

Advance copy pending issuance  
of Change to FAR Part 103

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Adminis- tration, Department of Transportation

[Docket No. 10229; Amdt. 103-7]

#### PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAG- NETIZED MATERIALS

##### Applicability; Shipments of Radioactive Materials

The purpose of this amendment to Part 103 of the Federal Aviation Regulations is to add certain radioactive materials to those materials expressly excluded from the applicability of Part 103.

The radioactive materials involved are generally small quantities of radiopharmaceuticals with a low level of radioactivity extending over relatively short periods. These materials are used principally by physicians in the treatment of patients and by those engaged in medical research.

Under the Hazardous Materials Regulations of the Department of Transportation (49 CFR Parts 172 and 173) these particular radioactive materials are exempt from the packing, marking, and labeling requirements prescribed for shipment by rail express. Previously, these materials were excluded from the

applicability of Part 103 of the Federal Aviation Regulations. However, they were inadvertently deleted from among the excluded materials by Amendment 103-4 (33 F.R. 14918). This amendment corrects that deletion.

Since this amendment merely corrects an inadvertence, I find that notice and public procedure are unnecessary, and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, § 103.1(c) of the Federal Aviation Regulations is amended, effective March 31, 1970, by changing the period at the end of paragraph (c) (3) to a semicolon, and by adding a subparagraph, designated (4), to read:

##### § 103.1 Applicability.

\* \* \* \* \*

(c) \* \* \*

(4) Shipments of radioactive materials that meet those requirements in 49 CFR Parts 172 and 173 that exempt them from packing, marking, and labeling requirements for shipment by rail express.

(Secs. 313(a), 601, and 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1354, 1421, and 1472; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on  
March 24, 1970.

J. H. SHAFFER,  
Administrator.

(As published in the Federal Register  
35 F.R. 53207 on March 31, 1970)