walls, but the top shall be sufficiently high to assure privacy.

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655)

Signed at Washington, D.C., this 31st day of May 1972.

GEORGE C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-8486 Filed 6-5-72; 8:46 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

121 CFR Part 1211

FOOD ADDITIVES RESULTING FROM CONTACT WITH CONTAINERS OR EQUIPMENT AND FOOD ADDITIVES OTHERWISE AFFECTING FOOD

Proposal for Use of Colorants for Plastics

The Commissioner of Food and Drugs, having evaluated the data in petitions filed by:

1. American Cyanamid Co., Wayne, N.J. 07470 (FAP 8R2288).
2. Dr. Carl A. Nau, 800 Northeast 13th Street, Oklahoma City, Okla. 73104 (FAP 6R1862).
3. Pennwalt Corp., 900 First Avenue, King of Prussia, Pa. 19406 (FAP 0R2534).
4. Morton International, Inc., 110 North Wacker Drive, Chicago, Ill. 60606 (FAP 0R2512).
5. Eastman Chemical Products, Inc., Kingsport, Tenn. 37660 (FAP 1R2641).

and other relevant material, concludes that the food additive regulations should be amended, as set forth below: (1) To provide for the safe use of colorants in plastics intended for food contact use,

and (2) to make editorial revisions to encompass colorants for plastics in a single regulation and broaden uses to permit use of certain colorants in any flexible, semirigid, or rigid plastic. Colorants already listed in § 121.2514(b) (3) (xxvi) are retained therein for ready reference.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c) (1), (d), 72 Stat. 1786-87; 21 U.S.C. 348 (c) (1) (d)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 121 be amended as follows:

§ 121.2522 [Amended]

1. In § 121.2522 in paragraph (b) by revoking from the "List of substances" the item "Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160)" and the item "Ultramarine blue."

§ 121.2549 [Amended]

2. In § 121.2549 in paragraph (b) by revoking from the "List of substances" the item "Pigments and colorants identified in § 121.2514(b) (3) (xxvi)."

§ 121.2563 [Revoked]

3. By revoking § 121.2563 *Ultramarine blue*.

4. In § 121.2570 in paragraph (a) by revising subparagraph (3) to read as follows:

§ 121.2570 Ethylene-vinyl acetate copolymers.

(a)

(3) Substances identified in § 121.2514 (b) (3) (xxv), (xxvii), (xxx), and (xxxi).

5. By adding the following new section to Subpart F:

§ 121. Colorants for plastics.

The following coloring materials may be safely used in plastic substances that are used or intended for use in contact with food, in accordance with the following conditions:

(a) The colorants used are in accordance with good manufacturing practice including use levels not in excess of those reasonably required to accomplish the intended coloring effect in the food-contact article.

(b) The colorants conform to the specifications and extraction limits, where indicated.

(c) Permitted colorants are as follows:

(1) Colors listed for direct use in food under the provisions of the color additive regulations in Part 8 of this chapter.

(2) Colorants identified in this subparagraph and subject to certain limitations as follows:

Colorants	Limitations
Aluminum	
Aluminum hydrate	
Aluminum and potassium silicate (mica)	
Aluminum mono-, di-, and trisilicate	
Aluminum silicate (China clay)	
Barium sulfate	

Colorants	Limitations
Bentonite	
Bentonite, modified with dimethyl dioctadecyl ammonium ion	
Burnt umber	
Calcium carbonate	
Calcium silicate	
Calcium sulfate	
Carbon black (channel process, prepared by the impingement process from stripped natural gas)	
Chromium oxide green (C.I. pigment green 17, C.I. No. 77288)	

Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160)	
Cobalt oxide-aluminum oxide	

Diatomaceous earth	
Iron oxides	
Magnesium oxide	
Magnesium silicate (talc)	

For use only in olefin polymers complying with § 121.2501: *Provided*, That, the olefin polymer in the finished form in which it is to contact food, when extracted by a method available upon request from the Commissioner of Food and Drugs, shall yield not in excess of 0.1 p.p.m. of the colorant.

For use only:

1. In resinous and polymeric coatings complying with § 121.2514.
2. Melamine-formaldehyde resins in molded articles complying with § 121.2549.
3. Xylene-formaldehyde resins condensed with 4-4'-isopropylidene-diphenol-epichlorohydrin epoxy resins complying with § 121.2559.
4. Ethylene-vinyl acetate copolymers complying with § 121.2570.
5. Urea-formaldehyde resins in molded articles complying with § 121.2505.

Colorants	Limitations
Phthalocyanine green (C.I. pigment green 7, C.I. No. 74200)	

Quinacridone red (C.I. pigment violet 19, C.I. No. 48500)	
Raw sienna	
Silica	
Titanium dioxide	
Titanium dioxide-barium sulfate	
Titanium dioxide-magnesium silicate	
Ultramarine blue	
Zinc carbonate	

Zinc oxide	
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Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may

For use only in olefin polymers, complying with § 121.2501: *Provided*, That, the olefin polymer in the finished form in which it is to contact food, when extracted by a method available upon request from the Commissioner of Food and Drugs, shall yield not in excess of 0.006 p.p.m. of the colorant.
Do.

For use only:

1. In resinous and polymeric coatings complying with § 121.2514.
2. Melamine-formaldehyde resins in molded articles complying with § 121.2549.
3. Xylene-formaldehyde resins condensed with 4-4'-isopropylidene-diphenol-epichlorohydrin epoxy resins complying with § 121.2559.
4. Ethylene-vinyl acetate copolymers complying with § 121.2570.
5. Urea-formaldehyde resins in molded articles complying with § 121.2505.

Do.

be seen in the above office during working hours, Monday through Friday.

Dated: May 22, 1972.

SAM D. PINE,
Associate Commissioner
for Compliance.

[FR Doc.72-8401 Filed 6-5-72;8:47 am]

Social and Rehabilitation Service
[45 CFR Part 909]

NUTRITION PROGRAM FOR THE ELDERLY

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations relate to the implementation of Public Law 92-258, approved March 22, 1972, which authorizes a new title VII of the Older Americans Act. The new title provides for grants to States for nutrition projects to assist in meeting the nutritional and social needs of persons aged 60 or over. The regulations set forth the organizational and administrative requirements for State agencies administering the program, and the standards which the nutrition projects must meet.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, DC 20201, within a period of 15 days from the date of publication of this notice in the FEDERAL REGISTER. It is the policy of the Department that 30 days' notice will be given for proposed rule making in the formulation of rules and regulations governing Department grant programs. Compliance with such procedures, however, would involve delay in implementing the provisions of Public Law 92-258, which authorize appropriations for the period beginning July 1, 1972. Accordingly, we find that under the circumstances it is impracticable to allow the usual period of notice. Comments received will be available for public inspection in Room 5121 of the Department's offices at 301 C Street SW., Washington DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-963-7361).

Dated: May 26, 1972.

JOHN D. TWINAME,
Administrator, Social and
Rehabilitation Service.

Approved: June 1, 1972.

ELLIOT L. RICHARDSON,
Secretary.

A new Part 909 is added to Chapter IX of Title 45 of the Code of Federal Regulations to read as follows:

PART 909—NUTRITION PROGRAM FOR THE ELDERLY

Subpart A—General

- Sec.
909.1 Purposes of the program.
909.2 Applicability.
909.3 Definitions.

Subpart B—The State Plan

- 909.4 Purpose.
909.5 Plan development.
909.6 Plan submission and approval.
909.7 Plan amendments.
909.8 Plan review.
909.9 Plan disapproval.
909.10 Withholding of funds.
909.11 Appeal procedures.
909.12 Review of plan by Governor.

Subpart C—State Agency

- 909.13 State agency.
909.14 Authority of the State agency.
909.15 Organization of the State agency.

Subpart D—State Administration

- 909.16 Staffing.
909.17 Advisory assistance.
909.18 Coordination with other agencies.
909.19 Identification of target groups to be served.
909.20 Selection of areas for project awards.
909.21 Project awards.
909.22 Strengthening of existing programs.
909.23 Annual operating plan.
909.24 Opportunity for hearing.
909.25 Public information.
909.26 State administration costs.
909.27 Reports.
909.28 Fiscal control and accounting.
909.29 Program evaluation.
909.30 Methods of administration.
909.31 Standards of personnel administration.

Subpart E—Standards for Nutrition Projects

- 909.32 Staffing of projects.
909.33 Project councils.
909.34 Selection of congregate meal sites.
909.35 Identification of persons to be served.
909.36 Nutrition requirements.
909.37 Home delivered meals.
909.38 Supporting social services.
909.39 Use of existing resources.
909.40 Charges to recipients for costs of meals.
909.41 Food stamps and donated foods.
909.42 Confidentiality.
909.43 Training of personnel.
909.44 Project objectives.
909.45 Evaluation.
909.46 Local public information.
909.47 Project record keeping and reports.
909.48 State and local standards.
909.49 Purchase of goods and services.

Subpart F—Allotment of Funds

- 909.50 Allotment formula.
909.51 Reallocation.
909.52 Withholding of funds.
909.53 Disbursement of withheld allotment.
909.54 Payments.
909.55 Obligation of allotment.
909.56 Audit.

Subpart G—Program Costs

- 909.57 Cost sharing.
909.58 Maintenance of effort.
909.59 Allowable costs.

Subpart H—Availability of Surplus Commodities

- 909.60 Department of Agriculture donated foods.
909.61 State agency purchase of commodities.

Subpart I—Treatment of Income

Sec.
909.62 Relationship to other laws.
AUTHORITY: The provisions of this Part 909 issued under secs. 101 et seq., 79 Stat. 218-226, 81 Stat. 106-108, 82 Stat. 1101, 83 Stat. 108-116, 86 Stat. 88-95; 42 U.S.C. 3001 et seq.

Subpart A—General

§ 909.1 Purposes of the program.

(a) Many elderly persons do not eat adequately because:

- (1) They cannot afford to do so;
- (2) They lack the knowledge and/or skills to select and prepare nourishing and well-balanced meals;
- (3) They have limited mobility which may impair their capacity to shop and cook for themselves; and
- (4) They have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone.

These and other physiological, psychological, social, and economic changes that can occur with aging result in a pattern of living which may cause malnutrition and further physical and mental deterioration.

(b) The purpose of this program is to provide older Americans, particularly those with low incomes, with low cost, nutritionally sound meals served in strategically located centers such as schools, churches, community centers, senior citizen centers, and other public or private facilities where they can obtain other social and rehabilitative services. Besides promoting better health among the older segment of the population through improved nutrition, such a program is aimed at reducing the isolation of old age, offering older Americans an opportunity to live their remaining years in dignity.

§ 909.2 Applicability.

This part applies to the program under title VII of the Older Americans Act.

§ 909.3 Definitions.

For the purposes of this part, in addition to the definitions in § 901.2, the following definitions apply:

(a) "Eligible individuals" are those persons who are aged 60 or over and who:

- (1) Cannot afford to eat adequately;
- (2) Lack the skills and/or knowledge to select and prepare nourishing and well-balanced meals;
- (3) Have limited mobility which may impair their capacity to shop and cook for themselves; or
- (4) Have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone.

The spouses of such individuals are also considered eligible individuals.

(b) "Minority individuals" are those persons who identify themselves as American Indian, Spanish language, Negro or Oriental.

(c) "Project area" means the geographic area for which a single project award may be made. This project area