

# FEDERAL REGISTER

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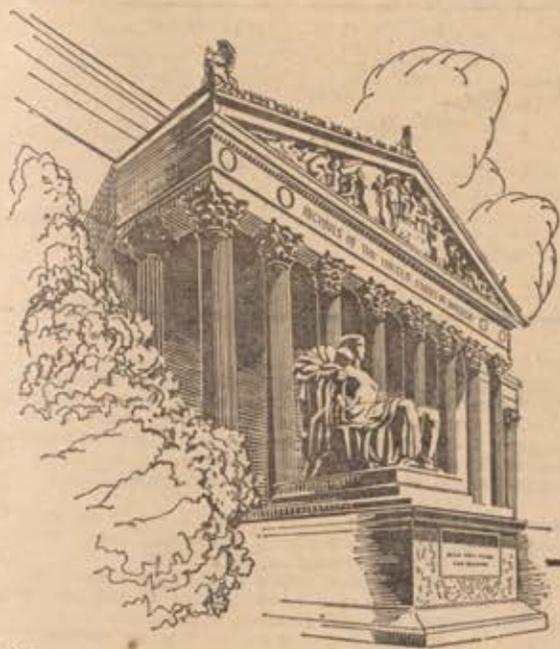
PART I

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Agencies in this issue—

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Conservation Service  
Army Department  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Commerce Department  
Consumer and Marketing Service  
Education Office  
Federal Aviation Agency  
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Federal Maritime Commission  
Fish and Wildlife Service  
Food and Drug Administration  
General Services Administration  
Housing and Home Finance Agency  
Interstate Commerce Commission  
Land Management Bureau  
National Park Service  
National Science Foundation  
Securities and Exchange Commission  
Small Business Administration  
Veterans Administration  
Welfare Administration

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

#### Entire Executive Civil Service

Section 213.3102 is amended to add a new authority for part-time or intermittent employment of needy students in furtherance of the President's Youth Opportunity Back-to-School Drive. Effective on publication in the FEDERAL REGISTER, paragraph (w) is added to § 213.3102 as set out below.

§ 213.3102 Entire executive civil service.

(w) Part-time or intermittent positions the duties of which involve laboring or other work of a routine nature when filled by students appointed in furtherance of the President's Youth Opportunity Back-to-School Drive and when the following conditions are met:

(1) Appointees are enrolled in or accepted for enrollment in a resident secondary school or institution of higher learning, accredited by a recognized accrediting body;

(2) Employment does not exceed 15 hours in any calendar week;

(3) While employed, appointees continue to maintain an acceptable school standing;

(4) Appointees need the earnings from the employment to continue in school; and

(5) Salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance.

Appointments under this authority may not extend beyond one year: *Provided*, that such appointments may be extended for additional periods of not to exceed one year each if the conditions for initial appointment are still met. An agency head may not appoint under this authority the son or daughter of a civilian employee of that agency or the son or daughter of a member of its uniformed service. A person may not be appointed under this authority unless he has reached his 16th but not his 22d birthday.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1964-1968 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
MARY V. WENZEL,  
Executive Assistant to  
the Commissioners.

[P.R. Doc. 65-9450; Filed, Sept. 7, 1965; 8:45 a.m.]

## Title 7—AGRICULTURE

### Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

#### SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[ACP—1966]

### PART 701—NATIONAL AGRICULTURAL CONSERVATION

#### Subpart—1966

The provisions of §§ 701.1 to 701.93 (26 F.R. 6881), as amended, shall be effective for the 1966 National Agricultural Conservation Program for the period July 1, 1965, through December 31, 1966, except for the following changes and such other changes as may hereafter be made.

1. For the purposes of the 1966 program, references to the years 1964, 1965, and 1966 shall be construed as references to the years 1965, 1966, and 1967, respectively.

2. Effective beginning with the 1966 program, the term "Director, Conservation and Land Use Division, ASCS," is substituted for the term "Deputy Administrator, State and County Operations, ASCS" in §§ 701.15, 701.89, 701.90, 701.91, and 701.92.

3. The allocation of funds among the States for the 1966 program will be published at a later date in an amendment to § 701.2.

4. Paragraph (a) of § 701.4 is amended, effective beginning with the 1966 program, to read:

#### § 701.4 Agencies to participate in development of State programs.

(a) A State agricultural conservation program (referred to in this subpart as "State program") shall be developed in each State in accordance with the provisions contained in this subpart and such modifications thereof as may hereafter be made. The program shall be developed by the State ACP development group, which shall consist of the State committee (including the State director of extension), the State conservationist of the Soil Conservation Service, the Forest Service official having jurisdiction of farm forestry in the State, and, in States in the Appalachian region in which a program is developed under section 203 of Public Law 89-4 with the assistance of the State ACP development group upon request of the Governor of the State, a representative recommended by the Governor and designated by the Secretary. The president of the land-grant college and the State director of the Farmers Home Administration shall be invited to designate representatives to counsel with the group in the formula-

tion of the State program. The chairman of the State committee shall invite representatives of the State soil conservation committee (board or commission), the State agricultural extension service, the State agency having responsibility for wildlife conservation, and other State and Federal agricultural agencies, and may invite others with conservation interests, to participate in the deliberations on the State program.

5. Section 701.8 is amended, effective beginning with the 1966 program, by adding a new paragraph (d) as follows:

#### § 701.8 Practice specifications.

(d) Specifications for wildlife conservation practices shall be developed in consultation with the State agency having responsibility for wildlife conservation.

6. Paragraph (b) of § 701.9 is amended, effective beginning with the 1966 program by adding the following sentence:

#### § 701.9 Use of liming materials and commercial fertilizers for vegetative cover.

(b) \* \* \* Liming materials or fertilizer must be applied at such a time and in such a manner that a conserving cover will be the primary beneficiary of the application.

7. The first sentence of paragraph (a) of § 701.10 is amended, effective beginning with the 1966 program to read:

#### § 701.10 Responsibility for technical phases of practices.

(a) The Soil Conservation Service is responsible for the technical phases of practices A-8, B-7, C-4 to C-16, G-2, and G-3 (§§ 701.52, 701.59, 701.67 to 701.79, 701.94, and 701.95).

8. Paragraph (a) of § 701.11 is amended effective beginning with the 1966 program, to read:

#### § 701.11 Rates of cost-sharing.

(a) The maximum Federal cost-share for each practice shall be the percentage of the average cost of performing the practice considered necessary to obtain the needed performance of the practice, but which will be such that the farmer or rancher will make a substantial contribution to the cost of performing the practice. Rates of cost-sharing shall not be in excess of 50 percent of the average cost of performing the practices, except that higher rates of cost-sharing may be approved by the Director, Conservation and Land Use Division, ASCS—

(1) For practices which have long lasting conservation benefits and from which the returns to the farmer or rancher are remote,

(2) In situations where higher rates of cost-sharing are essential to bring about the use of a practice or to increase the use of a practice on a substantial number of farms or ranches, or

(3) In situations where the income prospects for the farmer or rancher are such that he reasonably could not be expected to bear as much as 50 percent of the cost of the practice. (A higher rate may be approved under this subparagraph (3) only where it is determined that the farmer or rancher is largely dependent on the farm or ranch for his livelihood, the estimated annual family income does not exceed \$3,000, and an increased rate of cost-sharing is essential to permit the farmer or rancher to carry out needed practices.)

9. Paragraph (b) of § 701.27 is amended, effective beginning with the 1966 program, to read:

§ 701.27 Division of Federal cost-shares.

(b) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in Part 707 of this chapter.

§ 701.72 [Amended]

10. Section 701.72 is amended, effective beginning with the 1966 program, by adding the following sentence: "Any land drained which was not normally used for row crops or small grain crops prior to the performance of the practice shall not be used for row crops or small grain crops for 5 years following the completion of the practice."

§ 701.73 [Amended]

11. Section 701.73 is amended, effective beginning with the 1966 program, by adding the following sentence: "Any land drained which was not normally used for row crops or small grain crops prior to the performance of the practice shall not be used for row crops or small grain crops for 5 years following the completion of the practice."

§ 701.74 [Amended]

12. Section 701.74 is amended, effective beginning with the 1966 program, by adding the following sentence: "Any land drained which was not normally used for row crops or small grain crops prior to the performance of the practice shall not be used for row crops or small grain crops for 5 years following the completion of the practice."

§ 701.76 [Amended]

13. Section 701.76 is amended, effective beginning with the 1966 program, by adding the following sentence: "Any land leveled which was not normally used for row crops or small grain crops prior to leveling shall not be used for row crops or small grain crops for 5 years following the completion of the leveling."

§ 701.77 [Amended]

14. Section 701.77 is amended, effective beginning with the 1966 program, by adding the following sentence: "Any land to be irrigated which was not normally used for row crops or small grain crops prior to the performance of the practice shall not be used for row crops or small grain crops for 5 years following the completion of the practice."

§ 701.81 [Amended]

15. Section 701.81 is amended, effective beginning with the 1966 program, by deleting the last sentence thereof.

§ 701.82 [Amended]

16. Section 701.82 is amended, effective beginning with the 1966 program, by deleting the last sentence thereof.

§ 701.83 [Amended]

17. Section 701.83 is amended, effective beginning with the 1966 program, by deleting the last sentence thereof.

§ 701.92 [Amended]

18. The second sentence of paragraph (c) of § 701.92 is amended, effective beginning with the 1966 program, to read: "The total of all Federal cost-share for this practice to any person with respect to farms and ranches in any one county shall not exceed the sum of \$2,500, except that, with the written prior approval of the State committee, a higher maximum not to exceed \$10,000 may be approved in individual cases upon justification by the farmer or rancher on the basis of exceptional need and his inability to otherwise carry out the work."

19. Effective beginning with the 1966 program § 701.93 is deleted and the following §§ 701.93, 701.94, 701.95, and 701.96 are added:

§ 701.93 Practice G-1: Establishment of vegetative cover providing wildlife food plots and habitat.

This practice is applicable only to farmland which is to be established in trees, shrubs, grasses, legumes, or other vegetative cover to provide food or habitat for wildlife. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the planted area from grazing by domestic livestock, excluding boundary and road fences.

§ 701.94 Practice G-2: Development or restoration of shallow water areas for wildlife.

This practice is applicable only to farmland which is suitably located and adapted to the development or restoration of shallow water areas for wildlife. Federal cost-sharing for plantings under this practice shall be limited to plantings within the floodable area and plantings on any embankments constructed. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the shallow water area from grazing by domestic livestock, excluding boundary and road fences.

§ 701.95 Practice G-3: Constructing ponds or dams for wildlife.

This practice is applicable only to permanent ponds or dams for wildlife con-

structed on farmland. No Federal cost-sharing will be allowed for ponds or dams which will impound water on areas which will be drained periodically for the production of crops, or for dams or ponds which are primarily for the commercial production of fish or other wildlife for food.

§ 701.96 Practice G-4: Other wildlife conservation practices with soil and water conservation benefits.

Consistent with the principles set forth in § 701.1, the Director, Conservation and Land Use Division, ASCS, may approve other wildlife conservation practices for inclusion in the State program upon recommendation of the State committee and designated representatives of the Soil Conservation Service and the Forest Service at the State level, or for inclusion in county programs upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and Forest Service at both the county and State levels. Such other wildlife conservation practices shall be subject to the same conditions as other practices in the program, shall meet the standards and requirements of comparable practices in the program, and shall specify the eligible measures on which Federal cost-sharing may be approved.

20. A new § 701.97 is added, effective beginning with the 1966 program, as follows:

CONSERVATION PRACTICES WITH SUBSTANTIAL BEAUTIFICATION BENEFITS

§ 701.97 Practice H: Beautification-conservation practices.

Consistent with the principles set forth in § 701.1, the Director, Conservation and Land Use Division, ASCS, may approve beautification-conservation practices for inclusion in the State program upon recommendation of the State committee and designated representatives of the Soil Conservation Service and the Forest Service at the State level, or for inclusion in county programs upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels. Such practices may include the establishment of protective vegetative cover of grasses, legumes, trees, or shrubs (including ornamental shrubs and perennial flowers); the construction of terraces, dikes, water impoundments, or other structures to control surface runoff, to prevent erosion, or to heal gullies; the establishment of vegetative cover to provide habitat, food, or shelter for wildlife; and other practices which provide substantial soil and water conservation benefits and which enhance the appearance of the area. The practices shall be subject to the same conditions as other practices in the program, shall meet the standards and the requirements of comparable practices in the program, and shall specify the eligible measures on which Federal cost-sharing may be approved. Additional measures on which Federal cost-sharing is not to be approved, which will increase

the effectiveness or appearance of the practice, may be installed.

(Sec. 4, 49 Stat. 164, secs. 7 to 17, 49 Stat. 1148, as amended; 71 Stat. 176, 71 Stat. 426, 71 Stat. 864; 16 U.S.C. 590d, 590g-590q)

Signed at Washington, D.C., on September 2, 1965.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 65-9487; Filed, Sept. 7, 1965; 8:56 a.m.]

**Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture**

[Lemon Reg. 176, Amdt. 1]

**PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA**

**Limitation of Handling**

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and other, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of lemons grown in California and Arizona.

*Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 910.476 (Lemon Regulation 176, 30 F.R. 11132) are hereby amended to read as follows:

§ 910.476 Lemon Regulation 176.

(b) Order. (1) . . .

(ii) District 2; 302,250 cartons.

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

Dated: September 2, 1965.

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

[F.R. Doc. 65-9483; Filed, Sept. 7, 1965; 8:48 a.m.]

**Title 14—AERONAUTICS AND SPACE**

**Chapter I—Federal Aviation Agency**

[Docket No. 6449; Amdt. No. 21-5]

**PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS**

**Subpart J—Delegation Option Authorization Procedures**

This amendment modifies Subpart J of Part 21 by (1) including additional types of aircraft and aircraft engines, (2) including parts for aircraft, aircraft engines, and propellers, and (3) removing the requirement that the manufacturer must employ a Designated Manufacturer's Certification Representative (DMCR) in order to use the Delegation Option Procedures.

This amendment is based on, and reflects industry comments concerning, Notice of Proposed Rule Making 65-2, published in the FEDERAL REGISTER (30 F.R. 953) on January 29, 1965. Except as modified by the following discussion, the reasons for these amendments are those in the Notice. Changes to the proposals in Notice 65-2, and Agency disposition of comments from industry, are as follows:

Certain rules governing the issue of Supplemental Type Certificates (STCs) and the amendment of airworthiness certificates were placed in the Notice to give the manufacturer the same privileges as were currently being proposed for air carriers and domestic repair stations under the Designated Alteration Station (DAS) procedures in Notice C3-17. Since Notice 63-17 excluded manufacturers, the equivalent proposal was made for manufacturers under Notice 65-2 to give full public notice with respect to manufacturers. Notice having been accomplished without significant opposition to the concept of extension of the DAS privileges to manufacturers, the rules covering the issue of STCs and the amendment of airworthiness certificates are deleted from this amendment and are to be included in new Subpart M of Part 21, which contains the DAS requirements. The Agency thus agrees with one comment from industry suggesting that the proper distinction between Subparts J and M of Part 21 is that between original type certification and supplemental type certification, respectively. This change is editorial only. The placement of the DAS requirements for the manufacturer

in new Subpart M of Part 21 is subject to any changes made to Notice 63-17, which changes appear in the final requirements for DAS authorizations (see Docket No. 1713). This change affects proposed §§ 21.231, 21.235(b), 21.239(c), 21.241, 21.251(b)(2) and (b)(5), 21.263, 21.267, 21.269(c), and 21.293(b) and (c).

Industry commented that Agency participation in the manufacturer's type certification programs is not necessary when authority is delegated to responsible manufacturers, and requested that the Agency either divorce itself completely from involvement in the type certification programs of manufacturers, or else specify a certain frequency of inspection.

As stated in the notice, the responsibility of the Agency for the type certification of products is clear under §§ 601 and 603 of the Federal Aviation Act of 1958. The power under § 314 of the Act to delegate any "work, business, or function" does not relieve the Administrator of the underlying duties prescribed in §§ 601 and 603 of the Act. The use of the power of delegation must clearly be consistent with the underlying duties, since the Act nowhere provides for the delegation of the duties themselves. Thus, § 314 provides that delegations made by the Administrator be made "in exercising the powers and duties vested in him by this Act." To completely divorce the Agency from the certification programs of manufacturers would be to ignore, rather than exercise, those powers and duties.

The only industry contention that the Agency can consider in this area is thus whether a specific degree, or frequency, of supervision or inspection should be specified, across the board, in the delegation option procedures themselves. If such a frequency were specified, it would defeat the proper administration of the delegation option procedures in two respects. For manufacturers who demonstrate that, for specific programs, less supervision is consistent with the Administrator's duty to promote safety, the specified frequency would be an unnecessary burden. In cases where more supervision is required in order to discharge that duty, the specified frequency would amount to an apparent limitation, imposed by the Administrator on himself, of the Administrator's power to effectively discharge his duties. Neither result is consistent with effective rule making. The proper administration of the delegation option procedures requires that the degree of supervision be adjusted to fit each case. For this reason, the preamble to the notice stated that the Agency will "establish appropriate initial inspection intervals under §§ 21.249 and 21.293, and will modify the intervals of inspection as service experience warrants." The assignment of a specific frequency of inspection would be an arbitrary action involving prejudgment of certification programs as yet unknown to the Agency.

In urging the divorce of the Agency from the type certification programs of manufacturers, one comment further cites the fact that section 314 of the Act provides that delegation under that sec-

tion is subject to such regulations, supervision, and review as the Administrator "may" prescribe. The Agency agrees that section 314 does not require the prescription of particular regulations, supervision, or review of delegated functions. Nor is this assumed or relied on by the Agency in declaring its intent to review each certification program, on its own merits, in the interest of safety. Rather, the Agency in so doing is concerned, as stated above, with the duties prescribed in sections 601 and 603 of the Act.

Regardless of the competence of individual manufacturers, which is not in issue here, these comments are inconsistent with the Administrator's duties under the Act and cannot be accepted.

With respect to proposed §21.239, comments recommended that a specific, single individual be given the total responsibility delegated to the manufacturer in order to promote good management. The specific manner in which the manufacturer discharges his delegated responsibilities are management prerogatives that should not be controlled by the Agency unless, in an individual case, specific practices adversely affect safety, in which case appropriate changes to those practices will be made.

Two changes are made to § 21.239. First, paragraph (a) is amended to make clear the original intent of that paragraph to cover only type certificates issued to the manufacturer under standard procedures, that is, under Subpart B of Part 21. Section 21.239 has never been administered to include type certificates transferred to the manufacturer since the assumption of underlying certification experience and ability cannot generally be made in such cases. This change is clarifying only. Second, whereas proposed § 21.239(c) allowed the appropriate staff to be employed "or available," this amendment requires the staff to be employed. This preserves the intent of § 21.239(c), as it was before this amendment. The type certification of entire products involves a continuous need for a staff competent to conduct all phases of certification, from initial design to production. Evaluation of such a staff by the Agency, as of the time that eligibility for a delegation option authorization is being determined, must be done prospectively, on the assumption that the staff will be continuously used by the manufacturer. Whereas, for the DAS, the need for specific personnel may be infrequent and difficult to define prospectively with respect to specific personnel requirements (since the precise nature of individual supplemental type certification programs may not be known when initial eligibility is being determined), the kind of activity to be involved in original type certification programs must be known to the Agency when application for a delegation option authorization is received, and the existence, at that time, of a complete, organized staff capable of executing all phases of those programs is thus essential to responsible delegation, by the Agency, in the field of original type certification. Therefore, while responsible delegation to a DAS requires only that qualified specialists be

available when needed, such delegation in the field of type certification requires that the complete staff be employed so that it can be evaluated, as a complete staff, before a delegation authorization is granted.

The notice provided for the issue of airworthiness approval tags for engines and propellers manufactured under the delegation option procedures. This amendment broadens this to include the issue of worthiness approval tags for parts of products. The proposed delegation of responsibility to issue airworthiness certificates for complete aircraft and airworthiness approval tags for other complete products can safely include responsibility to issue airworthiness approval tags for parts of such products. This change appears in §§21.231, 21.251, and 21.271. In addition, proposed § 21.271 is changed to make it clear that it applies to all products included in the limits of applicability section (§ 21.251).

One industry comment recommended deleting the requirement in proposed § 21.261 that the manufacturer obtain the Administrator's concurrence respecting the application of the pertinent equivalent safety provisions. The authority to make interpretations requiring substitution of one airworthiness rule for another has never been delegated to private persons, since it involves the prescription of airworthiness standards rather than the selection and application of standards already prescribed by the Administrator. Only the latter is delegated by this amendment.

The numbering of the following sections has been changed to preserve the numbering of present Part 21: Proposed § 21.269 is now § 21.273; Proposed § 21.273 is now § 21.269.

One comment suggested that the statement in the preamble to the Notice, to the effect that the experimental certification requirements of Subpart H of Part 21 will continue to apply to holders of delegation option authorizations, could cause some confusion with the specific experimental certification requirements in the proposal. As in any case where specific requirements differ from general requirements, the general requirements apply where the specific requirements are silent. The statement in the Notice thus means that, where the delegation option procedures apply, they supersede those in Subpart H, and where the delegation option procedures are silent, Subpart H will govern experimental certification.

One comment concerning proposed § 21.275(a)(1) recommended deleting the proposed requirement that the issue of experimental certificates be limited to those aircraft for which the manufacturer has applied for a type certificate. The comment specifically recommends that the authorization to issue experimental certificates be broadened to cover experimental aircraft used for research and development not aimed at obtaining a type certificate. The intent of the proposals in the Notice is solely the delegation of functions related to the manufacturer's type certification programs covered by the dele-

gation option procedures. No intent to delegate unrestricted experimental certification functions to private persons has been contemplated, justified, or developed in the Notice. This comment cannot, therefore, be accepted.

It was further recommended that proposed § 21.275(a)(2) be deleted as surplusage, since the more general provisions of § 21.275(a)(1) appear to cover aircraft that have undergone changes requiring flight tests. Insofar as an amended type certificate is a form of a type certificate, the comment is correct and is accepted. However, the distinction between proposed § 21.275(a)(1) and (a)(2) is important because the authority delegated to prescribe operating limitations for experimental certificates issued by the manufacturer is limited to experimental certificates issued pursuant to amendments of existing type certificates, whereas this authority is not intended to be delegated with respect to new designs involving an original, rather than amended, type certificate. This specific limitation is preserved in this amendment (see § 21.275(b)).

One comment concerning § 21.275(b) recommended requiring that the manufacturer, not the Administrator, specify the limitations to be placed on an experimental certificate. It is recognized that the manufacturer may have need for limitations that would not be considered necessary for safety by the Administrator, and that the proposed language appears to preclude the prescription of those limitations by the manufacturer. This comment is accepted, in part, with respect to aircraft for which the manufacturer holds the type certificate and has applied for an amended type certificate, and which have undergone changes requiring flight tests. The rule is changed to let the manufacturer specify the limitations and conditions that he considers necessary for operation, under an experimental certificate, of aircraft to be operated to show compliance with the applicable airworthiness requirements if the manufacturer has submitted an application for an amended type certificate. However, complete divorce of the Agency from responsibility for the safe operation of aircraft under experimental certificates is not intended. Therefore, this amendment, like the Notice, requires the manufacturer to obtain any limitations and conditions that the Administrator considers necessary for safety in every case in which an experimental certificate is issued by the manufacturer.

Certain editorial, nonsubstantive changes have been made to §§ 21.277, 21.283, and 21.285. Section 21.277(a) is streamlined and shortened to include only its mandatory elements. Section 21.277(b) is deleted as surplus with § 21.249. Section 21.277(c) is deleted because it adds nothing to the combined effect of §§ 21.249 and 21.293(b). Sections 21.277(d) and 21.283 are deleted as nonmandatory and as unnecessary under the powers vested in the Administrator by § 314 of the Act. Finally, § 21.285 is deleted as nonmandatory and because the processing of certificate ac-

tions is covered by Part 13 of the Federal Aviation Regulations.

After further consideration and in response to comments received, the change proposed to § 21.289 in Notice 65-2 has not been incorporated in this final amendment. Under current § 21.289, a DMCR employed by a manufacturer may approve major repairs and alterations. Since under this regulation, the manufacturer now holds the delegated authority from the Administrator, the Agency considers it appropriate to continue in effect the present provisions of § 21.289 for such manufacturer.

One comment recommended deleting the requirement in § 21.289 that employees authorized by the manufacturer to sign FAA Form 337 and make required log book entries be listed on the manufacturer's delegation option authorization application. No burden is created by this requirement since it does not describe who may or may not be listed. Further, it aids the efficient administration and control of approvals made under § 21.289. This comment cannot, therefore, be accepted.

Interested persons have been given an opportunity to participate in the making of this amendment, and careful consideration has been given to all relevant matter presented.

In consideration of the foregoing, Chapter I of Title 14 of the Code of Federal Regulations is amended, effective October 8, 1965, as hereinafter set forth.

Part 21 is amended by amending Subpart J to read as follows:

**Subpart J—Delegation Option Authorization Procedures**

Sec.	
21.231	Applicability.
21.235	Application.
21.239	Eligibility.
21.243	Duration.
21.245	Maintenance of eligibility.
21.247	Transferability.
21.249	Inspection.
21.251	Limits of applicability.
21.253	Type certificates; application.
21.257	Type certificates; issue.
21.261	Equivalent safety provisions.
21.267	Production certificates.
21.269	Export airworthiness approvals.
21.271	Airworthiness approval tags.
21.273	Airworthiness certificates other than experimental.
21.275	Experimental certificates.
21.277	Data review and service experience.
21.289	Major repairs, rebuilding and alteration.
21.293	Current records.

**Authority:** The provisions of this Subpart J issued under secs. 313(a), 314, 601, 603, 608, and 609, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, 1423, 1426, 1429).

**Subpart J—Delegation Option Authorization Procedures**

§ 21.231 **Applicability.**  
This subpart prescribes procedures for—

- (a) Obtaining and using a delegation option authorization for type, production, and airworthiness certification (as applicable) of—
  - (1) Small airplanes and small gliders;
  - (2) Normal category rotorcraft;
  - (3) Turbojet engines of not more than 1,000 pounds thrust;

(4) Turbopropeller and reciprocating engines of not more than 500 brake horsepower; and

(5) Propellers manufactured for use on engines covered by subparagraph (4) of this paragraph; and

(b) Issuing airworthiness approval tags for engines, propellers, and parts of products covered by paragraph (a) of this section.

§ 21.235 **Application.**

(a) An application for a delegation option authorization must be submitted, in a form and manner prescribed by the Administrator, to the FAA Regional Office for the area in which the manufacturer is located.

(b) The application must include the names, signatures, and titles of the persons for whom authorization to sign airworthiness certificates, repair and alteration forms, and inspection forms is requested.

§ 21.239 **Eligibility.**

To be eligible for a delegation option authorization, the applicant must—

(a) Hold a current type certificate, issued to him under the standard procedures, for a product type certificated under the same part as the products for which the delegation option authorization is sought;

(b) Hold a current production certificate issued under the standard procedures;

(c) Employ a staff of engineering, flight test, production and inspection personnel who can determine compliance with the applicable airworthiness requirements of this chapter; and

(d) Meet the requirements of this subpart.

§ 21.243 **Duration.**

A delegation option authorization is effective until it is surrendered or the Administrator suspends, revokes, or otherwise terminates it.

§ 21.245 **Maintenance of eligibility.**

The holder of a delegation option authorization shall continue to meet the requirements for issue of the authorization or shall notify the Administrator within 48 hours of any change (including a change of personnel) that could affect the ability of the holder to meet those requirements.

§ 21.247 **Transferability.**

A delegation option authorization is not transferable.

§ 21.249 **Inspections.**

Upon request, each holder of a delegation option authorization and each applicant shall let the Administrator inspect his organization, facilities, product, and records.

§ 21.251 **Limits of applicability.**

(a) Delegation option authorizations apply only to products that are manufactured by the holder of the authorization.

(b) Delegation option authorizations may be used for—

- (1) Type certification;
- (2) Changes in the type design of products for which the manufacturer holds, or obtains, a type certificate;

(3) The amendment of a production certificate held by the manufacturer, to include additional models or additional types for which he holds or obtains a type certificate; and

(4) The issue of—

(i) Experimental certificates for aircraft for which the manufacturer has applied for a type certificate, or amended type certificate, under § 21.253, and which require flight test in order to show compliance with the applicable airworthiness requirements of this chapter;

(ii) Airworthiness certificates (other than experimental certificates) for aircraft for which the manufacturer holds a type certificate and holds or is in the process of obtaining a production certificate;

(iii) Airworthiness approval tags (FAA Form 186) for engines and propellers for which the manufacturer holds a type certificate and holds or is in the process of obtaining a production certificate; and

(iv) Airworthiness approval tags (FAA Form 186) for parts of products covered by this section.

(c) Delegation option procedures may be applied to one or more types selected by the manufacturer, who must notify the FAA of each model, and of the first serial number of each model manufactured by him under the delegation option procedures. Other types or models may remain under the standard procedures.

(d) Delegation option authorizations are subject to any additional limitations prescribed by the Administrator after inspection of the applicant's facilities or review of the staff qualifications.

§ 21.253 **Type certificates; application.**

(a) To obtain, under the delegation option authorization, a type certificate for a new product or an amended type certificate, the manufacturer must submit to the Administrator—

(1) An application for a type certificate (FAA Form 312);

(2) A statement listing the airworthiness requirements of this chapter (by part number and effective date) that the manufacturer considers applicable;

(3) After determining that the type design meets the applicable requirements, a statement certifying that this determination has been made;

(4) After placing the required technical data and type inspection report in the technical data file required by § 21.293 (a)(1)(i), a statement certifying that this has been done;

(5) A proposed type certificate data sheet; and

(6) An Aircraft Flight Manual (if required) or a summary of required operating limitations and other information necessary for safe operation of the product.

§ 21.257 **Type certificates; issue.**

An applicant is entitled to a type certificate for a product manufactured under the delegation option authorization if the Administrator finds that the product meets the applicable airworthiness requirements.

§ 21.261 **Equivalent safety provisions.**

The manufacturer shall obtain the Administrator's concurrence on the appli-

cation of all equivalent safety provisions applied under § 21.21.

#### § 21.267 Production certificates.

To have a new model or new type certificate listed on his production certificate (issued under Subpart G of this part), the manufacturer must submit to the Administrator—

(a) An application for an amendment to the production certificate;

(b) After determining that the production certification requirements of Subpart G, with respect to the new model or type, are met, a statement certifying that this determination has been made;

(c) A statement identifying the type certificate number under which the product is being manufactured; and

(d) After placing the manufacturing and quality control data required by § 21.143 with the data required by § 21.293(a)(1)(ii), a statement certifying that this has been done.

#### § 21.269 Export airworthiness approvals.

The manufacturer may issue export airworthiness approvals.

#### § 21.271 Airworthiness approval tags.

(a) A manufacturer may issue an airworthiness approval tag (FAA Form 186) for each engine and propeller covered by § 21.251(b)(4), and may issue an airworthiness approval tag for parts of each product covered by that section, if he finds, on the basis of inspection and operation tests, that those products conform to a type design for which he holds a type certificate and are in condition for safe operation.

(b) When a new model has been included on the Production Limitation Record, the production certification number shall be stamped on the engine or propeller identification data plate instead of issuing an airworthiness approval tag.

#### § 21.273 Airworthiness certificates other than experimental.

(a) The manufacturer may issue a standard airworthiness certificate for aircraft manufactured under a delegation option authorization if he finds, on the basis of the inspection and production flight check, that each aircraft conforms to a type design for which he holds a type certificate and is in a condition for safe operation.

(b) The manufacturer may authorize any employee to sign airworthiness certificates if that employee—

(1) Performs, or is in direct charge of, the inspection specified in paragraph (a) of this section; and

(2) Is listed on the manufacturer's application for the delegation option authorization, or on amendments thereof.

#### § 21.275 Experimental certificates.

(a) The manufacturer shall, before issuing an experimental certificate, obtain from the Administrator any limitations and conditions that the Administrator considers necessary for safety.

(b) For experimental certificates issued by the manufacturer, under this subpart, for aircraft for which the manufacturer holds the type certificate and

which have undergone changes to the type design requiring flight test, the manufacturer may prescribe any operating limitations that he considers necessary.

#### § 21.277 Data review and service experience.

(a) If the Administrator finds that a product for which a type certificate was issued under this subpart does not meet the applicable airworthiness requirements, or that an unsafe feature or characteristic caused by a defect in design or manufacture exists, the manufacturer, upon notification by the Administrator, shall investigate the matter and report to the Administrator the results of the investigation and the action, if any, taken or proposed.

(b) If corrective action by the user of the product is necessary for safety because of any noncompliance or defect specified in paragraph (a) of this section, the manufacturer shall submit the information necessary for the issue of an Airworthiness Directive under Part 39.

#### § 21.289 Major repairs, rebuilding and alteration.

For types covered by a delegation option authorization, a manufacturer may—

(a) After finding that a major repair or major alteration meets the applicable airworthiness requirements of this chapter, approve that repair or alteration; and

(b) Authorize any employee to execute and sign FAA Form 337 and make required log book entries if that employee—

(1) Inspects, or is in direct charge of inspecting, the repair, rebuilding, or alteration; and

(2) Is listed on the application for the delegation option authorization, or on amendments thereof.

#### § 21.293 Current records.

(a) The manufacturer shall maintain at his factory, for each product type certificated under a delegation option authorization, current records containing the following:

(1) For the duration of the manufacturing operation under the delegation option authorization—

(i) A technical data file that includes the type design drawings, specifications, reports on tests prescribed by this part, and the original type inspection report and amendments to that report;

(ii) The data (including amendments) required to be submitted with the original application for each production certificate; and

(iii) A record of any rebuilding and alteration performed by the manufacturer on products manufactured under the delegation option authorization.

(2) For 2 years—

(i) A complete inspection record for each product manufactured, by serial number, and data covering the processes and tests to which materials and parts are subjected; and

(ii) A record of reported service difficulties.

(b) The records and data specified in paragraph (a) of this section shall be—

(1) Made available, upon the Administrator's request, for examination by the Administrator at any time; and

(2) Identified and sent to the Administrator as soon as the manufacturer no longer operates under the delegation option procedures.

Issued in Washington, D.C., on August 30, 1965.

D. D. THOMAS,  
Deputy Administrator.

[F.R. Doc. 65-9405; Filed, Sept. 7, 1965; 8:46 a.m.]

[Docket No. 1713; Amdt. No. 21-6]

## PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

### Subpart M—Designated Alteration Station Authorization Procedures

This amendment lets eligible air carriers (except air taxi operators), commercial operators of large aircraft, domestic repair stations, and manufacturers of products act as designated alteration stations (DAS) for the purpose of (1) issuing supplemental type certificates (STCs) for type certificated aircraft, aircraft engines, and propellers, (2) issuing experimental certificates for aircraft that are altered by the DAS under such STCs and require flight tests, and (3) amending standard airworthiness certificates for such aircraft.

This amendment is based on, and reflects industry comments concerning, notice of proposed rule making 63-17, published in the FEDERAL REGISTER (28 F.R. 4095), on April 25, 1963. Except as modified by the following discussion, the reasons for these amendments are those in the notice. Since Part 21 is now effective, this amendment adds a new Subpart M to that part rather than a new Part 411 as proposed in the notice of proposed rule making. This new subpart is arranged and numbered to correspond, where appropriate, to similar sections in Subpart J. In the following discussion, references to Part 411 refer to section numbers in the notice. The applicability of this amendment is changed from that of the notice in three respects. The notice proposed to include air taxi operators, exclude all commercial operators, and exclude manufacturers of products. This amendment excludes air taxi operators, includes commercial operators of large aircraft, and includes manufacturers of products.

When Notice 63-17 was published prior to the adoption of Part 135—Air Taxi Operators and Commercial Operators of Small Aircraft, air taxi operators, as such, had a regulatory basis for the performance of maintenance, since they could establish and follow a continuous airworthiness maintenance program, similar to those of other air carriers, under the deviation authority of former Part 42. Part 135, under which air taxi operators must now operate, does not provide for the performance of maintenance by air taxi operators, nor does Part 43—Maintenance, Preventive Maintenance, Rebuilding, and Alteration, let air taxi operators perform maintenance

as air taxi operators. As the preamble to the notice stated, the Agency intends to give DAS authorizations to air carriers only for products that they are "authorized to maintain and operate" under their operating certificates. There is currently no regulatory basis for such authorizations with respect to air taxi operators.

Commercial operators of large aircraft, on the other hand, have a regulatory basis for maintenance authority under their operating certificates. The maintenance requirements of Part 121—Certification and Operations: Air Carriers and Commercial Operators of Large Aircraft apply, without significant distinction, to "all certificate holders." Part 43 provides that commercial operators may perform maintenance as prescribed in their operating regulations. There is no valid reason for excluding commercial operators of large aircraft as a class.

For all applicants, individual eligibility for a DAS authorization must of course be determined under § 21.439 of this amendment.

The extension of the applicability of the DAS requirements to cover manufacturers of products follows Notice 65-2, published in the FEDERAL REGISTER (30 F.R. 953) on January 29, 1965, in which it was stated that the reasons advanced in Notice 63-17 for giving the DAS privilege to air carriers and domestic repair stations "are valid for manufacturers with respect to products for which they hold the type certificate." Requirements analogous to those proposed in Notice 63-17 were thus given public notice in Notice 65-2. While comments to Notice 65-2 suggested that the application of the DAS requirements to the manufacturer of products should be done in new Subpart M (which is the subject of this amendment), no comments were received which indicated that the manufacturer of products should be differently regulated, as a DAS, than are air carriers or domestic repair stations. Notice having been given for the manufacturer in this respect, the manufacturer is included in this amendment subject to all changes made as a result of comments to Notice 63-17. Since the experience and capability upon which the Agency relies in delegating DAS functions to the manufacturer, as to the other persons covered by this amendment, is demonstrated by the manufacturer's alteration authority, under which such alteration experience and capability must be derived, as defined in § 43.3(i), the products for which the manufacturer is authorized to obtain a DAS authorization are limited, consistent with § 43.3(i), to those which he is authorized to alter, namely, those which are manufactured by him and for which he holds a type or production certificate, or which he manufactured under a Technical Standard Order or Product and Process Specification issued by the Administrator.

Section 21.113 of the Federal Aviation Regulations requires each person who does not hold the type certificate for a product to apply to the Administrator for the issue of an STC for each major change in type design that does not re-

quire a new type certificate. This procedure has caused delays in the approval of STCs and thus in the making and approval of major alterations under such STCs. The cause and need for these delays have been studied by the Agency in cooperation with an industry committee representing modification facilities. The committee recommended that, while the STC program should be continued, the delays can and should be lessened by letting qualified repair stations issue STCs as well as make and approve major alterations.

After studying the committee's recommendation in the light of experience gained in issuing STCs and evaluating alteration programs, the Agency believes that the need to eliminate unnecessary delay justifies the requested delegation, not only with respect to many domestic repair stations, but also with respect to many air carriers and manufacturers. The Agency welcomes this opportunity to keep the burden on regulated persons to the minimum consistent with its responsibility under the Federal Aviation Act of 1958.

In carrying out its responsibility under Title VI of the Act, the Agency will evaluate the certification programs under §§ 21.441 and 21.493, conduct periodic inspections of the activities of each DAS, establish appropriate inspection intervals under §§ 21.449, 21.451, and 21.493, and modify these intervals as service experience warrants. Any additional limitations necessary to ensure the adequacy of individual certification programs will be imposed under § 21.451.

Section 21.1(a)(4) is deleted since (a)(1) is broad enough to cover new Subpart M and the applicability section (§ 21.431) speaks for itself.

One comment requested that air carrier applicants be required to have repair station certificates with appropriate ratings. The eligibility requirements of this amendment impose an equal burden on repair stations and air carriers. The Agency believes that, within the limitations of their respective operating certificates, an air carrier who meets the eligibility requirements of this amendment has a level of responsible expertise equal to that of a certificated repair station who also meets those requirements.

Therefore, to require an air carrier to obtain a repair station certificate would be a mere formality. These considerations also apply to commercial operators of large aircraft.

Proposed § 411.34 would have required the DAS to obtain an experimental certificate, with appropriate limitations, from the Agency for each aircraft that, after alteration, requires flight testing to establish compliance with the applicable airworthiness requirements. That section would also have permitted the DAS to "issue" an airworthiness certificate (other than experimental) upon the satisfactory completion of the required flight testing. This proposed section is changed in two respects under this amendment. First, the DAS is given authority to issue experimental certificates subject to any limitations and conditions deemed necessary for safety by the Administrator. The Agency believes that necessary flight testing can be

safely expedited in this manner without requiring separate application by the DAS for an experimental certificate for each aircraft of the same type identically altered under the same STC. The limitations and conditions imposed by the Administrator would apply to each experimental certificate issued by the DAS for these aircraft. This relaxing change appears in §§ 21.451 and 21.475. Second, the word "issue", with respect to airworthiness certificates other than experimental, is changed to "amend". This clarifying change involves no substantive departure from the Notice of Proposed Rule Making. Questions have been raised as to whether the word "issue" includes the original airworthiness certification of aircraft that have never been airworthiness certificated, and as to whether it includes the issue of a standard airworthiness certificate for aircraft that come to the DAS in another (e.g. restricted) airworthiness classification. While the preamble attempted to prevent such confusion by stating that the DAS may "reissue" standard airworthiness certificates, this has raised the further question whether the DAS, under his authority to "issue" airworthiness certificates, may "reissue" a standard airworthiness certificate, after flight testing, for an aircraft whose airworthiness certificate has been surrendered, revoked, or otherwise terminated. None of these questioned privileges are within the intent of the Notice. The intent of the notice with respect to airworthiness certification, which remains unchanged in this amendment, is as follows: After altering an aircraft having an effective standard airworthiness certificate, and after satisfactorily completing all necessary flight tests under an experimental certificate, the DAS may return the altered aircraft to the standard airworthiness classification, thus establishing, without independent Agency concurrence, that (1) the aircraft, as altered, conforms to the type design and the new type design data providing the basis for the STC issued by the DAS, and (2) the aircraft is in condition for safe operation. This is the meaning of the term "amendment" as used in the regulations and in FAA Form 305, Application for Airworthiness Certificate. Procedurally, the DAS may sign the Form 305 without independent signature by an Agency inspector, and he will merely be required to send the completed application to the Agency for information. This change to "amend" appears wherever "issue" was used in the Notice.

Section 21.439(b) (411.10(b)) prescribes the minimum staff qualifications for a DAS authorization. Comments asked whether all of the listed qualifications must be met by one person rather than met collectively by several persons. These qualifications are generally those required of an FAA Designated Engineering Representative, and are the minimum necessary for evaluating an STC program. Section 21.439(b) therefore makes it clear that all of the listed requirements must be met by a single person. Comments further suggested that the DAS staff be employed by the DAS rather than be merely "available". So long as the required staff is in fact

available when needed, a requirement that the staff be employed would be surplus with respect to the objective of the rule, and would unnecessarily prevent otherwise qualified applicants from participation in the DAS program. This suggested change is not necessary for safety and is therefore rejected.

The preamble to Notice No. 63-17 proposed to exclude repair stations with limited ratings from participation in the DAS procedures. The stated reason for this exclusion was the need for a DAS to be "capable of performing and approving the alteration work itself". Each repair station's qualifications will be carefully evaluated under § 21.439. Each repair station must meet the applicable requirements of Part 145, particularly §§ 145.35 through 145.39. With minor exceptions, these sections do not distinguish between repair stations with and without limited ratings. The permanence and quality of the facilities of each repair station are continuously under Agency supervision under Part 145. Given full compliance with that part, the Agency believes that the distinction between repair stations with and without limited ratings should not determine eligibility under the DAS procedures, and that failure to qualify should be determined by individual evaluation of each repair station's qualifications under Subpart M of Part 21, particularly § 21.439.

Proposed § 411.12 is omitted in the final rule since the authorization language is surplus and the note material is non-regulatory. No substantive change results from this deletion.

Section 21.441 contains the procedure manual material proposed in § 411.32. The final rule requires that the applicant submit and obtain approval of the manual before acting as a DAS, rather than merely "provide" the manual as in the Notice. This is done since the manual is one means of Agency supervision of the certification activities of the DAS. To further serve this end, and to carry out the proposed requirement (§ 411.32 (b)) that the manual at all times reflect the current staffing and procedures that are being used, this requirement is combined with the requirement, proposed in § 411.14(b), that the DAS obtain prior approval of changes in facilities or staff necessary to continue to meet the eligibility requirements of § 21.439 (§ 411.10). The manual is an appropriate place to reflect the necessary approval. Comments suggested that the words "prior approval" in § 411.14(b) could be interpreted to prevent all DAS activity until approval is obtained. This language is therefore changed in § 21.441(b) to prohibit only the continued performance of functions actually affected by the change. Thus, if the DAS is qualified to issue STCs for products of more than one type, and the specified changes affect only the issue of STCs for one of those types, only that activity would be prohibited until the changes are approved by the Administrator and entered in the procedure manual. Similarly, if the specified changes affect only the airworthiness certification activity of the DAS, only that activity would be prohibited. This places a realistic limitation on the "cur-

rent staffing and procedures" requirement in § 411.32(b) by preventing departures from proper procedures without at the same time requiring unnecessary paper work or unnecessary curtailment of unaffected activities.

Section 411.13 proposed to require return of the authorization certificate when the DAS no longer "intends" to operate as a DAS, and proposed to terminate the authorization automatically one year after issue. The subjective test for return of the certificate is replaced with an objective test based on effectiveness of the certificate itself. The one-year requirement is deleted since the added supervision incident to annual renewal would add little to the supervision and inspection already provided for in the DAS procedures during the year of operation itself. There being no need for renewal, the 60-day renewal period is of course deleted.

The maintenance-of-eligibility requirement (§ 411.14) has been changed insofar as the prior-approval requirement has been moved to the procedure manual section (§ 21.441) and no longer directly determines continued eligibility, and insofar as the requirement to continue to meet the requirements for issue of the authorization is now modified, in § 21.445, to allow a 48-hour period in which to bring suspected cases of non-compliance to the attention of the Administrator without penalty. It should be noted that this section requires continued compliance with the requirements for issue of the DAS authorization regardless of whether any DAS function is being performed, whereas § 21.441(b) prohibits the performance of "affected" DAS functions in the face of the specified changes. The 48-hour period in § 21.445 does not apply to § 21.441(b).

One comment questioned the need for the inspection provision of § 411.16. Section 314 of the Act provides that delegations of the kind involved in this amendment are subject to such supervision and review as the Administrator may prescribe. The Agency regards the inspection procedures of § 411.16 as a necessary basis for such supervision and review in the case of designated alteration stations. Section 21.449 thus preserves this inspection provision. However, in the light of the provisions of § 21.451(c) and § 21.493, the second sentence of § 411.16 is deleted as surplus.

Section 411.33 is changed in two respects in § 21.463. First, § 21.463 makes it clear that the procedure manual must be followed in the issue of STCs. This carries out the intent of § 411.32. Second, the requirement in § 411.33 that the DAS obtain the Administrator's concurrence with submitted data is, with one exception, omitted in § 21.463. This is in response to comments questioning the need for concurrence in addition to the other provisions for review by the Administrator. The exception concerns the equivalent safety provisions under § 21.21. If the airworthiness requirements that the applicant determines to be applicable include the application of equivalent safety provisions, the Administrator's concurrence must, as in the delegation option procedures of Sub-

part J of Part 21, be obtained. The authority to make interpretations requiring substitution of one airworthiness rule for another has never been delegated to private persons since it involves the prescription of airworthiness standards rather than the selection and application of standards already prescribed. Only the latter is delegated. A requirement, similar to that in § 21.261, is thus added to this amendment (§ 21.461) to make it clear that (1) the use of equivalent safety provisions is not precluded, and (2) such use requires the Administrator's concurrence.

Under proposed § 411.33, failure of the DAS to determine the applicable FAA policies, procedures, and practices would have been a technical violation. While the Agency makes this information available for public information, it is within the exclusive control of the Agency and does not automatically receive the public exposure given rules. Periodic review will be made to advise the DAS with respect to this information, but the determination of which policies, procedures, and practices apply is not made the subject of a rule.

Section 21.477 (§ 411.35) makes it clear that the DAS need not act under the rule until notified by the Administrator.

Proposed § 411.36 is omitted in the final rule. The rules in this amendment prescribing the DAS' responsibility, and the Administrator's authority under § 314 of the Act to rescind any delegation for any appropriate reason, make a formal noncompliance section unnecessary.

Section 21.493 makes more specific the intent in § 411.37 that the technical data file (now in § 21.493(a)(1)) need include only those records necessary for the issue of the STC, and that only this data file need be transferred to the Administrator.

Proposed § 411.38 is omitted as non-regulatory. That proposed section does, however, reflect Agency policy with respect to protecting the interests of the holders of STCs. The Agency will publish lists of STCs whose holders agree to make them available to others and for which data will support the making of identical alterations. Data submitted under new Subpart M will not be released without written permission from the owner of the data.

Proposed § 411.39 is omitted as surplus in the final rule. This amendment in no way affects the production certification procedures of Subpart G of Part 21.

One comment suggested that helicopters above a certain maximum weight should be excluded from the DAS procedures. No STC may be issued for any product under this amendment unless all applicable airworthiness requirements, substantive and procedural, are met. Except where helicopter weight affects those requirements, or limits alteration authority under an applicant's operating certificate, no valid reason exists for making that weight determine eligibility under the DAS procedures.

One comment suggested that independent engineering firms be eligible for a DAS authorization if a suitable, but separate, repair station is available to make the alterations. All or part of such a firm may be employed by, or available

to, a repair station that meets the other requirements for a DAS authorization (see § 21.439(a)(4)). This provision demonstrates the Agency's confidence in the competence of the independent engineering firm. However, this relationship of employment or availability cannot be reversed to qualify the independent engineering firm as a DAS in its own right, regardless of its competence. Continued, ready supervision of facilities, staff, and data by the Agency is the basis on which delegation in this field can be made practical. Holders of DAS authorizations may make the major alterations that they approve under the authorization. A repair station's ratings and limitations are approved and reviewed by the Agency, and its facilities are known to the Agency through an existing certification process. No similar process assures that an engineering firm will have a permanent business location or continued access to a qualified alteration facility. Supervision is difficult where the technical data and the product being altered are remote from each other. For these reasons, § 21.439 requires that the DAS must "have" the appropriate alteration facilities, rather than merely have them "available". This suggestion must, therefore, be rejected.

Interested persons have been given an opportunity to participate in the making of this amendment, and careful consideration has been given to all relevant matter presented.

In consideration of the foregoing, Chapter I of Title 14 of the Code of Federal Regulations is amended, effective October 8, 1965, as hereinafter set forth.

1. Part 21 is amended by striking out § 21.1(a)(4), striking out the word "and" following paragraph (a)(3), replacing the semicolon following paragraph (a)(3) with a period, and placing the word "and" after the semicolon following paragraph (a)(2).

2. Part 21 is amended by adding a new Subpart M reading as follows:

**Subpart M—Designated Alteration Station Authorization Procedures**

Sec.	
21.431	Applicability.
21.435	Application.
21.439	Eligibility.
21.441	Procedure manual.
21.443	Duration.
21.445	Maintenance of eligibility.
21.447	Transferability.
21.449	Inspections.
21.451	Limits of applicability.
21.461	Equivalent safety provisions.
21.463	Supplemental type certificates.
21.473	Airworthiness certificates other than experimental.
21.475	Experimental certificates.
21.477	Data review and service experience.
21.493	Current records

**AUTHORITY:** The provisions of this Subpart M issued under secs. 313(a), 314, 601, 603, 606, and 609, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1355, 1421, 1423, 1428, 1429.

**Subpart M—Designated Alteration Station Authorization Procedures**

**§ 21.431 Applicability.**

(a) This subpart prescribes Designated Alteration Station (DAS) authorization procedures for—

- (1) Issuing supplemental type certificates;
- (2) Issuing experimental certificates; and
- (3) Amending standard airworthiness certificates.

(b) This subpart applies to domestic repair stations, air carriers (except air taxi operators), commercial operators of large aircraft, and manufacturers of products.

**§ 21.435 Application.**

The applicant for a DAS authorization must submit an application, in writing and signed by an official of the applicant, to the FAA Regional Office for the region in which the applicant is located. The application must contain—

- (a) The repair station certificate number held by the repair station applicant, and the current ratings covered by the certificates;
- (b) The air carrier or commercial operator operating certificate number held by the air carrier or commercial operator applicant, and the products that it may operate and maintain under the certificate;
- (c) A statement by the manufacturer applicant of the products for which he holds the type certificate;
- (d) The names, signatures, and titles of the persons for whom authorization to issue supplemental type certificates of experimental certificates, or amend airworthiness certificates, is requested; and
- (e) A description of the applicant's facilities, and of the staff with which compliance with § 21.439(a)(4) is to be shown.

**§ 21.439 Eligibility.**

(a) To be eligible for a DAS authorization, the applicant must—

- (1) Hold a current domestic repair station certificate under Part 145, or air carrier or commercial operator operating certificate under Part 121;
- (2) Be a manufacturer of a product for which it has alteration authority under § 43.3(i) of this subchapter;
- (3) Have adequate maintenance facilities and personnel, in the United States, appropriate to the products that it may operate and maintain under its certificate; and
- (4) Employ, or have available, a staff of engineering, flight test, and inspection personnel who can determine compliance with the applicable airworthiness requirements of this chapter.

(b) At least one member of the staff required by paragraph (a)(4) of this section must have all of the following qualifications:

- (1) A thorough working knowledge of the applicable requirements of this chapter.
- (2) A position, on the applicant's staff, with authority to establish alteration programs that ensure that altered products meet the applicable requirements of this chapter.
- (3) At least one year of satisfactory experience in direct contact with the FAA (or its predecessor agency (CAA)) while processing engineering work for type certification or alteration projects.
- (4) At least eight years of aeronautical engineering experience (which may

include the one year required by subparagraph (3) of this paragraph).

(5) The general technical knowledge and experience necessary to determine that altered products, of the types for which a DAS authorization is requested, are in condition for safe operation.

**§ 21.441 Procedure manual.**

(a) No DAS may exercise any authority under this subpart unless it submits, and obtains approval of, a procedure manual containing—

- (1) The procedures for issuing STCs; and
- (2) The names, signatures, and responsibilities of officials and of each staff member required by § 21.439(a)(4), identifying those persons who—

- (i) Have authority to make changes in procedures that require a revision to the procedure manual; and
- (ii) Are to conduct inspections (including conformity and compliance inspections) or approve inspection reports, prepare or approve data, plan or conduct tests, approve the results of tests, amend airworthiness certificates, issue experimental certificates, approve changes to operating limitations or Aircraft Flight Manuals, and sign supplemental type certificates.

(b) No DAS may continue to perform any DAS function affected by any change in facilities or staff necessary to continue to meet the requirements of § 21.439, or affected by any change in procedures from those approved under paragraph (a) of this section, unless that change is approved and entered in the manual.

For this purpose, the manual shall contain a log-of-revisions page with space for the identification of each revised item, page, or date, and the signature of the person approving the change for the Administrator.

**§ 21.443 Duration.**

(a) A DAS authorization is effective until it is surrendered or the Administrator suspends, revokes, or otherwise terminates it.

(b) The DAS shall return the authorization certificate to the Administrator when it is no longer effective.

**§ 21.445 Maintenance of eligibility.**

The DAS shall continue to meet the requirements for issue of the authorization or shall notify the Administrator within 48 hours of any change (including a change of personnel) that could affect the ability of the DAS to meet those requirements.

**§ 21.447 Transferability.**

A DAS authorization is not transferable.

**§ 21.449 Inspections.**

Upon request, each DAS and each applicant shall let the Administrator inspect his facilities, products, and records.

**§ 21.451 Limits of applicability.**

(a) DAS authorizations apply only to products—

- (1) Covered by the ratings of the repair station applicant;
- (2) Covered by the operating certificate and maintenance manual of the

air carrier or commercial operator applicant; and

(3) For which the manufacturer applicant has alteration authority under § 43.3(i) of this subchapter.

(b) DAS authorizations; may be used for—

(1) The issue of supplemental type certificates;

(2) The issue of experimental certificates for aircraft that—

(i) Are altered by the DAS under a supplemental type certificate issued by the DAS; and

(ii) Require flight tests in order to show compliance with the applicable airworthiness requirements of this chapter; and

(3) The amendment of standard airworthiness certificates for aircraft altered under this subpart.

(c) DAS authorizations are subject to any additional limitations prescribed by the Administrator after inspection of the applicant's facilities or review of the staff qualifications.

#### § 21.461 Equivalent safety provisions.

The DAS shall obtain the Administrator's concurrence on the application of all equivalent safety provisions applied under § 21.21.

#### § 21.463 Supplemental type certificates.

(a) For each supplemental type certificate issued under this subpart, the DAS shall follow the procedure manual prescribed in § 21.441 and shall, before issuing the certificate—

(1) Submit to the Administrator a statement describing—

(i) The type design change;

(ii) The airworthiness requirements of this chapter (by part and effective date) that the DAS considers applicable; and

(iii) The proposed program for meeting the applicable airworthiness requirements;

(2) Find that each applicable airworthiness requirement is met; and

(3) Find that the type of product for which the STC is to be issued, as modified by the supplemental type design data upon which the STC is based, is of proper design for safe operation.

(b) Within 30 days after the date of issue of the STC, the DAS shall submit to the Administrator—

(1) Two copies of the STC;

(2) One copy of the design data approved by the DAS and referred to in the STC;

(3) One copy of each inspection and test report; and

(4) Two copies of each revision to the Aircraft Flight Manual or to the operating limitations, and any other information necessary for safe operation of the product.

#### § 21.473 Airworthiness certificates other than experimental.

For each amendment made to a standard airworthiness certificate under this subpart, the DAS shall follow the procedure manual prescribed in § 21.441 and shall, before making that amendment—

(a) Complete each flight test necessary to meet the applicable airworthiness requirements of this chapter;

(b) Find that each applicable airworthiness requirement of this chapter is met; and

(c) Find that the aircraft is in condition for safe operation.

#### § 21.475 Experimental certificates.

The DAS shall, before issuing an experimental certificate, obtain from the Administrator any limitations and conditions that the Administrator considers necessary for safety.

#### § 21.477 Data review and service experience.

(a) If the Administrator finds that a product for which an STC was issued under this subpart does not meet the applicable airworthiness requirements, or that an unsafe feature or characteristic caused by a defect in design or manufacture exists, the DAS, upon notification by the Administrator, shall investigate the matter and report to the Administrator the results of the investigation and the action, if any, taken or proposed.

(b) If corrective action by the user of the product is necessary for safety because of any noncompliance or defect specified in paragraph (a) of this section, the DAS shall submit the information necessary for the issue of an Airworthiness Directive under Part 39.

#### § 21.493 Current records.

(a) The DAS shall maintain, at its facility, current records containing—

(1) For each product for which it has issued an STC under this subpart, a technical data file that includes any data and amendments thereto (including drawings, photographs, specifications, instructions, and reports) necessary for the STC;

(2) A list of products by make, model, manufacturer's serial number and, if applicable, any FAA identification, that have been altered under the DAS authorization; and

(3) A file of information from all available sources on alteration difficulties of products altered under the DAS authorization.

(b) The records prescribed in paragraph (a) of this section shall be—

(1) Made available by the DAS, upon the Administrator's request, for examination by the Administrator at any time; and

(2) In the case of the data file prescribed in paragraph (a) (1) of this section, identified by the DAS and sent to the Administrator as soon as the DAS no longer operates under this subpart."

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued in Washington, D.C., on August 30, 1965.

D. D. THOMAS,  
Deputy Administrator.

[F.R. Doc. 65-9404; Filed, Sept. 7, 1965; 8:46 a.m.]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Zone, Designation and Revocation of Transition Areas

On pages 6119 and 6120 of the FEDERAL REGISTER for April 30, 1965, the Federal Aviation Agency published proposed regulations which would alter the Lexington, Ky., control zone and designate a 700-foot aboveground transition area over Blue Grass Field, Lexington, Ky., and a 1,200-foot aboveground Lexington, Ky., transition area.

Interested parties were given 45 days in which to submit written data or views. The Soaring Society of America, Inc. objected generally to the 1,200-foot transition area questioning the necessity of the size of the area but without referral to any particular portions. The safety considerations found in the preamble of the Notice, however, preclude any finding other than the area as proposed is still required to protect aircraft in the terminal area with a small exception. Since the publication of this docket, changes in operational procedures determined that a portion of the southeastern section of the 1,200-foot transition area could be deleted. On May 27, 1965, the transition area of Turkey, Ky., was effected. In the interim, the Turkey, Ky., holding pattern has been revoked thereby eliminating the need for this transition area which would protect aircraft assigned to hold at the intersection. Thus, additional airspace will be released to uncontrolled operations.

Because of the contiguity of the Turkey, Ky., Transition Area to the area encompassed in the present docket, its revocation is being made a part of this docket. Further, because it is less restrictive in nature, the Federal Aviation Agency finds that notice and public procedure thereon is unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t. November 11, 1965, except as follows:

1. Under Item 2, second paragraph, sixth line, delete the coordinates "37°47'00" N., 83°34'00" W." and insert in lieu thereof: "37°56'00" N., 83°40'00" W., to 37°39'00" N., 83°40'00" W."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke the Turkey, Ky., transition area.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Lexington, Ky., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 38°02'10" N., 84°36'15" W. of Blue Grass

Field, Lexington, Ky., and within 2 miles each side of the Lexington VORTAC 304° radial extending from the 5-mile radius zone to 1 mile NW of the VORTAC and within 2 miles each side of the Lexington Blue Grass ILS localizer NE course extending from the 5-mile radius zone to 5 miles NE of the localizer.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700- and 1,200-foot above ground Lexington, Ky., transition area described as follows:

**LEXINGTON, KY.**

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 38°02'10" N., 84°36'15" W. of Blue Grass Field, Lexington, Ky., and within 2 miles each side of the Lexington Blue Grass ILS localizer NE course extending from the 7-mile radius area to 13 miles NE of the localizer; within 5 miles SE and 8 miles NW of the Lexington Blue Grass ILS SW course extending from the Lexington RBN to 12 miles SW of the RBN and within 2 miles each side of the Lexington VORTAC 304° radial extending from the 7-mile radius area to the VORTAC.

That airspace extending upwards from 1,200 feet above the surface beginning at: 38°34'00" N., 85°00'00" W. to 38°20'00" N., 84°30'00" W. to 38°30'00" N., 83°59'00" W. to 38°30'00" N., 83°18'00" W. to 38°00'00" N., 82°55'00" W. to 37°56'00" N., 83°40'00" W. to 37°39'00" N., 83°40'00" W. to 37°30'00" N., 83°46'00" W. to 37°24'00" N., 84°00'00" W. to 37°25'00" N., 85°00'00" W. to point of beginning.

[F.R. Doc. 65-9406; Filed, Sept. 7, 1965; 8:46 a.m.]

[Airspace Docket No. 65-WE-39]

**PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS**

**Alterations of Federal Airways**

On June 25, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 8166) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would establish floors on portions of VOR Federal airways Nos. 4, 4 south alternate, 253, 298, 500, and 507.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., November 11, 1965, as hereinafter set forth.

Section 71.123 (29 F.R. 17509, 30 F.R. 6241) is amended as follows:

a. In V-4 "Boise, Idaho, including a south alternate; INT of Boise 130" and Burley, Idaho, 290° radials; Burley;" is deleted and "12 AGL Boise, Idaho, including a 12 AGL south alternate; 12 AGL INT Boise 130" and Burley 290° radials; 5 mi. 12 AGL, 18 mi. 75 MSL, 12 AGL Burley;" is substituted therefor.

b. In V-253 "Boise, Idaho; McCall, Idaho;" is deleted and "12 AGL Boise, Idaho; 30 mi. 12 AGL, 99 MSL McCall, Idaho;" is substituted therefor.

c. In V-298 "Dubois, Idaho; Dunoir, Wyo.;" is deleted and "41 mi. 99 MSL,

89 mi. 145 MSL, 12 AGL Dubois, Idaho; 68 mi. 12 AGL, 130 MSL Dunoir, Wyo.;" is substituted therefor.

d. In V-500 "To Boise, Idaho." is deleted and "30 mi. 12 AGL, 71 mi. 105 MSL, 12 AGL to Boise, Idaho." is substituted therefor.

e. In V-507 "to Boise, Idaho." is deleted and "61 mi. 85 MSL, 12 AGL to Boise, Idaho." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 31, 1965.

**JAMES L. LAMPL,**  
*Acting Chief, Airspace Regulations and Procedures Division.*

[F.R. Doc. 65-9407; Filed, Sept. 7, 1965; 8:46 a.m.]

[Airspace Docket No. 65-WE-60]

**PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS**

**Designation of Transition Area**

On June 24, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 8111) stating that the Federal Aviation Agency proposed the designation of a transition area at Montrose, Colo.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., November 11, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the following transition area is added:

**MONTROSE, COLO.**

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Montrose County Airport (latitude 38°29'55" N., longitude 107°53'35" W.), and that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of a 315° bearing from the Montrose RBN (latitude 38°30'00" N., longitude 107°54'00" W.), extending from the RBN to 12 miles northwest of the RBN.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on August 27, 1965.

**LEE E. WARREN,**  
*Acting Director, Western Region.*

[F.R. Doc. 65-9408; Filed, Sept. 7, 1965; 8:46 a.m.]

**Chapter II—Civil Aeronautics Board**

**SUBCHAPTER A—ECONOMIC REGULATIONS**

[Reg. ER-443]

**PART 207—CHARTER TRIPS AND SPECIAL SERVICES**

**Frequency and Regularity of Off-Route Charter Trips and Other Special Services**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of September 1965.

In EDR-81, March 15, 1965, Docket 15944, 30 F.R. 3662, the Board proposed to amend Part 207 of its Economic Regulations to prevent certificated route carriers from providing regular or frequent off-route charter service in any market. The proposed amendments imposed limitations on off-route charters between any pair of points. Additionally, in three markets, the transatlantic, transpacific, and United States-Hawaii markets, the limitations were to be imposed on a market-wide basis and any flight in the market was to be counted against the total number and frequency of flights authorized.

In response to EDR-81, comments have been filed by seven combination carriers,<sup>1</sup> two local service carriers,<sup>2</sup> three all-cargo carriers,<sup>3</sup> three supplemental carriers,<sup>4</sup> a representative of the pilots of five combination carriers (hereinafter "joint pilots")<sup>5</sup> and the Department of Commerce. Reply comments have been filed by the joint pilots and jointly by Capitol Airways, Inc., and Saturn Airways, Inc. Generally speaking, the Board's proposal is supported by the commenting supplemental carriers, by Seaboard and Mackey, and, conditionally, by TWA.<sup>6</sup> The remaining comments oppose the Board's proposal.

After careful consideration of these comments the Board has determined that the restrictions proposed in EDR-81 should be adopted. The background and rationale for these amendments was set forth fully in EDR-81.<sup>7</sup> However at this time we wish to emphasize again that it is our conclusion that the present regulatory framework, which leaves the regular route operators free to concentrate their entire quota of off-route charters in a single market, threatens to result in undue diversion from the on-route services of regular route operators<sup>8</sup> and from the charter services of supplemental carriers. The latter threatens not only the continued viability of a class of carriers, but the very availability of

<sup>1</sup> Continental Airlines; Mackey Airlines, Inc.; National Airlines, Inc.; Northwest Airlines, Inc.; Pan American World Airways, Inc.; Trans World Airlines, Inc.; United Air Lines, Inc.

<sup>2</sup> Bonanza Air Lines, Inc.; Lake Central Airlines, Inc.

<sup>3</sup> The Flying Tiger Line Inc.; Seaboard World Airlines, Inc.; The Silk Corp.

<sup>4</sup> Saturn Airways, Inc.; Trans International Airlines, Inc.; World Airways, Inc.

<sup>5</sup> Master Executive Councils of Eastern Air Lines, National Airlines, Pan American World Airways, Trans World Airlines, and United Air Lines.

<sup>6</sup> Mackey and Seaboard support the Board's proposal insofar as their operations would be protected. TWA's support is conditioned on Board acceptance of its proposal, discussed infra, that the Board impose similar restrictions on off-route charter by foreign air carriers.

<sup>7</sup> Continental detects in EDR-81 the "aura of a punitive measure particularly aimed at Continental." It should be clearly understood that EDR-81's discussion of Continental's activities was for purposes of illustrating the operations possible (and likely) under the existing Part 207 and not for the purpose of suggesting that Continental had acted improperly.

<sup>8</sup> In this regard, it is significant that a number of regular route operators support our proposal. See Footnote 6, supra.

low cost charter service. In a number of proceedings the Board has issued interim and permanent certificates to supplemental carriers on the basis of findings that adequate charter service is most likely to be provided if there develops a class of charter specialists with a prime interest in expanding and serving the civil charter market.<sup>9</sup> The orderly development of a class of charter specialists obviously is not encouraged by a regulatory framework which permits established route operators to sporadically enter prime charter markets on a large-scale basis.

Turning to matters raised in the comments, a number of the parties suggest that the restrictions proposed in EDR-81 are unduly broad and that these restrictions should be modified or made inapplicable to certain areas, types of carriers and types of charters. Thus, some comments contend that there is no basis for restricting off-route passenger charters within the continental United States or off-route cargo charters in any area of the world.<sup>10</sup> A basis for these restrictions was set forth in EDR-81. In that document we followed our description of off-route passenger charter activity in the transatlantic, transpacific, and United States-Hawaii markets with the statement that "we consider it desirable to take preventive measures to forestall similar operations by other carriers in other markets." We consider this to be an adequate basis for restricting off-route cargo and domestic passenger charters. We do not think it necessary that we find that all the evils the adopted restrictions are designed to prevent are imminent.

Other comments contend that the restrictions proposed for off-route transatlantic, transpacific and United States-Hawaii charters should not be applicable to carriers with route authority in these markets. We have decided against this modification because it would unduly limit the protection which the adopted restrictions would afford to the route operators and the supplemental carriers. It should also be noted that the adopted restrictions would not force most carriers operating in these specially restricted markets to cut back their off-route charters in these markets.<sup>11</sup> In

<sup>9</sup> See e.g., Orders E-20530, Feb. 24, 1964, E-21304, Sept. 21, 1964.

<sup>10</sup> Slick alleges that the instant restrictions are inconsistent with the Board's assumption in its determination of a reasonable level of compensation for one-way charters for the Military Air Transport Service (MATS) that carriers operating these charters would be able to operate "a substantial quantity of backhaul movements." The Board's assumption was that 10 percent of the return segments of one-way MATS charters would be put to other revenue usage. See ER-432, 30 F.R. 3861, Mar. 17, 1965. We have considerable doubts that the instant restrictions are likely to prevent MATS contractors from reaching the estimated level of backhaul movements, and in the absence of statistical data from Slick we are not prepared to accept the carrier's conclusory allegations.

<sup>11</sup> Indeed, in some instances the annual number of flights allowed between a pair of points is in excess of the annual number of flights authorized under the volume limitation of §§ 207.5 and 207.6. Thus, Sea-

board World Airlines, an all-cargo carrier, alleges that under the Part 207 volume limitations it is only entitled to operate ten off-route passenger charter trips a year. Seaboard asks that it and the other all-cargo carriers be authorized to operate off-route passenger charters between certificated points up to the numerical level of the frequency and regularity restrictions. We do not believe that special treatment should be afforded to passenger charters operated by carriers assigned the role of cargo specialists. We have previously indicated our disagreement with the contention that the so-called Engle Amendment prohibits us from restricting an all-cargo carrier in the operation of passenger charters over its routes. See ER-419, Sept. 18, 1964, 29 F.R. 13246, and Orders cited therein.

In view of the lack of impact of the adopted restrictions on carriers operating in the specially restricted markets, it is difficult to agree with the contention of one such carrier, Northwest, that the Board's action "constitute(s) an unlawful proscription of Northwest's statutory right to conduct charter trips under section 401(e)(6)." A related contention, found in a number of comments, is that the adopted restrictions constitute certificate amendments requiring adjudicatory proceedings. We believe that section 401(e)(6) of the Act, discussed in detail in ER-419, supra, gives authority to adopt these restrictions in a rule making proceeding.

This regard it is significant that the adopted restrictions apply only to "off-route" charters and that under the Part 207 definitions (see § 207.1) a charter is not off-route if it is between points between which a carrier holds authority to operate. There is no requirement that the authority between these points be to provide non-stop service or that the points between which service is authorized be on the same route segment or on the same route. Thus, a carrier with domestic and foreign routes between which it can provide schedule service via a junction point can operate charters between points on these routes free from the restrictions adopted herein.

The commenting local service carriers contend that the restrictions proposed in EDR-81 should not apply to local service carriers. The restrictions are in terms of a number of flights over a period of time and the local service carriers imply that this discriminates against them because they operate smaller aircraft than trunkline carriers. However, local service carriers generally operate fewer scheduled flights than trunkline carriers, and if the number of off-route charter flights herein authorized is considered as a percentage of scheduled flights operated, then the adopted restrictions do not discriminate against the local service carriers.

The Department of Commerce and TWA ask that any restrictions adopted be added to Part 212 of our regulations governing off-route charters by foreign air carriers. The Department contends that unless such action is taken foreign carriers may obtain substantial revenues which would otherwise go to United States carriers. This would have an adverse impact on the United States' balance of payments. We believe that before any such proposal is adopted we should obtain the views of the foreign air carriers and other interested persons.

This will be accomplished by a notice of proposed rule making, PSDR-13, issued contemporaneously herewith.<sup>12</sup>

Finally we have decided against granting the requests of a number of parties for an oral argument. Although the issues in this proceeding are of importance, we believe that the written comments which have been filed have fully apprised us of the differing points of view held by interested persons thus making oral argument unnecessary.

Accordingly, in consideration of the foregoing, the Board hereby amends Part 207 of its Economic Regulations (14 CFR Part 207) effective October 10, 1965, as follows:

#### § 207.1 [Amended]

1. Add the following after the definition of "combination carrier" in § 207.1:

"Hawaiian charter trip" means a charter trip between points within the 48 contiguous states of the United States, on the one hand, and points in the State of Hawaii, on the other hand.

2. Add the following after the definition of "special services" in § 207.1:

"Transatlantic charter trip" means a charter trip between points within the 48 contiguous States of the United States, on the one hand, and points in Greenland, Iceland, the Azores, Europe, Africa, or Asia, as far east as (and including) India, on the other hand.

"Transpacific charter trip" means a charter trip between points within any State of the United States, on the one hand, and points in Australasia (including Australia, New Zealand, Polynesia, Micronesia, and Melanesia), Indonesia, or Asia as far west as longitude 70 degrees east, on the other hand.

3. By adding a new § 207.7a to read as follows:

#### § 207.7a Restriction on frequency and regularity of off-route charter trips and other special services.

No air carrier shall perform off-route Hawaiian, transatlantic or transpacific charter trips, or any other off-route charter trips between any pair of points, or special services between any pair of points:

(a) In excess of a total of eight (8) flights in the same direction during any period of four successive calendar weeks.

(b) In the same direction on the same day of two or more successive calendar weeks.

(c) In excess of a total of three (3) flights in the same direction during any period of two successive calendar weeks.

<sup>12</sup> We have not implemented the additional proposal that we delay the effectiveness of the instant amendments until we have reached a decision on whether similar restrictions should be imposed on the foreign carriers. It is contended that unless we take this step foreign carriers may engage in charter activities having a significant competitive impact on U.S. carriers. However, this seems unlikely in view of the fact that the peak charter season is now almost over, and, in any event, we retain the ability to prevent this result through our action on applications by foreign carriers for specific authority to conduct off-route charter trips. See § 212.4, 212.6 of the Economic Regulations.

unless such period is followed by a break of at least one calendar week during which no flights are operated in such market or between such points,

(d) Which are so arranged as to result in the observance of breaks required by paragraph (c) of this section at regularly recurring intervals, or

(e) Which are so arranged as to result in any uniform pattern or normal consistency of operations:

Provided, That the restrictions imposed by this section shall not be applicable to off-route cargo charters performed by an all-cargo carrier within its area of operations as set forth in § 207.6.

(Section 204(a), 401(e) (6), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324; 72 Stat. 754, as amended by 76 Stat. 143; 49 U.S.C. 1371)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 65-9451; Filed, Sept. 7, 1965;  
8:52 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3809]

[Arizona 034166]

### ARIZONA

#### Modification of Public Land Order No. 317 To Permit Grant of Right-of-Way

By virtue of the authority vested in the President by the Act of June 25, 1910 (36 Stat. 847, 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 317 of April 15, 1946, as amended by Public Land Order No. 922 of October 20, 1953, reserving lands for development under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), is hereby modified to the extent necessary to permit the grant of a right-of-way under section 2477, U.S. Revised Statutes (43 U.S.C. 932), to Pima County, Ariz., over the following described lands, as delineated on a map on file with the Bureau of Land Management, for construction of a public road:

GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 12 E.,  
Sec. 35, lot 2, E½NW¼ and NE¼SW¼.

Containing approximately 5 acres, in Pima County.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

SEPTEMBER 1, 1965.

[P.R. Doc. 65-9425; Filed, Sept. 7, 1965;  
8:47 a.m.]

No. 173—Pt. I—3

[Public Land Order 3810]

[Riverside 03965]

### CALIFORNIA

#### Addition to Powersite Classification No. 451; Kern River

By virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 1332-15, note), subject to valid existing rights, the following described lands under jurisdiction of the Secretary of Agriculture are hereby classified as powersites, so far as title thereto is in the United States, and this classification shall be subject to provisions of section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended:

MOUNT DIABLO MERIDIAN

T. 20 S., R. 33 E.,  
Sec. 14, S½SE¼.

Containing 80 acres.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

SEPTEMBER 1, 1965.

[P.R. Doc. 65-9426; Filed, Sept. 7, 1965;  
8:47 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

### PART 10—MIGRATORY BIRDS

#### Miscellaneous Amendments

Section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), authorizes and directs the Secretary of the Interior, from time to time, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof, may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER of April 21, 1965 (30 F.R. 5640), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations. These amendments would specify open seasons, certain closed seasons, hunting methods, shooting hours, transportation, and importation controls, and bag and possession limits for migratory game birds for the 1965-66 hunting seasons.

In this connection all interested persons were invited to submit their views, data or arguments regarding such mat-

ters in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days following the date of publication of the notice.

Subsequently, after due consideration of migratory game bird survey data obtained through investigations conducted by the Bureau of Sport Fisheries and Wildlife and State game departments, and from other sources, the several State game departments were informed concerning the shooting hours, season lengths, and daily bag and possession limits proposed to be prescribed for the 1965-66 seasons on waterfowl and coots in all flyways; on gallinules and common snipe in the Pacific Flyway; on lesser sandhill (little brown) cranes in limited areas of New Mexico and Texas; and on whistling swans in Utah. The State game departments were invited to submit their recommendations for specific open season dates falling within the frameworks of earliest opening and latest closing dates fixed by this Department.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on the species of migratory game birds for which open seasons are now being prescribed, and consideration having been given to all other relevant matters presented, it has been determined that certain sections of Part 10 shall be amended as set forth below.

The taking of the designated species of migratory game birds is presently prohibited. These amendments will permit the taking of these species within specified periods of time beginning as early as September 25, 1965. Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the FEDERAL REGISTER.

1. Section 10.52 is amended by adding a new paragraph (c) to read as follows:

§ 10.52 Migratory game bird hunting seasons for Puerto Rico and the Virgin Islands.

(c) Puerto Rico and the Virgin Islands.

	Ducks	Coots	Common snipe (Wilson's)
Daily bag limit.....	4	10	8
Possession limit.....	8	20	16
Shooting hours.....	Sunrise until sunset daily.		
Seasons in:			
Puerto Rico.....	Dec. 11, 1965-Jan. 29, 1966.		
Virgin Islands.....	Dec. 15, 1965-Feb. 2, 1966.		

2. Section 10.53 is amended by adding new paragraphs (c), (d), (e), (f), and (g) to read as follows:

§ 10.53 Seasons and limits on waterfowl, coots, gallinules, and Wilson's snipe.





## (g) Pacific Flyway States—Common (Wilson's Snipe).

Shooting hours.....	½ hour before sunrise until sunset daily
Daily bag limit.....	8
Possession limit.....	16
Seasons in:	
Arizona.....	Nov. 21-Jan. 9.
California.....	Nov. 20-Jan. 8.
Idaho.....	Oct. 9-Nov. 27.
Nevada.....	Oct. 16-Dec. 4.
New Mexico (Pacific Flyway Area). <sup>1</sup>	Oct. 16-Nov. 14.
Oregon.....	Oct. 23-Dec. 11.
Utah.....	Nov. 18-Jan. 6.
Washington. <sup>2</sup>	Oct. 16-Dec. 4.

<sup>1</sup> New Mexico Pacific Flyway Area: Consists of all that portion of New Mexico lying west of the Continental Divide and the entire area of the Jicarilla Apache Indian Reservation.

<sup>2</sup> Check State regulations for additional State restrictions.

3. Section 10.54 is amended to read as follows:

§ 10.54 Seasons and limits on lesser sandhill (little brown) cranes and whistling swans.

Subject to the applicable provisions of the preceding sections of this part, the open seasons (dates inclusive), the areas open to hunting, the shooting hours, and the daily bag and possession limit on the species of migratory game birds designated in this section are prescribed as follows:

(a) An open season for the taking of lesser sandhill (little brown) cranes of 30 consecutive days between Saturday, October 30, 1965, and Sunday, November 28, 1965, is prescribed in the New Mexico Counties of Lea, Chaves, Eddy, Curry, Roosevelt, Quay, and De Baca, and in that portion of the State of Texas lying west of a line from the International Toll Bridge in Del Rio, Val Verde County; thence northward following U.S. Highway 277 to the junction with U.S. Highway 87 at San Angelo, Tom Green County; thence northwesterly following U.S. Highway 87 to the junction with U.S. Highway 287 at Dumas, Moore County; thence northwesterly following U.S. Highway 287 to the point of intersection with the Texas-Oklahoma State line in Dallam County. The daily bag limit is 2 and the possession limit is 4 lesser sandhill (little brown) cranes, and the shooting hours are from sunrise until sunset daily.

(b) A limited open season for the taking of whistling swans under special permit is prescribed for the State of Utah subject to the following conditions: (1) The open season dates and shooting hours will run concurrently with those for hunting ducks in the State of Utah; (2) not to exceed 1,000 special permits may be issued authorizing the permittee to take 1 whistling swan; and (3) the special permit forms will be furnished and issued by the Utah State Department of Fish and Game to those persons making written application for such permits: *Provided*, That if more than 1,000 applications are received, a drawing will be held to determine which applicants shall be issued permits.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 704; E.O. 10250, 16 F.R. 5385, 3 CFR 1949-1953 Comp. p. 757)

STEWART L. UDALL,  
Secretary of the Interior.

SEPTEMBER 2, 1965.  
[F.R. Doc. 65-9427; Filed, Sept. 7, 1965;  
8:47 a.m.]

## PART 32—HUNTING

## Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

## DELAWARE

## BOMBAY HOOK NATIONAL WILDLIFE REFUGE

The public hunting of rails and gallinules on Bombay Hook National Wildlife Refuge is permitted from September 15, 1965, through November 9, 1965, inclusive; and of mourning doves from September 15, 1965, to November 23, 1965, inclusive; and of woodcock and common snipe from November 19, 1965, through January 7, 1966, inclusive; but only on the Upland Game Hunting Area designated by signs as open to hunting. This open area, comprising 141 acres is delineated as the Upland Game Hunting Area on a map available at the refuge headquarters, R.D. 1, Smyrna, Del., 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails and gallinules, mourning doves, woodcock and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1966.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 31, 1965.  
[F.R. Doc. 65-9428; Filed, Sept. 7, 1965;  
8:47 a.m.]

## PART 32—HUNTING

## Brigantine National Wildlife Refuge, N.J.

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

adoption of the Federal migratory game bird regulations to and including establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

## NEW JERSEY

## BRIGANTINE NATIONAL WILDLIFE REFUGE

The public hunting of ducks and coots on the Brigantine National Wildlife Refuge, N.J., is permitted from October 23, 1965, through November 4, 1965, inclusive, and from November 24, 1965, through December 31, 1965, inclusive, and public hunting of geese (except snow geese) and brant is permitted from October 23, 1965, through December 31, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 4,480 acres, is delineated on maps available at the refuge headquarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, brant, and coots.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1965.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 31, 1965.

[F.R. Doc. 65-9430; Filed, Sept. 7, 1965;  
8:48 a.m.]

## PART 32—HUNTING

## Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

## NEW JERSEY

## BRIGANTINE NATIONAL WILDLIFE REFUGE

Public hunting of rails and gallinules on the Brigantine National Wildlife Refuge, N.J., is permitted from September 1, 1965, through November 9, 1965, inclusive, on the areas designated by signs as open to hunting. This open area, comprising 4,480 acres, is delineated on maps available at refuge head-

quarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass., 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails and gallinules.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 9, 1965.

RICHARD E. GRIFFITH,

Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 30, 1965.

[F.R. Doc. 65-9431; Filed, Sept. 7, 1965; 8:48 a.m.]

## PART 32—HUNTING

### Bombay Hook National Wildlife Refuge, Del.

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.

#### DELAWARE

##### BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of deer on Bombay Hook National Wildlife Refuge, Del., is permitted only on the Deer Hunting Area designated by signs as open to hunting. This open Deer Hunting Area, comprising 1,045 acres, is delineated on a map available at the refuge headquarters, R.D. 1, Smyrna, Del., 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass., 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Hunting is permitted from one-half hour before sunrise until one-half hour after sunset only on October 2, 9, 16, and 23, 1965.

(2) A hunter taking a deer on the refuge must present it at the refuge headquarters for examination before hunter leaves the refuge.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 23, 1965.

RICHARD E. GRIFFITH,

Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1965.

[F.R. Doc. 65-9429; Filed, Sept. 7, 1965; 8:48 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### SUBCHAPTER B—CLAIMS AND ACCOUNTS

#### PART 537—CLAIMS ON BEHALF OF THE UNITED STATES

#### Damage to or Loss of Army Property

Section 537.1 is revised to read as follows:

§ 537.1 Claims for damage to or loss or destruction of Army property.

(a) *Purpose.* This section prescribes, within the limitations indicated in paragraph (b) of this section, the procedures for the investigation, determination, assertion, and collection, including compromise, or abandonment in designated cases, of claims in favor of the United States for damage to or loss or destruction of Army property.

(b) *Applicability and scope.* (1) This section applies to all components and elements of the Army wherever located and whether or not in active military service.

(2) Subject to the provisions of paragraph (e) of this section, the commander of a major oversea command, or of an oversea command designated as a major command for claims purposes, may establish procedures for the processing of claims under this section which arise in his command. Such procedures may, to the extent deemed necessary, modify the procedures prescribed in this section.

(3) In general the procedures prescribed in this section will be utilized only when other methods of effecting recovery are not available. Claims cognizable under contracts or under other regulations will be processed and disposed of under the pertinent provisions of such contracts and other regulations.

(c) *Definitions.* For the purpose of this section only, the following terms have the meaning indicated:

(1) *Claim.* The Government's right to compensation for damage caused to Army property.

(2) *Prospective defendant.* An individual, partnership, association, corporation, governmental body, or other legal entity, foreign or domestic, except an instrumentality of the United States, against whom the United States has a claim.

(3) *Damage.* A comprehensive term, including not only damage to, but also loss or destruction of Army property.

(4) *Army property.* Real or personal property of the United States or its instrumentalities, and if the United States is responsible therefor, real or personal property of a foreign government, which is in the possession or under the control of the Army, one of its instrumentalities, or the Army National Guard, including that property of an activity for which the Army has been designated the ad-

ministrative agency, and that property located in an area in which the Army has been assigned single service claims responsibility by appropriate Department of Defense directive.

(5) *Staff Judge Advocate.* An officer so assigned. The judge advocate of a command or agency reporting directly to Headquarters, Department of the Army, or of a major subordinate command of the United States Army Materiel Command, who is not designated a staff judge advocate, and the senior Army judge advocate assigned to a unified command or to a joint force, will perform the duties specified for staff judge advocates in this section. In addition, the legal adviser of a comparable command or agency not having a judge advocate or staff judge advocate, will perform these duties.

(6) *Judge Advocate.* An officer so designated. If no judge advocate is present for duty, and the command or agency has a legal adviser, he will perform the duties specified for judge advocates in this section. Any official authorized to perform the duties specified for staff judge advocates under this section may perform the duties specified for judge advocates herein.

(7) *Legal Adviser.* An attorney within the meaning of paragraph 2-2, CFR A8, who is the principal adviser to the commander or operating head of any Army command or agency on legal matters.

(d) *Limitation of time.* Claims will be processed and asserted irrespective of any delay which has occurred since their accrual. Neither laches nor statutes of limitations are ordinarily a defense to actions by the United States. Nevertheless, potential claims in favor of the Government must be investigated promptly in order to insure the preservation of evidence. If a prospective defendant is an uninsured motorist, the time requirements of the applicable uninsured motorist fund or financial responsibility law, if any, will be adhered to where possible.

(e) *Foreign prospective defendants.* Claims within the scope of this section against an international organization, a foreign government or a political subdivision, agency, or instrumentality thereof, or against a member of the armed forces or an official or civilian employee of such international organization or foreign government will not be asserted without prior approval of The Judge Advocate General. Investigation and report thereof, however, will be made as provided in this section, unless the provisions of applicable agreements, or regulations in implementation thereof, negate the requirement for such investigation and report. The provisions of this section as modified in accordance with paragraph (b) (2) of this section, are applicable to other foreign prospective defendants.

(f) *Standards of liability.* (1) Unless the individual concerned has the benefit

of liability insurance, determinations of liability of military personnel and civilian employees of the Army, Navy, Air Force, other United States departments or agencies, or host foreign governments and determinations of liability of all nonappropriated fund activities will be made in accordance with the standards established in paragraph 7, AR 735-10.

(2) In all other cases, liability will be determined in accordance with the law of the place in which the damage occurred.

(g) *Concurrent claim for medical care.* Claims for damage to Army property which arise from incidents which may also give rise to a claim for medical care cognizable under §§ 537.21-537.23 should be consolidated and processed under this section. The staff judge advocate may exercise, with respect to that portion of the claim which represents the value of medical care furnished, the compromise and waiver authority outlined in paragraph 15 of AR 25-110 if such action will permit the collection of both losses to the Government. In addition, the requirements of § 537.22(b) will be observed with respect to the medical care portion of the claim.

(h) *Claims for less than \$50.* Such claims need not be asserted or otherwise processed under this section unless the facts and circumstances surrounding the incident indicate that collection will be economically feasible (e.g., a case of clear liability covered by insurance) or desirable in the best interests of the United States.

(i) *Repayment in kind.* The judge advocate who asserts a claim under this section may accept, in lieu of full payment of the claim, the restoration of the property to its condition prior to the incident causing the damage, or the replacement thereof. Acceptability of these methods of repayment is conditioned upon the certification of the appropriate technical service staff officer, such as is described for motor vehicles in paragraph 166b, AR 735-11, before a release may be executed. The authority conferred by this paragraph is not limited to incidents involving motor vehicles.

(j) *Releases.* A judge advocate or a designee of The Judge Advocate General of the Army is authorized to execute a release on a standard form furnished by the prospective defendant or his insurer: *Provided*, No indemnity agreement is included, or on DA Form 2136 (General Release) when—

(1) The prospective defendant or his insurer tenders payment in full or payment in kind and requests a release, or

(2) The prospective defendant or his insurer tenders a compromise payment which has been deemed acceptable by the United States Attorney to whom a claim has been referred.

[AR 27-17, July 9, 1965] (sec. 3012, 70A Stat. 157; 10 U.S.C. 3012)

J. C. LAMBERT,  
Major General, U.S. Army,  
The Adjutant General.

[F.R. Doc. 65-9423; Filed, Sept. 7, 1965; 8:47 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

##### Mount Rainier National Park, Wash.; Fishing

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM-1 (28 F.R. 915), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Western Region, Order No. 3 (21 F.R. 1494), as amended, § 7.5 of Title 36, Code of Federal Regulations, is amended as set forth below. The purpose of these amendments is to bring park regulations into closer conformity with those of the State of Washington, and to open certain waters to fishing.

Since these amendments constitute a relaxation of restrictions, and are thus exempt from the requirements of section 4(c) of the Administrative Procedures Act, they shall become effective immediately upon publication in the FEDERAL REGISTER, so as to give the public the benefits of their provisions as soon as possible.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

Section 7.5, paragraph (b) is amended as follows:

##### § 7.5 Mount Rainier National Park.

(b) *Fishing.* (1) The fishing season in streams shall conform to that of the State of Washington. Fishing in lakes shall be from July 4 to October 31, inclusive, with the following exceptions and limitations:

- (1) [Deleted]
- (2) \* \* \*
- (v) [Deleted]

(3) (1) The limit of catch per person per day shall be a maximum of 12 fish.

JOHN A. RUTTER,  
Superintendent,  
Mount Rainier National Park.

[F.R. Doc. 65-9424; Filed, Sept. 7, 1965; 8:47 a.m.]

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration

#### PART 3—ADJUDICATION

##### Miscellaneous Amendments

1. In § 3.261(a), subparagraph (20) is amended to read as follows:

§ 3.261 Character of income; exclusions and estates.

(a) *Income:*

	Dependency (parents)	Dependency and indemnity compensation (parents)	Pension; protected (veterans, widows, and children)	Pension; Public Law 86-211 (veterans, widows, and children)	Sec. —
(20) Veterans Administration payments:					
Pension.....	Excluded.....	Included.....	Excluded.....	Excluded.....	
Compensation and dependency and indemnity compensation.....	do.....	Excluded.....	do.....	do.....	
World War I adjusted compensation.....	do.....	Included.....	do.....	Included.....	
Insurance for disability or death, maturity of endowment policies, and dividends, including special and termination dividends.....	do.....	do.....	do.....	Excluded.....	
Servicemen's indemnity.....	do.....	do.....	do.....	do.....	
Subsistence allowance (38 U.S.C. ch. 21).....	Included.....	do.....	Included.....	Included.....	
Educational assistance (38 U.S.C. ch. 35).....	do.....	do.....	Excluded.....	Excluded.....	
Special allowance under 38 U.S.C. 412.....	Excluded.....	Included.....	do.....	Included.....	
Statutory burial allowance.....	do.....	Excluded.....	do.....	Excluded.....	
Accrued.....	do.....	Included, except as reimbursement.....	do.....	Included, except as reimbursement.....	

2. In § 3.314, paragraphs (a) (2) (1) and (b) are amended to read as follows:

§ 3.314 Basic pension and eligibility determinations.

(a) *Pension.* \* \* \*  
(2) *World War I and subsequent wars.* \* \* \*

(1) Claims based on service of less than 90 days may require a determination as to whether the veteran was discharged or released from service for a service-connected disability or had at

the time of separation from service a service-connected disability, shown by official service records, which in medical judgment would have warranted a discharge for disability. Eligibility in such cases requires a finding that the disability was incurred in or aggravated by service in line of duty without benefit of presumptive provisions of law or Veterans Administration Regulations (38 U.S.C. 521(g)(2)) unless, in the case of death pension, the veteran was, at the time of his death, receiving (or entitled

to receive) compensation or retirement pay based upon a wartime service-connected disability (38 U.S.C. 541(a) and 542(a)).

(b) *Eligibility; widower, dependent husband; "child" over 18; loans*—(1) *Widower.* Eligibility of a widower of a female veteran for benefits provided for a "widow" under title 38, United States Code (except ch. 19), requires a rating determination that the widower was permanently incapable of self-support due to physical or mental disability at the time of the veteran's death. (38 U.S.C. 102)

(2) *Dependent husband.* Eligibility of a husband of a female veteran to qualify as a "wife" for purposes of benefits under title 38, United States Code (except ch. 19), requires a rating determination that the husband is permanently incapable of self-support due to physical or mental disability. (38 U.S.C. 102)

(3) *"Child" over 18 years old.* A child or a veteran may continue to be considered a "child" after age 18 for purposes of benefits under title 38, United States Code (except ch. 19 and sec. 5202 (b) of chapter 85), if found by a rating determination to have become, prior to age 18, permanently incapable of self-support. (38 U.S.C. 101(4)(B))

(4) *Loans.* Where there was less than 90 days service, eligibility of veterans of World War II or the Korean conflict for home, farm and business loans under 38 U.S.C. ch. 37 requires a determination that the veteran was discharged or released because of a service-connected disability or that the official service department records show that he had at

the time of separation from service a service-connected disability which in medical judgment would have warranted a discharge for disability. These determinations are subject to the presumptions of incurrence or aggravation under §§ 3.304(b) and 3.306(b). The provisions of this subparagraph are also applicable, regardless of length of service, in determining eligibility to the maximum period of entitlement based on discharge or release for a service-connected disability.

3. Section 3.670 and the cross reference are added to read as follows:

§ 3.670 *Subsistence allowance.*

Payment of additional disability compensation for dependents under § 3.4(b) (2) will be made subject to payments of increased subsistence allowance received over the same period for any dependents in excess of two. (38 U.S.C. 1504(b)).

CROSS REFERENCE: Reduction, change in disability evaluation. See § 21.132(g) of this chapter.

4. In § 3.700, paragraph (a) (4) is revoked.

§ 3.700 *General.*

- (a) *Veterans.* \* \* \*
- (4) [Revoked]

5. In § 3.1000, paragraph (e) is amended to read as follows:

§ 3.1000 *Under 38 U.S.C. 3021.*

(e) *Subsistence allowance.* Subsistence allowance under the provisions of 38 U.S.C. ch. 31 remaining due and un-

paid at the date of the veteran's death, is payable under the provisions of this section.

6. In § 3.1908, that portion preceding paragraph (a), and paragraph (a) (2) are amended to read as follows:

§ 3.1908 *Educational benefits.*

The provisions of this section are applicable to waiver of overpayments of subsistence allowance to a veteran (38 U.S.C. 3102) and to waiver of overpayments of war orphans' educational assistance allowance to an eligible person (38 U.S.C. 1766; 3102) based on pursuit of a course in an educational institution, and in the case of a veteran, a course in a training establishment.

- (a) *Committees on waivers.* \* \* \*
- (2) *Liability of the school.* (There is no authority to waive liability of the school.)

7. Three cross references following § 3.1908 are deleted so that the cross reference reads as follows:

CROSS REFERENCE: Delegations of authority. See § 3.100(b).

(72 Stat. 1114; 38 U.S.C. 210)

These VA Regulations are effective the date of approval except § 3.670 and revocation of § 3.700(a) (4) which are effective October 1, 1965.

Approved: September 1, 1965.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,  
Deputy Administrator.

[P.R. Doc. 65-9443; Filed, Sept. 7, 1965; 8:50 a.m.]

# Proposed Rule Making

## DEPARTMENT OF COMMERCE

Office of the Secretary

[ 15 CFR Subtitle A ]

### VOLUNTARY PRODUCT STANDARDIZATION

#### Proposed Procedures

The attached procedures are proposed for the voluntary standardization of products by producers, distributors, users, or consumers who wish to have the assistance of the Department of Commerce in developing voluntary standards for products. The proposed procedures would provide guides for establishing a balanced standard development committee; set forth the requirements for satisfactory acceptance before a standard is published; and provide other safeguards for protecting the public interest. Any interested person, organization, or agency may submit written comments concerning the proposed procedures.

All such comments received by September 30, 1965, will be considered before final issuance of the procedures. Comments should be sent directly to the undersigned.

Dated: September 2, 1965.

WILLIAM W. EATON,  
Deputy Assistant Secretary  
for Science and Technology.

#### Section 1. Initiating development of new standard.

(a) Any group of manufacturers, distributors, consumers, users, or testing laboratories or any State or Federal agency concerned with a particular product may request the Department of Commerce to participate in the development and publication of a standard for that product under the procedures set forth herein. Any request shall be in writing, and shall be signed by a representative of the group or agency, and filed with the Department of Commerce. The request shall contain the following information:

- (1) The purpose and scope of a suggested standard.
- (2) A succinct statement of the need for the suggested standard and why it should be developed through Department of Commerce procedures.
- (3) A statement of reasons why the suggested standard would be in the public interest.
- (4) Relevant technical data essential to the suggested standard and its further development, such as physical, chemical or performance requirements or characteristics.
- (5) Any other information which may be necessary as a basis for discussion by others.
- (6) The names and addresses of all members of the group making the request.

(b) If the Department determines that there is a need for the suggested standard and that it would not be contrary to the public interest to develop a standard for the product, it shall commence the development of the suggested standard by giving appropriate public notice. The notice shall invite all interested persons, organizations, groups, and State and Federal agencies to submit, within a reasonable time, suggestions regarding the constitution of a standard development committee and nominations of qualified persons for appointment to such a committee.

#### Sec. 2. Establishment of the Standard Development Committee.

(a) Within a reasonable time after public notice under section 1(b), the Department shall establish a standard development committee and, considering the nominations received, appoint qualified members who shall be representative of producers, distributors, and consumers or users of the product for which a standard is sought and shall reflect an adequate geographical balance. The committee shall remain in existence for the period of the development of the suggested standard, but for not longer than two years, unless continued in writing by an authorized official of the Department.

(b) The Department is responsible for the organization of the committee and the procedures under which it functions as well as the scope of its work.

#### Sec. 3. Procedure for developing a proposed standard by the Standard Development Committee.

(a) After affording adequate opportunity for all interested persons, firms, organizations, and agencies to participate in the development of a proposed standard in cooperation with the Department of Commerce, the Standard Development Committee shall develop and propose a standard that:

- (1) Is based on adequate technical information.
- (2) Includes performance criteria and test procedures which are adequate and can be readily understood and applied to products to determine conformance or nonconformance with the standard by any competent testing laboratory.
- (3) Will not be contrary to the public interest if published and used.
- (4) Will be generally accepted by all segments of the industry concerned with the product (including producers, distributors, users, and consumers).

(b) The business of a committee shall be conducted by majority vote of at least a quorum. A quorum shall consist of at least two-thirds of the members from each of the producer, distributor, and consumer and user segments on the committee. No standard may be recommended by the committee unless there is general concurrence by the committee members, and there is no valid substan-

tive objection. If it is impractical to call a meeting, a vote may be taken by letter, subject to the requirement of general concurrence, when appropriate.

#### Sec. 4. Procedure for acceptance of recommended standard.

(a) When the Department is satisfied that a standard recommended by a standard development committee—

- (1) Satisfactorily meets the requirements of section 3a;
- (2) Is in proper form;
- (3) Has no legal objection;

it shall distribute the recommended standard for acceptance or nonacceptance and comment.

(b) Distribution for acceptance or nonacceptance shall be to a representative list compiled by the Department, consisting of producers, distributors, consumers or users, testing laboratories and interested State and Federal agencies. Public notice through appropriate press releases and notice to the trade press shall be given at the time of distribution.

(c) All responses shall be analyzed and evaluated before a decision is reached as to whether the recommended standard has adequate acceptance.

(1) If the analysis of all the responses indicates that the recommended standard is supported by a consensus, then it may be published as a recommended product standard by the Department of Commerce. For the purpose of these procedures consensus means general concurrence with no valid significant objection.

(2) If the recommended standard is supported by a consensus, the Department will publish the standard unless it is determined in writing that the standard will be against law or the public interest if it is published and used. Publication will be completed within a reasonable time.

#### Sec. 5. Publication of standard.

(a) The publication of a recommended product standard has no mandatory, legally-binding effect, but it rather indicates an acceptable standard of practice which has the same effect as custom and usage. Any person may choose not to use such a standard. It is recognized that the voluntary standards published under these procedures may have economic impact, but the use of the standard is left to the choice of producers, distributors, users, and consumers.

(b) A publication fee shall be charged to the sponsoring group, as appropriate, to cover the initial publication expenses of the Government Printing Office. Copies are publicly sold by the Public Printer in accordance with printing laws and regulations.

#### Sec. 6. Standing committee for published product standard.

(a) Following the publication of a product standard, the Department shall

appoint a standing committee, which may include members from the standard development committee, to receive and consider proposals to revise or amend the standard in light of changing circumstances and to make appropriate recommendations to the Department. The members of a standing committee should be knowledgeable about (1) the product or products covered by the standard; (2) the standard itself; and (3) industry and trade practices relating to the standard. The membership of a standing committee shall have an adequate balance among producers, distributors, users, consumers and any other important interests such as State or Federal agencies, testing laboratories and professional organizations.

(b) The Department is responsible for the procedures, organization and functions of a standing committee.

#### Sec. 7. Revision or amendment of a standard.

A published standard requires revision when any of its basic and substantive provisions are determined to be inadequate by its standing committee or by the Department. Each suggestion for revision is referred to the standing committee for appropriate consideration and action. The processing of a suggested revision shall be the same as for the development of a new standard under these procedures and the standing committee shall serve the same functions as the standard development committee in this process. Minor amendments may be published, at the discretion of the Department, upon the general concurrence of the standing committee. The Department may publish procedural amendments to the standard upon reasonable public notice.

#### Sec. 8. Withdrawal of a published standard.

(a) Any standard published under these or any previous procedures may be withdrawn by the Department at any time upon reasonable public notice for one or more of the following reasons:

(1) Continuation of the standard will result in an unfair or improper competitive advantage to producers whose products conform to such standard in relation to producers of products which do not conform.

(2) The standard is being used to control or limit production, to set prices, to exclude the manufacture of products covered by the standard (whether or not they comply with the standard), to create an undue, artificial economic advantage for one part of the industry in relation to another, or otherwise to constitute an unreasonable restraint of trade or create illegal dominance in the industry.

(3) The standard or any part of it is being used to mislead consumers or is found to be against the best interests of consumers.

(4) The standard is obsolete, technically inadequate, or no longer acceptable and used by the industry, and revision is not feasible or would serve no useful purpose.

(5) Continuation of the standard is not in the public interest for some other reason.

(b) Before withdrawing a published standard the Department will review with the standing committee for that standard the relative advantages and disadvantages of revision or amendment, development of a new standard, or withdrawal.

(c) Adequate public notice of intent to withdraw or of withdrawal shall be given. Withdrawal terminates the authority to refer to the published standard as a product standard developed under Department of Commerce procedures, from the date of the withdrawal.

#### Sec. 9. Effect of procedures.

These procedures, effective upon issuance, supersede all commodity standards procedures previously issued by the Department of Commerce or any of its offices or bureaus, but current commodity standards published under any such superseded procedures shall remain in effect. All proposed standards shall be developed under these new procedures.

[F.R. Doc. 65-9507; Filed, Sept. 7, 1965; 8:57 a.m.]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Part 399 ]

[Docket No. 16466]

### PROCESSING OF APPLICATIONS OF FOREIGN AIR CARRIERS FOR STATEMENTS OF AUTHORIZATION TO CONDUCT OFF-ROUTE CHARTER TRIPS

#### Statements of General Policy

SEPTEMBER 2, 1965.

Notice is hereby given that the Civil Aeronautics Board proposes to amend Part 399, its statements of General Policy (14 CFR Part 399), to provide that in processing applications by foreign air carriers for off-route charter authority the Board will be guided by the volume and frequency and regularity restrictions imposed on off-route charters by United States air carriers. This amendment is proposed under the authority of sections 204(a) and 402 of the Federal Aviation Act of 1958 (72 Stat. 743, 757; 49 U.S.C. 1324, 1372).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views or arguments, pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. All relevant material in communications received on or before October 25, 1965, will be considered by the Board before taking final action on the proposed rule. Upon receipt by the Board, copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

*Explanatory statement.* Under Part 207 of the Board's Economic Regulations, a United States certificated route carrier is prohibited from operating off-route charter trips in excess of two percent of its on-route mileage.<sup>1</sup> There are further restrictions on the frequency and regularity with which the carrier may operate off-route charters in any market.<sup>2</sup> The Board is now proposing adoption of a policy statement providing that the preceding restrictions will guide the Board's processing of applications by foreign air carriers for off-route charter authority.

Under the terms of foreign air carrier permits authorizing off-route charters,<sup>3</sup> a carrier wishing to operate an off-route charter must obtain authority from the Board in the form of a Statement of Authorization. Such authority is granted if the Board finds that the proposed charter trip is in the public interest,<sup>4</sup> and in making this determination the Board takes into account the restrictions which the Board imposes on off-route charters by United States carriers. The Board's policy is one of "administering and applying Part 212 \* \* \* in the light of its objective of obtaining comparable treatment of U.S. and foreign scheduled air carriers."<sup>5</sup> The instant proposal seems consistent with this policy. Obviously, if United States route carriers are subject to volume and frequency and regularity restrictions and foreign route carriers are not, then the foreign carriers may have an opportunity to obtain substantial revenues which would not be available to the United States carriers. In addition, volume and frequency and regularity restrictions on foreign carriers seem required for the protection of the on-route operations of United States certificated route carriers and the charter operations of United States supplemental carriers.<sup>6</sup> The restrictions will, of course, also protect the on-route operations of the foreign air carriers.

In regard to the proposed utilization of the Part 207 volume limitations, it should be noted that the Board has imposed such limitations on foreign air carriers on a number of occasions.<sup>7</sup> However, the previous restrictions were imposed in cases involving the application

<sup>1</sup> §§ 207.5, 207.6.

<sup>2</sup> § 207.7a, adopted Sept. 2, 1965, ER-443.

<sup>3</sup> The permits incorporate by reference Part 212 of the Board's Economic Regulations.

<sup>4</sup> §§ 212.4, 212.6.

<sup>5</sup> Order E-15412, June 17, 1960.

<sup>6</sup> The need for such protection is detailed in ER-419, Sept. 18, 1964, 29 F.R. 13246, and in ER-443, supra.

<sup>7</sup> See Orders E-13512, Feb. 12, 1959; E-15412, supra. § 212.6(b)(1) provides that in determining whether a proposed off-route charter is in the public interest the Board will consider whether the applicant has previously conducted a volume of off-route charters which is excessive in relation to its on-route operations.

New volume limitations were added to Part 207 in ER-419, supra. In that document it was stated that the Board would continue to be guided by the volume limitations in Part 207. We intend to continue to be guided by the Part 207 limitation pending the conclusion of the instant proceedings. However, we will, of course, consider objections to such limitations raised by foreign air carriers applying for authority for off-route operations in excess of the Part 207 level.

of a single carrier, and the Board has never invited all interested persons to comment on whether such restrictions are appropriate. In view of the changes in Part 207 it now seems appropriate to obtain the views of all interested persons on whether the Part 207 restrictions should be applied in the processing of Part 212 applications.\*

*Proposed rule.* The Board proposes to amend Part 399 of its Regulations, Statements of General Policy (14 CFR Part 399) by adding the following to § 399.15:

§ 399.15 Processing of applications of foreign air carriers, pursuant to Part 212 of this chapter, for Statements of Authorization to conduct off-route charter trips.

(c) *Standards relating to frequency and regularity of off-route charter trips.* In supplementation of the provisions of Part 212 of this chapter, all of which are here controlling, the following provisions of Part 207 of this chapter (the Economic Regulations), as amended by ER-443, September 2, 1965, shall be utilized to such extent as the context will permit: The definitions of "transatlantic charter trip" and "transpacific charter trip" in § 207.1 of this chapter; § 207.7a of this chapter except for the proviso thereto.

(d) *Standards relating to amount of off-route charter trips performed.* In determining whether an applicant for off-route charter authority meets the standards of § 212.6(b)(1) of this chapter (the Economic Regulations) the Board will ordinarily rule adversely to an applicant which during a calendar year has been authorized by the Board to operate off-route charter trips which, in the aggregate on a revenue plane mile basis, exceed two percent of the revenue plane miles flown by the applicant during the preceding calendar year in on-route scheduled, non-scheduled and charter air transportation.

[F.R. Doc. 65-9452; Filed, Sept. 7, 1965; 8:52 a.m.]

## FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-110]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to designate controlled airspace in the Devils Lake, N. Dak., terminal area.

\* In recent letters to the Board, two foreign air carriers, Swissair and Lufthansa, requested an opportunity to comment on this issue. The carriers' letters will be placed in the Docket of the proceeding. The two carriers also contended that use of the new Part 207 volume limitations would constitute a permit amendment requiring adjudicatory proceedings. Interested persons commenting on this point should consider the discussion in Order E-21905, Mar. 15, 1965.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Devils Lake, N. Dak., terminal area, including studies attendant to the implementation of the provisions of Amendments 60-21 (26 F.R. 570) and 60-29 (27 F.R. 4012) of Part 60 of the Civil Air Regulations, proposes to take the following airspace actions:

1. Designate the Devils Lake, N. Dak., control zone as that airspace within a 5-mile radius of Devils Lake Municipal Airport (latitude 48°06'47" N., longitude 98°54'26" W.); within 2 miles each side of the Devils Lake VOR 324° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR; within 2 miles each side of the 026° bearing from Devils Lake Municipal Airport, extending from the 5-mile radius zone to 8 miles northeast of the airport; and within 2 miles each side of the 121° bearing from Devils Lake Municipal Airport, extending from the 5-mile radius zone to 8 miles southeast of the airport. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

2. Designate the Devils Lake, N. Dak., transition area as that airspace extending upward from 700 feet above the surface within a 12-mile radius of Devils Lake Municipal Airport (latitude 48°06'47" N., longitude 98°54'26" W.).

The proposed control zone, when effective, will provide protection for aircraft executing prescribed departure and approach procedures at the Devils Lake, N. Dak., Municipal Airport during the hours of operation of the weather reporting service to be provided by certificated personnel of North Central Airlines. The normal hours for the taking of these weather observations, and the dissemination of this information, are dependent on airline scheduling operations. Normally, 30 days notice will be given prior to any change of these hours by a Notice to Airmen and continuously published in the Airman's Information Manual.

The proposed transition area will provide controlled airspace for aircraft executing the prescribed instrument approach procedures during their descent to 1,000 feet above the surface, when the control zone is in effect and to 700 feet above the surface when the control zone is not in effect. The proposed transition area will also provide protection for aircraft holding at the Devils Lake VOR and at the Devils Lake "H" Facility.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

No revisions to present or proposed prescribed instrument approach procedures would be effected in conjunction with the actions proposed herein.

Specific details of the procedures upon which the proposed actions are based may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they

may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on August 24, 1965.

EDWARD C. MARSH,  
Director, Central Region.

[F.R. Doc. 65-9409; Filed, Sept. 7, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-BA-40]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Agency is considering amending Sections 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Rochester, N.Y., control zone (29 F.R. 17629) and transition area (29 F.R. 17694).

Modification of the Rochester, N.Y., control zone is required to provide additional control zone airspace for two new VOR instrument approach procedures to Rochester-Monroe County Airport. The new AL-351-VOR-Rwy-4 and AL-351-VOR-Rwy-22 procedures require additional control zone extensions based on the 214° and 026° Rochester VOR radials. Additionally, new runway construction has altered the Airport Geographical Position reference point which necessitates coordinate change in both the control zone and transition area description.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contem-

plated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements in the terminal area of Rochester, N.Y., proposes the airspace actions hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Rochester, N.Y., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 43°07'10" N., 77°40'15" W., of the Rochester-Monroe County Airport, Rochester, N.Y.; within 2 miles each side of the Rochester VOR 168° radial, extending from the 5-mile radius zone to 7 miles southeast of the VOR; within 2 miles each side of the Rochester VOR 290° radial, extending from the 5-mile radius zone to 8 miles west of the VOR; within 2 miles each side of the Rochester VOR 026° radial extending from the 5-mile radius zone to 7 miles northeast of the VOR; within 2 miles each side of the Rochester VOR 314° radial extending from the 5-mile radius zone to 7 miles southwest of the VOR and within 2 miles each side of the Rochester ILS localizer east course extending from the 5-mile radius zone to the OM.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the coordinates of the Rochester-Monroe County Airport and insert in lieu thereof "43°07'10" N., 77°40'15" W." in the Rochester, N.Y., transition area.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[P.R. Doc. 65-9410; Filed, Sept. 7, 1965; 8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-45]

### CONTROL ZONE

#### Proposed Alteration

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which would alter the North Philadelphia, Pa., control zone (29 F.R. 17621).

The proposed alteration of the North Philadelphia, Pa., control zone is to protect aircraft utilizing a recently revised and a new instrument approach procedure to North Philadelphia Airport. The new AL-528-VOR-Rwy-6 procedure requires an additional control zone extension based on the North Philadelphia VOR 234° radial. Due to the revision of the AL-528-VOR-Rwy-24 procedure, the extension based on the North Philadelphia VOR 039° radial is no longer required.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of North Philadelphia, Pa., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the North Philadelphia control zone the words and figures "039°" and "NE of the VOR" and insert in lieu thereof "234°" and "SW of the VOR" respectively.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[P.R. Doc. 65-9411; Filed, Sept. 7, 1965; 8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-49]

### CONTROL ZONE

#### Proposed Alteration

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which would alter the Richmond, Va., control zone (29 F.R. 17628).

Alteration of the Richmond, Va., control zone is required to provide controlled airspace for revisions of terminal area instrument approach procedures to Byrd Field. The revised AL-347-VOR-Rwy-33 procedure requires alteration of the control zone extension to the southeast based on the Richmond VOR 134° radial and the revised AL-347-VOR-Rwy-15

procedure requires an additional control zone extension based on the Richmond VOR 341° radial.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the terminal airspace requirements for Richmond, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Richmond, Va., control zone description the figures "132°" appearing after "Richmond VOR" and insert in lieu thereof "134°". Further, delete the period (.) at the end of the description insert therefor a semicolon (;) and add "within 2 miles each side of the Richmond VOR 341° radial, extending from the 5-mile radius zone to 7 miles north of the VOR."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 24, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[P.R. Doc. 65-9412; Filed, Sept. 7, 1965; 8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-55]

### CONTROL ZONE AND TRANSITION AREAS

#### Proposed Alteration and Designation

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Lebanon, N.H., control zone (29 F.R. 17611), designate a 700-foot floor transition area over the Lebanon Regional Airport, Lebanon, N.H., and Hartness Airport, Springfield, Vt., and designate a 1,200-foot floor Lebanon, N.H., transition area.

The controlled airspace in the afore-said terminal areas is presently composed of the Lebanon, N.H., control zone and portions of the Keene, N.H. (29 F.R. 17566), Lebanon, N.H. (29 F.R. 17567), Rutland, Vt. (29 F.R. 17575), Springfield, Vt. (29 F.R. 17577) and Boston, Mass. (29 F.R. 17559), control area extensions.

The proposed alteration of the Lebanon, N.H., control zone would increase the size of the extension to the northeast to provide protection for aircraft executing the final approach leg of AL-859-VOR-1 instrument approach procedure and for departing aircraft proceeding over Lebanon VOR to Victor Airways 141 and 141E.

The 700- and 1,200-foot floor transition areas would provide protection for aircraft executing prescribed holding, radar and arrival procedures down to 700 feet above the surface and for executing departure procedures above 700 feet above the surface.

The floors of airways which traverse the transition areas proposed herein would coincide with the floors of the transition areas.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a comprehensive review of the airspace requirements for the terminal areas of Lebanon, N.H., and Springfield, Vt., attendant to the implementation of the provisions of Civil Air Regulations amendments 60-21 and 60-29 (26 F.R. 570; 27 F.R. 4012), proposes the airspace actions hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Lebanon, N.H., control zone and insert in lieu thereof:

LEBANON, N.H.

Within a 5-mile radius of the center, 43°-47'35" N., 72°18'10" W., of Lebanon Regional Airport, Lebanon, N.H.; within 2 miles each side of the Lebanon VOR 231° and 051° radials extending from the 5-mile radius zone to 2 miles northeast of the VOR; within 2 miles each side of the Lebanon VOR 104°

radial extending from the VOR to 3.5 miles east of the VOR and within 2 miles each side of the Lebanon VOR 194° radial extending from the VOR to 4 miles southeast of the VOR.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700- and 1,200-foot floor Lebanon, N.H., transition area described as follows:

LEBANON, N.H.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 43°47'35" N., 72°18'10" W. of Lebanon Regional Airport, Lebanon, N.H., extending clockwise from the 210° to the 030° bearing from the airport and within a 15-mile radius of Lebanon Regional Airport extending clockwise from the 030° to the 210° bearing from the airport.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 43°11'00" N., 72°39'00" W. to 43°47'00" N., 72°39'00" W. to 43°55'00" N., 72°16'00" W. to 43°43'00" N., 71°50'00" W. to 43°35'00" N., 71°55'00" W. to 42°55'00" N., 72°00'00" W. to 43°05'00" N., 72°13'00" W. to the point of beginning.

3. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor Springfield, Vt., transition area described as follows:

SPRINGFIELD, VT.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hartness Airport (latitude 43°20'40" N., longitude 72°31'15" W.); within 2 miles each side of the Keene VOR 341° radial extending from the 5 mile radius area to 5.5 miles SE of the Springfield RBN; within 2 miles each side of the 185° bearing from the Springfield RBN extending from the 5 mile radius area to 8 miles S of the RBN. This transition area is effective from sunrise to sunset, daily.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[F.R. Doc. 65-9413; Filed, Sept. 7, 1965;  
8:46 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-56]

CONTROL ZONE, TRANSITION AREAS  
AND CONTROL AREA EXTENSION

Proposed Alteration, Designation and  
Revocation

The Federal Aviation Agency is considering amending §§ 71.165, 71.171, and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Cleveland, Ohio (Cleveland-Hopkins Airport), control zone (29 F.R. 17591), revoke the Cleveland, Ohio, control area extension (29 F.R. 17561), alter the Sandusky, Ohio (29 F.R. 17697), and Cleveland, Ohio (29 F.R. 17654), transition areas.

Alteration to the description of the Cleveland, Ohio (Cleveland-Hopkins Airport), control zone and transition area are required because of an airport name change to Cleveland-Hopkins International Airport. It is also proposed to revoke the Cleveland, Ohio, control area extension. However, this revocation will

require modification of the Cleveland, Ohio, 1,200-foot floor transition area to provide controlled airspace for radar vectoring and holding patterns. Further, it is planned to consolidate the Cleveland and Sandusky, Ohio, 1,200-foot floor transition areas, to improve charting and definition. The Cleveland, Ohio, control area extension can be revoked as all required portions of this area will be encompassed by the foregoing transition areas.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of Cleveland and Sandusky, Ohio, proposes the airspace actions hereinafter set forth:

1. Amend § 71.165 of Part 71 of the Federal Aviation Regulations so as to delete the Cleveland, Ohio, control area extension.

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Cleveland, Ohio (Cleveland-Hopkins Airport), control zone in the caption and text the words "Cleveland-Hopkins Airport" and insert in lieu thereof the words "Cleveland-Hopkins International Airport."

3. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Cleveland, Ohio, transition area description the words "Cleveland-Hopkins Airport" and insert in lieu thereof "Cleveland-Hopkins International Airport." Further, delete in the text all after the words " \* \* \* 10 miles northwest of the airport" and insert in lieu thereof:

"That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at 41°57'00" N., 81°18'00" W., thence clockwise along the arc of a 19-mile radius circle (centered at 41°41'00" N., 81°23'25" W.), to 41°24'20" N., 81°23'00" W., to 41°21'00" N., 81°31'00" W., thence clockwise along the arc of an 18-mile radius circle (centered at 41°24'30" N., 81°51'00" W.) to the 146° bearing from said center, thence southeast along the 146° bear-

ing to 41°08'00" N., 81°36'00" W., to 40°53'00" N., 81°43'00" W., thence clockwise along the arc of a 37-mile radius circle (centered at 41°24'30" N., 81°51'00" W.) to 40°56'30" N., to 82°12'00" W., to 41°08'40" N., 82°32'00" W., thence clockwise along the arc of a 21-mile radius circle (centered at 41°26'00" N., 82°39'50" W.) to 41°14'00" N., 82°57'00" W., to 41°19'10" N., 82°49'20" W., thence clockwise via the arc of a 12-mile radius circle (centered at 41°26'00" N., 82°39'05" W.) to 41°36'30" N., 82°40'00" W., to 41°40'30" N., 82°40'00" W., thence east along the United States-Canada border to 42°02'20" N., 81°37'00" W. to 42°00'00" N., 81°18'00" W. to point of beginning."

4. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Sandusky, Ohio, transition area description, all after the words " \* \* 8 miles southwest of the VORTAC".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[P.R. Doc. 65-9414; Filed, Sept. 7, 1965; 8:46 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-61]

**CONTROL ZONE**

**Proposed Alteration**

The Federal Aviation Agency is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations which would alter the Morristown, N.J. control zone (29 F.R. 17618).

Alteration of the Morristown, N.J., control zone is required to provide controlled airspace for a revision to the AL-931 ADF-1 instrument approach procedure to Morristown Airport, effective August 28, 1965. The final approach bearing has been moved counterclockwise by 23°.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conference with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John

F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of Morristown, N.J., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting in the Morristown, N.J., control zone the figures "227" and insert in lieu thereof the figures "204".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[P.R. Doc. 65-9415; Filed, Sept. 7, 1965; 8:46 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-CE-56]

**FEDERAL AIRWAY AND TRANSITION AREA**

**Proposed Designation and Modification; Supplemental Notice**

On May 19, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6794) stating that the Federal Aviation Agency proposed to designate a Federal airway from Redwood Falls, Minn., to Minneapolis, Minn., via Flying Cloud, Minn., and the intersection of the Flying Cloud 074° and Minneapolis 188° True radials. The floor was proposed as a standard 700 feet above the surface.

On February 26, 1965, Airspace Docket No. 64-CE-105 was issued by the Central Region and designated the Minneapolis transition area with segments floored at 5,000 feet MSL. The proposed airway, as stated above, would traverse one of these segments. Accordingly, the floor of this segment of the airway automatically would be established at 5,000 feet MSL. It has been determined that the floor of the proposed airway could be established at 1,200 feet above the surface, thereby permitting transition to and from the minimum en route altitude at both Redwood Falls and Flying Cloud Airport.

If the airway is designated with a floor of 1,200 feet above the surface, as proposed herein, there would be two small, disconnected transition area segments with floors of 5,000 feet MSL on each side of the airway. Retention of these segments at 5,000 feet MSL would serve no useful purpose and the Agency proposes to reduce them to 1,200 feet above the surface. Finally, in order to provide continuity of the Minneapolis transition area, the Agency proposes to reduce the western segment of the transition area bounded by VOR Federal airways Nos. 78, 148 and 171 from 5,000 feet MSL to 1,200 feet above the surface.

Interested persons may participate in the consideration of this supplemental notice of proposed rule making by submitting such written data, views, or arguments as they may desire. Com-

munications should be submitted in triplicate to the director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 30 days after publication of this supplemental notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained herein may be changed in the light of comments received.

This supplemental notice of proposed rule making is issued under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on September 1, 1965.

JAMES L. LAMPL,  
Acting Chief, Airspace Regulations  
and Procedures Division.

[P.R. Doc. 65-9416; Filed, Sept. 7, 1965; 8:47 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 65-EA-52]

**TRANSITION AREA**

**Proposed Designation**

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations which would designate a 700-foot floor transition area over Leesburg Municipal (Godfrey) Airport, Leesburg, Va.

Designation of a 700-foot floor transition area at Leesburg, Va., is required to protect aircraft utilizing recently authorized instrument arrival and departure procedures at Leesburg Municipal (Godfrey) Airport, Leesburg, Va.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of Leesburg, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to

designate a 700-foot floor Leesburg, Va., transition area described as follows:

**LEESBURG, VA.**

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 39°04'45" N., 77°33'26" W., of Leesburg Municipal (Godfrey) Airport and within 2 miles each side of a bearing 079° from the Poolsville, Va., RBN extending from the 6-mile radius area to 8 miles east of the RBN, excluding the portion within the Washington, D.C., transition area.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[F.R. Doc. 65-9417; Filed, Sept. 7, 1965; 8:47 a.m.]

**[ 14 CFR Part 71 ]**

[Airspace Docket No. 65-EA-65]

**TRANSITION AREA**

**Proposed Designation**

The Federal Aviation Agency is considering amending § 71.181 Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor transition area over Miller Airport, Alliance, Ohio.

Designation of a 700-foot floor transition area is required at Alliance, Ohio, to protect aircraft utilizing recently authorized instrument arrival and departure procedures at Miller Airport.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency having completed a review of the airspace requirements for the terminal area of Alliance, Ohio, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor Alliance, Ohio, transition area described as follows:

**ALLIANCE, OHIO**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 40°58'56" N., 81°02'22" W., of Miller Airport, Alliance, Ohio, and within 2 miles each side of the Akron VOR 136° radial extending from the 5-mile radius area to the VOR, excluding the portion within the Akron, Ohio, transition area.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 25, 1965.

WAYNE HENDERSHOT,  
Acting Director, Eastern Region.

[F.R. Doc. 65-9418; Filed, Sept. 7, 1965; 8:47 a.m.]

**NATIONAL SCIENCE  
FOUNDATION**

**[ 45 CFR Part 635 ]**

**WEATHER MODIFICATION  
ACTIVITIES**

**Keeping of Records and Furnishing of  
Reports**

The National Science Foundation is considering the issuance of a regulation which would require that persons engaging in, or intending to engage in, activities aimed at modifying the atmosphere, through atmospheric seeding or other means, provide advance notice to the Foundation of intention to conduct such an activity, submit monthly reports as the activity progresses and keep records as specified in the proposed regulation. Interested persons may submit written comments, suggestions or objections with respect to the proposed regulation to the Director, National Science Foundation, Washington, D.C., 20550, within thirty days of the date of publication of this notice in the FEDERAL REGISTER. As presently contemplated the regulation will provide as follows:

**PART 635—KEEPING OF RECORDS  
AND FURNISHING OF REPORTS IN  
CONNECTION WITH WEATHER  
MODIFICATION ACTIVITIES**

Sec.	
635.1	Purpose.
635.2	Application of part.
635.3	Reporting requirements.
635.4	Maintenance of logs.
635.5	Retention of records.
635.6	Disclosure of information.
635.7	Penalty.

**AUTHORITY:** The provisions of this Part 635 issued under 72 Stat. 353 and sec. 11(a), 64 Stat. 153.

**§ 635.1 Purpose.**

The purpose of this part is to develop information for use in carrying out the responsibility of the National Science Foundation to support a program of study, research and evaluation in the field of weather modification as authorized by the National Science Foundation Act of 1950, as amended. Section 14(f)

of the Act authorizes the Director of the Foundation to obtain, by regulation, subpoena, or otherwise, such information in the form of testimony, books, records or other writings, to require the keeping of or furnishing such reports and records, and to make such inspections of the books, records and other writings and premises or property of any person or persons as may be deemed necessary or appropriate by him to carry out this responsibility, where adequate and authoritative data is not available from any Federal agency. The information required under this regulation is not so available and therefore must be obtained from individuals and organizations engaged in weather modification activities.

**§ 635.2 Application of part.**

This part applies to any person, and to any organization whether commercial or nonprofit, engaged in or intending to engage in any weather modification activity (including research) intended to modify the atmosphere through artificial means. Such activities include, but are not limited to, any of the following:

(a) Intentional seeding of clouds to alter drop size distribution, produce ice crystals, produce coagulation of droplets, or in any way to influence the natural development cycle of the cloud or its environment by dispersing into it any material or gas such as silver iodide, lead iodide, carbon black, dry ice, ammonia, etc.

(b) Intentional initiation of large heat sources or fires to influence convective circulation or evaporate fog.

(c) Intentional modification of solar radiation exchange of the earth or clouds through the release of gases, dusts, liquids, or aerosols into the atmosphere.

(d) Intentional modification of the energy transfer characteristics of the earth's land or water surface by dusting with powders, liquid sprays, or dyes.

(e) Intentional release of electrically charged particles, radioactive particles or ions into the atmosphere to alter its electrical field pattern or produce localized electrical field anomalies.

(f) Intentional application of shock waves, sonic energy sources, or other explosive or acoustic sources to the atmosphere to influence cloud growth, dissipation, or precipitation patterns.

**§ 635.3 Reporting requirements.**

(a) *Prior notice.* Each individual or organization intending to engage in any weather modification activity shall give not less than thirty days advance notice to the Foundation of intention to engage in such activity. Such notice will be submitted on a Foundation report form, copies of which will be made available upon request from the National Science Foundation, Washington, D.C., 20550. Where intention to engage in a weather modification activity develops less than thirty days prior to the planned activity, the required report shall immediately be forwarded to the Foundation by airmail and shall be accompanied by a notarized statement explaining why the thirty day requirement could not be met.

(b) *Status reports.* After the weather modification activity reported pursuant

to § 635.3(a) of this section has commenced, each person or organization engaged in such activity shall submit to the Foundation a progress report of such activity on a monthly basis. This report will be submitted on the form referred to in § 635.3(a) of this section.

#### § 635.4 Maintenance of logs.

Each individual or organization engaging in a weather modification activity shall maintain a daily log of such activity. The log shall contain all relevant facts, including the following:

(a) Daily Log of Ground Weather Modification Activities (including Seeding Releases):

(1) Average direction and speed of surface winds at each generator site.

(2) Location of nearest available radiosonde station providing a sounding in or near target area.

(3) Description of meteorological situation in target area and control area such as types of clouds, percent cloud cover, temperature, humidity, appearance of lightning, hail, funnel clouds, severe rain, snow and unusual radar patterns, during observational period.

(4) Quantitative measurements of precipitation obtained from such sources as rain gauges, snow pillows, radar, optical transmissometers and streamflow gauges, in target and control areas.

(5) Remarks by project director covering any pertinent observations not listed above, such as estimate of success of operation and location of files where raw data are maintained.

(6) In the case of the operation of a ground silver iodide generator or other dispenser of particles, aerosols or gases, the daily log shall include:

(i) Location of each generator in use.

(ii) Name of individual responsible for turning each generator on or off.

(iii) Time each generator was turned on and turned off.

(iv) Basis or criteria for turning on or off each generator.

(v) Type of material dispersed by each generator.

(vi) Rate of material release of each generator during operation.

(vii) Total material released by each generator during each operational period.

(b) Daily Log of Airborne or Mobile Weather Modification Activities (including Seeding Releases):

(1) Complete log of each aircraft flight or mobile generator run including, but not necessarily limited to, ground track, altitude, air speed, times over check points, release points of seeding or other charges, temperature, average wind direction and speed at release altitude, and for aircraft specify type of aircraft, airport or airports used and names of crew members.

(2) All other pertinent information as listed above for ground weather modification activities.

#### § 635.5 Retention of records.

Records required to be maintained by this part, including logs, shall be available for inspection upon request of the National Science Foundation for a period of not less than five years after the date of completion of the project. Such records shall not be required to be produced at any place other than the place where normally kept, provided a true copy of such record is made available to the Foundation, as may be requested, or

there is agreement as to the information contained therein.

#### § 635.6 Disclosure of information.

Information developed as a result of the reporting procedures set forth herein shall be made publicly available on a periodic basis by the Foundation. This information will not include trade secrets or other data required to be kept confidential under section 1905 of Title 18 of the United States Code, except where the Director of the Foundation determines that the withholding of such information would be contrary to the purposes of sections 3(a)(9) and 14 of the National Science Foundation Act of 1950, as amended. Individuals and organizations reporting weather modification activities may request that information which they consider to be included within the scope of 18 U.S.C. 1905 be withheld from public disclosure and the Foundation will give due consideration to granting such requests.

#### § 635.7 Penalty.

Any person willfully failing to meet the requirements imposed by this regulation shall, upon conviction, be fined not more than \$500.

This regulation is issued pursuant to the authority of the National Science Foundation contained in sections 11(a) and 14(f) of the National Science Foundation Act of 1950, as amended.

Dated: September 2, 1965.

LELAND J. HAWORTH,  
Director.

[F.R. Doc. 65-9454; Filed, Sept. 7, 1965;  
8:53 a.m.]

# Notices

## DEPARTMENT OF AGRICULTURE

### Agricultural Stabilization and Conservation Service

#### TYPE 14 FLUE-CURED TOBACCO

#### Notice of Public Hearings and Determination With Respect to Treatment as Separate Kind of Tobacco

In compliance with the judgment of the United States Court of Appeals for the Fifth Circuit in the case of Freeman v. Brown, et al. (342 F. 2d 205), and the order of the U.S. District Court for the Southern District of Georgia entered pursuant to the order of remand, the Secretary is preparing to reconsider the question of whether Type 14 Flue-cured tobacco should be treated as a separate kind of tobacco for the purposes of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), in the light of all available and material facts. The specific provision of the statute under which the question will be reconsidered is that part of 7 U.S.C. 1301(b) (15) which reads as follows:

"Tobacco" means each one of the kinds of tobacco listed below comprising the types specified as classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the Department;

Flue-cured tobacco, comprising types 11, 12, 13, and 14;

Fire-cured tobacco, comprising types 21, 22, 23, and 24;

Dark air-cured tobacco, comprising types 35 and 36;

Virginia sun-cured tobacco, comprising type 37;

Burley tobacco, comprising type 31;

Maryland tobacco, comprising type 32;

Cigar-filler and cigar-binder tobacco comprising types 42, 43, 44, 45, 46, 51, 52, 53, 54, and 55;

Cigar-filler tobacco, comprising type 41.

The provisions of this title shall apply to each of such kinds of tobacco severally: *Provided*, That any one or more of the types comprising any such kind of tobacco shall be treated as a "kind of tobacco" for the purposes of this Act if the Secretary finds there is a difference in supply and demand conditions as among such types of tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand: \* \* \*

For the purpose of developing the material facts public hearings will be held at the following times and places:

October 4 and 5, 1965, Room 200, Post Office Building, Elizabeth Street, Waycross, Ga.  
October 7 and 8, 1965, Room 223, U.S. Post Office and Court's Building, Fayetteville Street, Raleigh, N.C.

October 18 and 19, 1965, Room 218, Administration Building, U.S. Department of Agriculture, Washington, D.C.

The hearings on the first day at each place will begin at 10 a.m. local time and will be recessed from time to time and reconvened as announced by the Presiding Officer. The hearings may also be adjourned and reconvened at different times and places as announced by the Presiding Officer during the course of the hearings.

A Hearing Examiner of the Department of Agriculture duly appointed and qualified under the Administrative Procedure Act will preside at the hearings. Interested persons having knowledge of relevant facts are invited to testify. Testimony of witnesses will be given under oath and will be recorded and transcribed by a reporter. Interested persons may make arrangements with the reporter for obtaining copies of the record. As a part of their testimony witnesses may read a prepared statement into the record. However, witnesses will be subject to cross-examination by interested persons to the extent the Presiding Officer deems appropriate in order to develop the relevant facts.

For the purpose of determining whether Type 14 should be treated as a separate kind of flue-cured tobacco, it is desired that evidence be developed in the record bearing on the question of whether there is a difference in supply and demand conditions as among the types of flue-cured tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand. In this connection, it is particularly desired that evidence be developed on the following issues:

1. The extent to which flue-cured tobacco from each respective stalk position can be identified on the auction warehouse floor by visual inspection as hav-

ing been produced in a particular flue-cured belt.

2. The extent to which the types of flue-cured tobacco are interchangeable in the manufacture of cigarettes.

3. Whether the total supply of flue-cured tobacco of all types represents from an economic standpoint a common supply to meet a common demand.

Interested parties will be permitted to file briefs in accordance with the announcement of the Presiding Officer at the conclusion of the hearings.

Done at Washington, D.C., this 2d day of September 1965.

ORVILLE L. FREEMAN,  
Secretary.

[P.R. Doc. 65-9466; Filed, Sept. 7, 1965; 8:56 a.m.]

### Consumer and Marketing Service HUMANELY SLAUGHTERED LIVESTOCK

#### Identification of Carcasses; Changes in List of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the list (30 F.R. 8908) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock, is hereby amended as follows:

The reference to calves and swine with respect to Purnell's Packing Co., establishment 738, is deleted.

The following table I lists additional species at previously listed establishments that have been reported as being slaughtered and handled humanely:

TABLE I

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Ideal Packing Co.	135					(*)	
DeKalb Packing Co.	170				(*)		
Animal Husbandry Department, Texas Technological College	236		(*)				
Nation Bros. Packing Co., Inc.	684	(*)				(*)	
Mld State Meat Co.	741						
Sigman Meat Co., Inc., of Montana	901A		(*)				
Species added: 6							

The following table II lists additional establishments which are reported to be slaughtering and handling the indicated species of livestock humanely:

TABLE II

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Cudaby Packing Co.	19	(*)					
J. L. Whisler & Sons, Inc.	41	(*)					
Blue Ribbon Beef Pack, Inc.	244	(*)					
Snyder Packing Co.	270	(*)					
Dinuba Meat Packing Co.	681	(*)	(*)				
Establishments added: 5							

Done at Washington, D.C., this 2d day of September 1965.

R. K. SOMERS,  
Acting Deputy Administrator, Consumer and Marketing Service.

[P.R. Doc. 65-9468; Filed, Sept. 7, 1965; 8:56 a.m.]

## DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 4-A]

ECONOMIC DEVELOPMENT  
ADMINISTRATION

## Functions and Responsibilities

The following order was issued by the Secretary of Commerce effective September 1, 1965. This material supersedes the material appearing at 28 F.R. 12635 of November 27, 1963; and 29 F.R. 14242-14243 of October 16, 1964.

**Section 1. Purpose.** The purpose of this order is to establish the Economic Development Administration, delegate authority to the Administrator, and describe the functions of the Administration.

**Sec. 2. General.** .01 The Economic Development Administration is hereby established as a primary organization unit of the Department of Commerce pursuant to the authority vested in the Secretary of Commerce by the Public Works and Economic Development Act of 1965 (P.L. 89-136) (hereinafter called the "Act") and otherwise by law.

.02 The Economic Development Administration (hereinafter called the "Administration") shall be headed by the Administrator for Economic Development, appointed by the President by and with the advice and consent of the Senate. As provided in section 704(b) of the Act, the President may designate an Acting Administrator. The Administrator for Economic Development (hereinafter called the "Administrator") shall report and be responsible to the Assistant Secretary of Commerce and Director of Economic Development (hereinafter called the "Assistant Secretary"). The Administrator shall be assisted by a Deputy Administrator who shall perform the functions of the Administrator in the latter's absence.

**Sec. 3. Delegation of authority.** .01 Pursuant to the authority vested in the Secretary of Commerce by law and subject to such policies and directives as the Assistant Secretary may prescribe, the Economic Development Administration is hereby delegated the functions, powers, duties, and authorities vested in the Secretary of Commerce by:

a. Titles I, II, III, IV, VI, and VII except section 601 of the Public Works and Economic Development Act of 1965 (P.L. 89-136) with the following exceptions:

1. Establishment of the independent study group as required by section 301(e) of the Act, which function shall be performed by the Assistant Secretary, with the proviso that the report of the study group shall be submitted to the Congress by the Secretary.

2. Transmittal of the annual report to the Congress as required by sections

301(c) and 707 of the Act, which function shall be exercised by the Secretary.

\* Pending appointment of the Assistant Secretary, the Administrator shall report and be responsible to the Under Secretary of Commerce through the Assistant Secretary for Administration.

3. Appointment of a National Public Advisory Committee on Regional Economic Development as required by section 602 of the Act, which function shall be exercised by the Secretary.

4. Exercise of the Secretary's authority to delegate pursuant to section 708(a) of the Act, which functions shall be exercised by the Secretary.

b. The Manpower Act of 1965 (P.L. 89-15; 79 Stat. 75) which amends the Manpower Development and Training Act of 1962 (76 Stat. 23).

.02 The approval of the Assistant Secretary shall be obtained before issuance by the Administrator of any rules, regulations, or procedures required by the Act or otherwise deemed necessary for carrying out the functions, powers, duties and authorities delegated to the Administrator by section 3.01 above. Such approval will not be obtained for internal orders not required to be issued to the public.

.03 The Administrator may redelegate any authority conferred on him by this order to any officer of the Economic Development Administration subject to such conditions in the exercise of such authority as the Administrator shall prescribe.

**Sec. 4. Functions and responsibilities.** .01 The Administration shall perform functions, which include, but are not limited to, the following:

a. Designate redevelopment areas, economic development districts and economic development centers and terminate such designations when conditions require;

b. Encourage and assist State and local agencies in preparing and carrying out economic development programs for designated areas, districts and centers; establish guides as to nature, scope, content, and format of any overall economic development plan submitted for approval; review, evaluate, and act upon requests for approval of overall economic development plans;

c. Undertake development and economic growth studies for redevelopment areas, designated districts and centers, and other areas which have substantial need for such technical assistance;

d. Request from other agencies the special studies, information and data which they are authorized to furnish, with appropriate reimbursement, by the provisions of section 401(c) of the Act;

e. Encourage and assist State and local agencies in developing proposals for financial assistance through loans, guarantees, and grants, including assistance for public works and development facilities; review, evaluate and act upon requests for approval of economic development projects; develop, issue and interpret policy guides and criteria to be followed by other agencies performing functions under the financial assistance programs;

f. Undertake economic research in fields of economic development, relate results to current development programs, and make results generally available for guidance of Government agen-

cies or others interested in economic development;

g. Provide staff support and assistance to the Assistant Secretary and the Secretary of Commerce in developing coordinated policies on Federal assistance to redevelopment areas and economic development districts and centers;

h. Compile and disseminate to interested parties useful economic development information as prescribed in section 301(d) of the Act;

i. Coordinate Federal assistance in redevelopment areas, districts and centers, and review the economic development activities of agencies or departments delegated functions by the Secretary of Commerce under authority of the Act;

j. Consult with the designated representatives of the Department of Labor in determining occupational training or retraining needs in redevelopment areas;

k. Determine the positions or activities which involve discretion with respect to the granting of assistance under the Act, as required by section 711 of the Act;

l. Subject to the provisions of section 3.02 of this order, issuance of rules, regulations, and procedures as appropriate to carry out provisions of the Act; and

m. Undertake such other activities as are necessary and proper to assure effective administration of the Act.

**Sec. 5. Organization and assignment of functions.** .01 The organization structure and assignment of functions within the Administration shall be prescribed and approved in a separate Department Order (4-B) to be issued over the signatures of the Assistant Secretary for Administration and the Assistant Secretary.

.02 Subject to applicable legal requirements, the Administrator is authorized to continue the organization structure formerly established for the Area Redevelopment Administration in the Economic Development Administration up to a maximum of 90 days from the date of the Department Order described in section 5.01 above, during which time the Administrator shall implement a schedule of transition to the new organization.

**Sec. 6. Transfer of personnel, assets, records, equipment and property.** .01 Subject to the appointing power of the Secretary, the personnel and their positions formerly assigned to the Area Redevelopment Administration are hereby transferred to the Administration. The equipment and property formerly assigned to the Area Redevelopment Administration are also hereby transferred to the Administration.

.02 The Assistant Secretary of Commerce for Administration, acting through appropriate offices of the Department, shall take such further actions as may be necessary to effectuate the transfer of personnel, equipment, and property to the Administration from the Area Redevelopment Administration.

.03 Pursuant to the provisions of section 704(a) of the Public Works and Economic Development Act of 1965, the assets, funds, contracts, loans, liabilities,

commitments, authorizations, allocations, and records of the Area Redevelopment Administration are hereby transferred to the Administrator for Economic Development.

Sec. 7. *Savings provision.* .01 All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law by or related to the Area Redevelopment Administration or any official thereof shall continue in full force and effect until rescinded or modified by proper authority.

Effective date. September 1, 1965.

DAVID R. BALDWIN,  
Assistant Secretary  
for Administration.

[F.R. Doc. 65-9419; Filed, Sept. 7, 1965;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Education Office

#### APPLICATIONS FOR FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

##### Notice of Acceptance for Filing

Notice is hereby given that effective with this publication the following described applications, for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

The Board of Public Instruction of Escambia County, Fla., 215 West Garden Street, Pensacola, Fla., File No. 111, for the establishment of a new noncommercial educational television station on Channel 21, Pensacola, Fla.

Weber County School District, 1122 Washington Boulevard, Ogden, Utah, File No. 112, to expand the operation of the noncommercial educational television station on Channel 18, Ogden, Utah.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this publication, file comments regarding the above applications with the Director, Educational Television Facilities Program, U.S. Office of Education, Washington, D.C., 20202. (76 Stat. 94, 47 U.S.C. 390)

JOHN R. BRUGGER,  
Acting Director, Educational  
Television Facilities Program,  
U.S. Office of Education.

[F.R. Doc. 65-9446; Filed, Sept. 7, 1965;  
8:50 a.m.]

### Food and Drug Administration

#### AMERICAN CYANAMID CO.

#### Notice of Filing of Petition for Food Additives Emulsifiers and/or Surface-Active Agents

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act

(sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5B1714) has been filed by American Cyanamid Co., Wayne, N.J., 07470, proposing an amendment to § 121.2541 *Emulsifiers and/or surface-active agents* to provide for the use of tetrasodium *N*-(1,2-dicarboxyethyl)-*N*-octadecylsulfosuccinamate as a polymerization emulsifier for resins applied to tea-bag material.

Dated: August 31, 1965.

MALCOLM R. STEPHENS,  
Assistant Commissioner  
for Regulations.

[F.R. Doc. 65-9444; Filed, Sept. 7, 1965;  
8:50 a.m.]

### UNITED STATES ATOMIC ENERGY COMMISSION

#### Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6M1820) has been filed by the U.S. Atomic Energy Commission, Washington, D.C., 20545, proposing an amendment to § 121.2543 *Packaging materials for use in radiation preservation of prepackaged foods* to provide for the use of gamma radiation on nylon films made from resins conforming to § 121.2502. The exposure to the gamma radiation is incidental to food-processing operations and does not exceed a dose of one megarad.

Dated: August 31, 1965.

MALCOLM R. STEPHENS,  
Assistant Commissioner  
for Regulations.

[F.R. Doc. 65-9421; Filed, Sept. 7, 1965;  
8:47 a.m.]

### Welfare Administration

#### FEDERAL MEDICAL ASSISTANCE PERCENTAGE

##### Promulgation

Promulgation of Federal medical assistance percentage for purposes of State expenditures for medical assistance under Title XIX of the Social Security Act.

Pursuant to section 1905(b) of the Social Security Act, as amended by section 121(a) of the Social Security Amendments of 1965 (P.L. 89-97), which provides for determination and promulgation of the Federal medical assistance percentage in accordance with the provisions of section 1101(a)(8)(B) of such Act (42 U.S.C. 1301(a)(8)(B)), except as modified by such section 1905(b),

And it having been found that the three most recent calendar years for which satisfactory data are available from the Department of Commerce as to the per capita income of each State and of the United States are the years 1962, 1963, and 1964,

The Federal medical assistance percentage, as indicated below, for purposes of Federal financial participation

in those State expenditures under Title XIX of such Act that are for medical assistance on behalf of families with dependent children, individuals under the age of 21, and aged, blind, or permanently and totally disabled individuals, whose income and resources are insufficient to meet the costs of necessary medical services, for each of the fifty States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands, as specified in such Act, or as determined pursuant thereto, and on the basis of said income data, is hereby promulgated for each of the six quarters in the period beginning January 1, 1966, and ending with the close of June 30, 1967:

State	Federal medical assistance percentage
Alabama	79.88
Alaska	50.00
Arizona	63.94
Arkansas	81.67
California	50.00
Colorado	53.06
Connecticut	50.00
Delaware	50.00
District of Columbia	50.00
Florida	65.21
Georgia	74.91
Hawaii	52.97
Idaho	70.73
Illinois	50.00
Indiana	55.77
Iowa	60.39
Kansas	61.45
Kentucky	76.70
Louisiana	76.41
Maine	69.57
Maryland	50.00
Massachusetts	50.00
Michigan	50.31
Minnesota	60.46
Mississippi	63.00
Missouri	53.30
Montana	62.86
Nebraska	60.39
Nevada	50.00
New Hampshire	61.31
New Jersey	50.00
New Mexico	70.73
New York	50.00
North Carolina	75.58
North Dakota	66.67
Ohio	52.33
Oklahoma	70.33
Oregon	54.13
Pennsylvania	54.35
Rhode Island	56.13
South Carolina	81.30
South Dakota	71.05
Tennessee	76.86
Texas	67.27
Utah	66.39
Vermont	68.44
Virginia	66.36
Washington	50.31
West Virginia	74.27
Wisconsin	67.60
Wyoming	55.47
Guam	55.00
Puerto Rico	55.00
Virgin Islands	55.00

Dated: August 23, 1965.

[SEAL] ELLEN WINSTON,  
Commissioner of Welfare.

Approved: August 31, 1965.

JOHN W. GARDNER,  
Secretary.

[F.R. Doc. 65-9422; Filed, Sept. 7, 1965;  
8:47 a.m.]

**CIVIL AERONAUTICS BOARD**

[Docket No. 16387]

**FLYING TIGER LINE INC.; MERCURY AND GENERAL AMERICAN CORP. ACQUISITION**

**Notice of Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on September 17, 1965, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Robert L. Park.

Dated at Washington, D.C., September 2, 1965.

[SEAL] THOMAS L. WREN,  
Associate Chief Examiner.

[P.R. Doc. 65-9453; Filed, Sept. 7, 1965; 8:52 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket Nos. 15856, 15857; FCC 65M-1133]

**CHAPMAN RADIO & TELEVISION CO. AND ANNISTON BROADCASTING CO.**

**Order Continuing Hearing**

In re applications of William A. Chapman and George K. Chapman, doing business as Chapman Radio & Television Co., Anniston, Ala., Docket No. 15856, File No. BPCT-3317; Anniston Broadcasting Co., Anniston, Ala., Docket No. 15857, File No. BPCT-3320; for construction permit for new television broadcast station.

The Chief Hearing Examiner having under consideration a motion in behalf of Anniston Broadcasting Co., filed August 30, 1965, for continuance of the hearing in the above-entitled proceeding which heretofore was scheduled for September 8, 1965;

It appearing, that good and sufficient cause, within the meaning of the Commission's rules, is shown in support of the instant motion, and that all interested parties consent to the granting thereof;

It is ordered, This 1st day of September 1965, that the motion is granted, and that the hearing herein is continued from September 8 to October 27, 1965.

Released: September 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9460; Filed, Sept. 7, 1965; 8:54 a.m.]

[Docket Nos. 15668, 15708; FCC 65M-1134]

**CHICAGOLAND TV CO. AND CHICAGO FEDERATION OF LABOR AND INDUSTRIAL UNION COUNCIL**

**Order Continuing Hearing**

In re applications of Frederick B. Livingston and Thomas L. Davis, doing

business as Chicagoland TV Co., Chicago, Ill., Docket No. 15668, File No. BPCT-3116; Chicago Federation of Labor and Industrial Union Council, Chicago, Ill., Docket No. 15708, File No. BPCT-3439; for construction permit for new television broadcast station (Channel 50).

It appearing, that there is now pending before the Review Board a petition to enlarge issues filed by Chicago Federation of Labor and Industrial Union Council; that in light of the Commission's Order in Ultravision Broadcasting Company, Docket No. 15254, released July 2, 1965, and the Public Notice in clarification thereof released July 8, 1965 (FCC 65-595), the said petition is likely to be granted in substance; and that if the said petition is granted it is probable that the proceedings now scheduled to resume on September 8, 1965, will be materially affected;

It further appearing, that in such circumstances it is appropriate in the interest of orderly procedure to postpone further hearings herein until such time as the Review Board disposes of the matters now before it;

It is ordered, This 2d day of September 1965, that further hearings herein are continued pending further order.

Released: September 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9461; Filed, Sept. 7, 1965; 8:55 a.m.]

[Docket No. 14650; FCC 65M-1130]

**DOMESTIC TELEGRAPH SERVICE**

**Order Scheduling Further Hearing**

The Examiner having under consideration the need for establishing an appropriate means of providing for the introduction into this record of the 7-way cost study prepared by The American Telephone & Telegraph Co. for this proceeding, together with such explanatory matter as may be relevant and appropriate thereto;

It is ordered, This 1st day of September 1965, that a further hearing session be held in this proceeding on September 10, 1965, commencing at 10 a.m., in Room 7134 at the Commission's offices in Washington, D.C., for the purpose of receiving the aforesaid cost study into the record of this proceeding and for the further purpose of receiving such testimony and evidence as The American Telephone & Telegraph Co. may desire to present in explanation and in supplementation thereof; and

It is further ordered, That no cross-examination pertaining to such cost study or related evidence will be undertaken at such session (exclusive of questions for clarification purposes only), and that such cross-examination as may be deemed necessary and appropriate shall be undertaken at a further hearing session on a date to be set after consultation with the parties interested and present at the hearing session herein designated.

Released: September 1, 1965.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9462; Filed, Sept. 7, 1965; 8:55 a.m.]

[Docket Nos. 16020-16022; FCC 65R-327]

**FIDELITY RADIO, INC., ET AL.**

**Memorandum Opinion and Order Amending Issues**

In re applications of Fidelity Radio, Inc., Louisville, Ky., Docket No. 16020, File No. BPH-3981; Producers, Inc., Louisville, Ky., Docket No. 16021, File No. BPH-4396; WHAS, Inc., Louisville, Ky., Docket No. 16022, File No. BPH-4630; for construction permits.

1. The Review Board has before it for consideration a motion to enlarge issues, filed June 11, 1965, by WHAS, Inc., to add a character qualifications issue against Fidelity Radio, Inc. (Fidelity).<sup>1</sup>

2. This proceeding involves three applications for a new FM broadcast station at Louisville, Ky. These mutually exclusive applications were designated for hearing on issues concerning areas and populations to be served; Fidelity's financial qualifications; and the standard comparative issue.

3. WHAS's motion for the addition of a character qualifications issue is predicated upon the alleged misconduct of Fidelity's president and majority stockholder, Stephen A. Cisler.<sup>2</sup> The charges involve Cisler's conduct as president and majority stockholder of Bay Radio, Inc., former licensee of Station KEAR, San Francisco.

4. Attached to WHAS's motion is a copy of a civil complaint and the resulting default judgment. The suit was brought by one Jack D. Morrison, a minority stockholder of Bay Radio. The judgment was filed in Superior Court for San Francisco County on September 20, 1963. The defendants were Bay Radio, Inc., Atlas Broadcasting Corp., and Cisler, individually. In summary, the complaint alleged that Bay Radio had leased the facilities of Station KEAR to Mid-America Broadcasters, Inc.; the transfer of Station KEAR was approved by the Commission (Bay Radio, Inc., 22 FCC 1351, 15 RR 211); subsequently, the lease was assigned to Atlas, the co-defendant

<sup>1</sup>The pleadings before the Board are as follows: (1) motion to enlarge issues, filed by WHAS on June 11, 1965; (2) comments by the Broadcast Bureau in support of motion to enlarge, filed June 24, 1965; (3) Fidelity Radio's opposition to motion to enlarge, filed June 24, 1965; and (4) reply to opposition to motion to enlarge, filed July 6, 1965, by WHAS.

<sup>2</sup>The ownership and officers of Fidelity Radio, Inc., are listed in the application (Table I, Section II, page 3) as follows: Stephen A. Cisler, 300 shares of stock, 60 percent owner, director and president; Rachel W. Cisler, 199 shares of stock, 39.9 percent owner, director and vice-president; and Lucinda Lee Cisler, 1 share of stock, 0.1 percent owner, director and secretary. The application states further that Cisler and his wife are respectively president and vice-president of Bay Radio, Inc. (Table II, Section II, page 4), and Cisler alleges ownership of 60 percent of the stock and states his wife is a minority stockholder.

In the suit; monies obtained by reasons of the lease were to be used to pay Bay Radio's creditors; but in fact, the complaint charged, Cislser appropriated the proceeds of the lease for his own use. To date, allegedly, none of the creditors have received any money from the lease, and the complaint charged the officers of Bay Radio with complete failure in the performance of their fiduciary duties.<sup>5</sup> Service of the complaint was made by publication, and a copy was received by Cislser through ordinary mail, according to the affidavit attached to Fidelity's reply. Failing to answer the complaint or make any appearance in the action, a default judgment was entered against all of the defendants. With reference to Cislser's alleged misconduct, the judgment states:

The Court finds, that all of the allegations of the complaint are true, specifically, but not limited to the allegation of fraud of defendant Stephen A. Cislser against Bay Radio, Inc., a California corporation, malfeasance in office and violation of fiduciary duties owed by a director and officers of the corporation and a misappropriation of funds and monies due to the corporation which were received by defendant Stephen A. Cislser, which allegations are sustained by evidence \* \* \*.

5. The judgment was signed on September 19, 1963, and filed in the office of the clerk of Superior Court the following day. Fidelity's application was filed on December 21, 1962. The Commission was not informed of the subsequent judgment and no attempt was made to amend the application. The application states that there are no outstanding or unsatisfied judgments (para. 10g, section II, page 2). At present the judgment is being sued upon in an action commenced in the Federal District Court of Kentucky.

6. In urging the addition of a character qualifications issue, WHAS contends that the California judgment reflects an adjudication of the fact that Cislser misappropriated corporate funds and was malfeasant in the performance of his duties as a corporate officer. The Broadcast Bureau supports WHAS's request for the addition of such issue, arguing that the alleged facts give rise to substantial questions concerning Cislser's character qualifications to be a licensee of this Commission. The Bureau further contends that the failure of Fidelity to inform the Commission of the subsequent judgment may constitute affirmative misrepresentation. Section 1.65 of the rules requires applicants to amend their applications as promptly as possible,

<sup>5</sup> According to the Initial Decision, Bay Radio, Inc., supra, FCC 57D-33, 15 RR 211, the following are in part the terms undertaken by Bay Radio with respect to its performance after commencement of the lease:

Under the plan for assignment of the KEAR license to Mid-America Broadcasters, Inc., Bay Radio, Inc., is to continue to function and be responsible to its creditors and stockholders for at least the life of the lease with Mid-America covering the physical property of the station. From the rental all current obligations of the corporation to unsecured creditors will be met, followed by accrued dividends due preferred stockholders and the calling of preferred shares and payment therefor.

whenever the information furnished is no longer substantially accurate.

7. In opposition to WHAS's petition, Fidelity contends that the California default judgment is subject to collateral attack on procedural grounds. Fidelity asserts that the judgment is unenforceable under the "full faith and credit clause" of the U.S. Constitution, because the plaintiff did not obtain personal jurisdiction over the defendants. If the judgment is unenforceable, Fidelity continues, the Kentucky Court may make new findings of fact resulting in conclusions of law different from those reached by the California court; hence the motion to enlarge should not be decided until the Kentucky court makes a determination of the legal validity of the California judgment. As to the alleged failure to amend its application subsequent to the judgment, Fidelity contends that since the judgment is unenforceable, it is not "outstanding" or "unsatisfied", therefore Fidelity was not bound to inform the Commission. In his affidavit Cislser states that he is not guilty of the charges alleged in the complaint; that he will defend the charges on the merits in the Kentucky court; and that he did not answer or otherwise respond to the California complaint on advice of counsel.

8. The fact that the alleged misconduct was revealed by the commencement of a civil action does not affect the gravity of the charge, nor does it limit inquiry into the underlying facts. The Commission's view is expressed in its Report on Uniform Policy as to Violations by Applicants of Laws of the United States, 1 RR (Part 3) 91:495, 498-499:

It is irrelevant to the determination of qualifications whether the violation is in a civil or criminal case. In either case, it is the conduct of the applicant and not the type of suit brought that is important.

The alleged misappropriation of corporate funds by Cislser raises a serious question respecting Fidelity's qualifications to be a licensee.<sup>6</sup> The questions raised by the complaint have not been resolved; therefore the underlying facts must be examined at the hearing. Spanish International Television Co., FCC 64R-239, 2 RR 2d 853. Institution of a civil action against an applicant may not substantiate the addition of a character qualifications issue (Westinghouse Radio Stations, Inc., 10 RR 878 (1955)) but the entry of the California judgment is an adequate basis for the addition of such issue. Cf. Rockland Broadcasting Co., FCC 62R-152, 24 RR 739. Section 1.65 of the Commission's Rules places an affirmative duty of continuing accuracy upon all applicants. Accordingly, an issue will be added.

9. WHAS suggests that the burden of proof with respect to the misappropriation issue be placed upon Fidelity. Recently, the Commission stated (D and E

<sup>6</sup> Even though the evidence adduced pursuant to the issues which are being added might not warrant the disqualification of Fidelity Radio, Inc., for lack of requisite character qualifications, such evidence would nevertheless be pertinent to a determination of which of the applicants is to be preferred on comparative grounds. See Policy Statement on Comparative Broadcast Hearings, FCC 65-689, paragraph 6, July 28, 1965.

Broadcasting Co., FCC 65-620, released July 16, 1965):

Generally speaking, when hearing issues involving serious misconduct are designated as the result of a petition to deny or a petition to enlarge issues, the burden of proceeding with the evidence and the burden of proof will be placed upon the party making the charges.

The statement goes on to recognize "that there may be cases in which departure from this general practice may be justified," in which cases the reason for placing the burden upon the applicant will be explained. It can be argued that the instant case should be treated as a departure from the general practice, for most of the hard evidence upon which the issues concerning Cislser must be decided are in his control and possession and not readily available to WHAS. The Board believes that this would be a persuasive argument were it not for the fact that much the same situation existed in D&E, yet the Commission concluded that the burden should have been upon the Broadcast Bureau. The essential similarity between the two cases convinces the Board that the general policy should be applied and the burden of proof and the initial burden of proceeding be placed upon WHAS. It will be up to the Examiner, initially, to decide at what point the burden of proceeding devolves upon Fidelity, taking into account, of course, the fact that the California judgment may be all that is readily available to WHAS and that the basic facts, such as books of account, etc., are in the possession of Fidelity.

Accordingly, it is ordered, This 31st day of August 1965, That the motion of WHAS, Inc., to enlarge issues, filed on June 11, 1965, is granted; and that the issues herein are enlarged by the addition of the following issues:

To determine whether Stephen A. Cislser, owner of 60 percent of the stock, President, and member of the Board of Directors of Fidelity Radio, Inc., misappropriated to his own use monies and property belonging to Bay Radio, Inc., a California corporation and formerly licensee of Station KEAR, San Francisco; and whether Cislser, as President of Bay Radio, Inc., failed to perform properly the fiduciary duties required of him as officer of said corporation.

To determine whether Fidelity Radio, Inc. or Stephen A. Cislser, as its President and authorized representative, failed to perform the responsibilities of continued accuracy and completeness of information furnished in a pending application as required by Section 1.65 of the Commission's Rules by the failure or omission to amend its application subsequent to the filing of a judgment by the Superior Court for San Francisco County, Calif., on September 20, 1963, which judgment bears No. 531993 in light of the fact that said application states there are no unsatisfied or outstanding judgments (sec. II, paragraph 10g).

To determine whether, in light of the evidence adduced pursuant to the foregoing issues Fidelity Radio, Inc., has the requisite character qualifications to be a broadcast licensee of this Commission.

Released: September 2, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION.

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9463; Filed, Sept. 7, 1965;  
8:55 a.m.]

[Docket Nos. 16116-16118; FCC 65M-1131]

**HUNTINGDON BROADCASTERS, INC., ET AL.**

**Order; Postponement of Procedural Dates**

In re applications of Huntingdon Broadcasters, Inc., Huntingdon, Pa., Docket No. 16116, File No. BPH-4394; WDAD, Inc., Indiana, Pa., Docket No. 16117, File No. BPH-4415; Clearfield Broadcasters, Inc., Clearfield, Pa., Docket No. 16118, File No. BPH-4416; for construction permits.

The Hearing Examiner having under consideration the "Petition for Change of Date" filed by counsel for WDAD, Inc., and Clearfield Broadcasters, Inc., on August 19, 1965, requesting that the pre-hearing conference heretofore scheduled for September 9, 1965, be postponed to October 7, 1965, and that the date for commencement of the hearing be postponed from October 7 to November 4, 1965;

It appearing, that the Petition for the postponement in dates as specified above is predicated on the pendency of a timely Petition for Reconsideration submitted on August 19 by WDAD and Clearfield to the Commission seeking grants without hearing of their respective applications;

It further appearing, that counsel for the other parties have informally consented to the grant of the subject petition for change in procedural dates, and that the circumstances stated in the petition show "good cause" for favorable consideration of this pleading;

Accordingly, it is ordered, This 1st day of September 1965, that the "Petition for Change of Date" filed August 19, 1965, by WDAD, Inc., and Clearfield Broadcasters, Inc., is granted, the pre-hearing conference heretofore scheduled for September 9, 1965, is postponed to October 7, 1965, at 9 a.m. and the commencement of hearing is postponed from October 7 to November 4, 1965, at 10 a.m., with all proceedings to be held in the Commission's offices at Washington, D.C.¹

Released: September 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-9464; Filed, Sept. 7, 1965; 8:55 a.m.]

[Docket No. 15658; FCC 65M-1132]

**NAUGATUCK VALLEY SERVICE, INC. (WOWW)**

**Order Continuing Hearing**

In re application of Naugatuck Valley Service, Inc. (WOWW), Naugatuck, Conn., Docket No. 15658, File No. BP-14829; for construction permit.

Under consideration is a Motion to Reschedule Hearing Date in the above-

¹These postponed dates are subject to advancement, consistent with the schedules in other matters of all concerned in the event the "Petition for Reconsideration" is acted upon earlier than expected.

entitled proceeding, filed on August 30, 1965, by Naugatuck Valley Service, Inc., requesting that the hearing now scheduled for September 2, 1965, be continued to September 23, 1965;

And, cause for continuance being asserted in the following terms:

"Pursuant to a series of conferences in July, the consulting engineer for WAWZ has been working on a modified pattern with a view to affording the respondents additional protection. He has come up with minor changes which it is understood are acceptable to the applicant and to the respondents. Because of prior commitments, the engineers for WAWZ and WOWW are unable to meet the September 2 further hearing date.

"Accordingly, a postponement to September 23 is requested. Applicant proposes to submit copies of the engineering amendment, as prepared by WAWZ's engineer, and an accompanying petition for leave to amend, on or before September 9. During the two ensuing weeks WOWW will update its previously exchanged exhibit—in time for a further (and hopefully) a final hearing on September 23. Counsel for the other parties are agreeable to the schedule here outlined and consent to a waiver of the four-day rule";

And it appearing that under the circumstances, good cause for grant of the motion has been shown:

It is ordered, This 1st day of September 1965, that the motion is granted and hearing in this proceeding, which is now scheduled for September 2, 1965, is continued to September 23, 1965.

Released: September 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-9465; Filed, Sept. 7, 1965; 8:55 a.m.]

**FEDERAL MARITIME COMMISSION  
JAPAN-PUERTO RICO AND VIRGIN ISLANDS FREIGHT CONFERENCE**

**Notice of Agreement Filed for Approval**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. P. Gillette, Chairman, Japan/Puerto Rico and Virgin Islands Freight Conference, Kindai Building, 11, 3-Chome Kyobashi, Chuo-ku, Tokyo, Japan.

Agreement 8190-6 between the members of the Japan-Puerto Rico and Virgin Islands Freight Conference modifies the basic agreement of that conference (Agreement 8190, as amended) to delegate the Chairman authority to obtain the votes of the parties by telephone in lieu of meeting in conference.

Dated: September 2, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Special Assistant to Secretary.

[F.R. Doc. 65-9456; Filed, Sept. 7, 1965; 8:53 a.m.]

**JAPAN-PUERTO RICO AND VIRGIN ISLANDS FREIGHT CONFERENCE**

**Notice of Agreement Filed for Approval**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. P. Gillette, Chairman, Japan/Puerto Rico and Virgin Islands Freight Conference, Kindai Building, 11, 3-Chome Kyobashi, Chuo-ku, Tokyo, Japan.

Agreement 8190-7 between the members of the Japan-Puerto Rico and Virgin Islands Freight Conference modifies the basic agreement of that conference (Agreement 8190, as amended) to limit the amount of compensation payable to freight forwarders to an amount fixed by resolution of the conference, for such services as freight computation and preparation of copies of bills of lading.

Dated: September 2, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Special Assistant to Secretary.

[F.R. Doc. 65-9457; Filed, Sept. 7, 1965; 8:54 a.m.]

## POLISH OCEAN LINES AND V/O "SOVFRACHT"

### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Raymond Horgan, Executive Vice President, Stockard Shipping Co., Inc., Agents, 17 Battery Place, New York, N.Y., 10004.

Agreement 9495, between Polish Ocean Lines (Gdynia, Poland) and V/O "Sovfracht" (Moscow), the agent of Soviet Flag common carriers, covers a through billing arrangement on cargo from U.S. North Atlantic ports (Hampden Roads/Portland, Maine Range) to Baltic ports of the U.S.S.R., with transshipment at ports in the Antwerp/Hamburg range and ports of Poland, under terms and conditions set forth in the agreement.

Dated: September 2, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Special Assistant to the Secretary.

[P.R. Doc. 65-9458; Filed, Sept. 7, 1965;  
8:54 a.m.]

## POLISH OCEAN LINES AND V/O "SOVFRACHT"

### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal

Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Raymond Horgan, Executive Vice President, Stockard Shipping Co., Inc., Agents, 17 Battery Place, New York, N.Y., 10004.

Agreement 9496, between Polish Ocean Lines (Gdynia, Poland) and V/O "Sovfracht" (Moscow), the agent of Soviet Flag common carriers, covers a through billing arrangement on cargo from U.S. Gulf ports (Miami, Florida to Brownsville, Texas) to Baltic ports of the U.S.S.R., with transshipment at ports in the Antwerp/Hamburg range and ports of Poland, under terms and conditions set forth in the agreement.

Dated: September 2, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Special Assistant to the Secretary.

[P.R. Doc. 65-9459; Filed, Sept. 7, 1965;  
8:54 a.m.]

## TRANS PACIFIC FREIGHT CONFERENCE

### Notice of Agreement Filed for Approval

#### Correction

In P.R. Doc. 65-9279, appearing at page 11292 of the issue for Thursday, September 2, 1965, the following change should be made: In the thirteenth line of the second paragraph, the phrase "within 50 days after publication of this notice" should read "within 5 days after publication of this notice".

## GENERAL SERVICES ADMINISTRATION

### COPPER IN NATIONAL STOCKPILE Proposed Disposition

Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e), notice is hereby given of the proposed disposition of approximately 110,000 short tons of copper now held in the national stockpile.

This quantity of copper is excess to the needs of the stockpile as a result of a revised determination made by the Office of Emergency Planning pursuant to section 2 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98a, with respect to the quantity of copper to be stockpiled.

The General Services Administration proposes to transfer said copper to the Bureau of the Mint, at fair market value as determined by the Administrator of General Services.

The General Services Administration is requesting the Congress to enact legis-

lation which would provide approval by the Congress of such transfer and also waive the six-month waiting period prescribed by section 3(e) of the Stock Piling Act. The copper will be available for transfer upon the enactment of such legislation.

Dated: August 27, 1965.

LAWSON B. KNOTT, Jr.,  
Administrator of General Services.

[P.R. Doc. 65-9434; Filed, Sept. 7, 1965;  
8:49 a.m.]

## HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

### ACTING REGIONAL DIRECTOR OF COMMUNITY FACILITIES REGION VI (SAN FRANCISCO)

#### Designation

The officers appointed to the following listed positions in Region VI (San Francisco) are hereby designated to serve as Acting Regional Director of Community Facilities, Region VI, during the absence of the Regional Director of Community Facilities with all the powers, functions, and duties redelegated or assigned to the Regional Director of Community Facilities, Region VI, provided that no officer is authorized to serve as Acting Regional Director of Community Facilities unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Regional Director of Community Facilities.
2. Chief, Finance Branch.
3. Chief, Senior Citizens Housing Operations Branch.

This designation supersedes the designation effective May 20, 1964 (29 F.R. 10631-2, July 30, 1964).

(Housing and Home Finance Administrator's delegation effective May 4, 1962 (27 F.R. 4319, May 4, 1962))

Effective as of the 22d day of November 1964.

[SEAL] JACK R. SCHONBORN,  
Acting Regional Administrator,  
Region VI.

[P.R. Doc. 65-9455; Filed, Sept. 7, 1965;  
8:53 a.m.]

### REGIONAL DIRECTOR OF URBAN RENEWAL, REGION I (NEW YORK) ET AL.

#### Redelegation of Authority With Respect to Rehabilitation Loans

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region I (New York), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's dele-

gation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] LESTER EISNER, Jr.,  
Regional Administrator, Region I.

[F.R. Doc. 65-9439; Filed, Sept. 7, 1965; 8:50 a.m.]

**REGIONAL DIRECTOR OF URBAN RENEWAL, REGION II (PHILADELPHIA), ET AL.**

**Redelegation of Authority With Respect to Rehabilitation Loans**

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region II (Philadelphia), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] WARREN P. PHELAN,  
Regional Administrator, Region II.

[F.R. Doc. 65-9440; Filed, Sept. 7, 1965; 8:50 a.m.]

**REGIONAL DIRECTOR OF URBAN RENEWAL, REGION III (ATLANTA), ET AL.**

**Redelegation of Authority With Respect to Rehabilitation Loans**

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region III (Atlanta), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] EDWARD H. BAXTER,  
Regional Administrator, Region III.

[F.R. Doc. 65-9438; Filed, Sept. 7, 1965; 8:49 a.m.]

**REGIONAL DIRECTOR OF URBAN RENEWAL, REGION IV (CHICAGO), ET AL.**

**Redelegation of Authority With Respect to Rehabilitation Loans**

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region IV (Chicago), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] JOHN P. MCCOLLUM,  
Regional Administrator, Region IV.

[F.R. Doc. 65-9437; Filed, Sept. 7, 1965; 8:49 a.m.]

**REGIONAL DIRECTOR OF URBAN RENEWAL, REGION V (FORT WORTH), ET AL.**

**Redelegation of Authority With Respect to Rehabilitation Loans**

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region V (Fort Worth), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] W. W. COLLINS,  
Regional Administrator, Region V.

[F.R. Doc. 65-9438; Filed, Sept. 7, 1965; 8:49 a.m.]

**REGIONAL DIRECTOR OF URBAN RENEWAL, REGION VI (SAN FRANCISCO), ET AL.**

**Redelegation of Authority With Respect to Rehabilitation Loans**

The Regional Director of Urban Renewal, the Regional Rehabilitation Loan Officer, and each Area Rehabilitation Loan Specialist, Region VI (San Francisco), Housing and Home Finance Agency, is hereby authorized within the Region to exercise the authority delegated to the Regional Administrator by the Housing and Home Finance Admin-

istrator's delegation of authority effective July 17, 1965 (30 F.R. 9024, July 17, 1965), with respect to rehabilitation loans authorized under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation)

Effective as of the 8th day of September 1965.

[SEAL] ROBERT B. PITTS,  
Regional Administrator, Region VI.

[F.R. Doc. 65-9441; Filed, Sept. 7, 1965; 8:50 a.m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 811-1139]

**MANAGEMENT CAPITAL CORP.**

**Notice of Application for Order Declaring That Company Has Ceased To Be an Investment Company**

SEPTEMBER 1, 1965.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Management Capital Corp. ("applicant"), 2101 North Federal Highway, Fort Lauderdale, Fla., a Florida Corporation and a registered, closed-end, non-diversified, management investment company and until November 16, 1962, a licensee under Small Business Investment Act of 1958, as amended, has ceased to be an investment company.

Applicant represents that it has been the wholly owned subsidiary of Investment Corp. of Florida ("ICOF"), a publicly owned Florida Corporation and that ICOF acquired all of applicant's initial issue of 5,100 shares of common stock for \$510,000. It is stated that this transaction was exempt from registration under section 4(2) of the Securities Act of 1933, as a transaction by an issuer not involving any public offering.

On September 28, 1962, applicant surrendered its license under the 1958 Act to the Small Business Administration ("SBA"). Such surrender was duly accepted by the SBA on November 16, 1962. Before applicant surrendered its license, with the consent of the SBA and of ICOF, applicant reduced its capital to approximately \$302,500, distributing assets to the sole stockholder, ICOF, in exchange for and in redemption of 2,075 shares of its common stock. When it appeared that it would remain inactive, applicant further reduced its capital and ultimately was completely liquidated. Applicant's assets remaining after payment of its liabilities were distributed to ICOF. With the approval of ICOF, applicant dissolved, effective as of January 13, 1965. Applicant states that it has not issued any other shares of its stock or any other securities, and ICOF did not sell or exchange any of the shares of stock issued to it. Applicant did not

enter into any commitments to make, or make, any loans or investments or otherwise become active in any way.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than September 23, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

It is ordered, That the Secretary of the Commission shall send a copy of this Notice by certified mail to the Director, Office of Investment Assistance, Small Business Administration, Washington, D.C., 20416.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[P.R. Doc. 65-9420; Filed, Sept. 7, 1965;  
8:47 a.m.]

[812-1823]

### FIRST NATIONAL CITY BANK

#### Notice of Filing of Application for Order of Exemption

SEPTEMBER 2, 1965.

Notice is hereby given that First National City Bank ("Bank"), 399 Park Avenue, New York, N.Y., 10022, a national banking association, has filed an application on behalf of its proposed Commingled Investment Account ("Commingled Account") pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting the Commingled Account from the provisions of sections 10(b)(3), 10(c), 10(d)(2), 15(a), 16(a), 17(f), 17(g), and 32(a)(2) of the Act. All interested persons are referred to the application on file with the Commission for a statement

of the representations therein which are summarized below.

The Bank represents that prior to the issuance of any order pursuant to section 6(c) of the Act with respect to any exemption requested in its application, the Commingled Account will be registered under the Act. Upon registration and grant of the requested order, the Commingled Account will operate as a diversified open-end management investment company and as a collective investment fund pursuant to applicable regulations of the Comptroller of the Currency.

The Bank proposes to accept custody of and investment discretion with respect to minimum accounts of \$10,000 pursuant to an agreement signed by customers authorizing the Bank to invest such funds in the Commingled Account. The Commingled Account will be divided into units of equal value, and the proportionate interest of each participating customer ("Participant") will be expressed by the number of such units allocated thereto.

Following registration under the Act, the initial \$100,000 required by section 14(a) of the Act will be obtained through a private offering to a small group of persons intending to acquire such units for investment. Following the effective date of the registration of units of the Commingled Account under the Securities Act of 1933, moneys of customers of the Bank will be added to the Commingled Account as of specified valuation dates, their accounts being credited with units of participation at the then net asset value of such units.

The Commingled Account will have no underwriter. The Bank will, as agent for each customer who has signed the required authorization, take the necessary steps to have the customer's moneys admitted to the Commingled Account.

The operation of the Commingled Account will be subject to the supervision of a committee of at least three persons ("Committee"), one of whom will not be affiliated with the Bank. Initially, the members of the Committee will be appointed by the Bank. Thereafter, the members of the Committee will be elected by the Participants at annual meetings. It is expected that the first annual meeting of the Participants will be held not less than 60 days after the end of the Commingled Account's first fiscal year.

Prior to the commencement of operation of the Commingled Account, it is expected that the Committee will enter into a management agreement with the Bank, subject to the approval of the Participants at their first annual meeting. Pursuant to the agreement the Bank will maintain a continuous investment program, will determine what securities are to be purchased or sold, and will execute transactions, for the Commingled Account. The Bank will furnish administrative and clerical services required for the operation of the Commingled Account, and will act as custodian of the securities and other assets of the Commingled Account. The Commingled Account itself will have no officers or employees.

It is expected that the Committee will select, within 30 days of the establishment of the Commingled Account and with the concurrence of members of the Committee who are not affiliated with the Bank, a firm of independent public accountants as the accountants for the Commingled Account's first fiscal year. It is expected that within 30 days before or after the beginning of the second fiscal year, the selection of the accountants will be renewed by the Committee for such fiscal year. The selection of the accountants for the second fiscal year will be submitted for ratification or rejection at the first annual meeting of the Participants.

Section 10(b)(3) of the Act provides that no registered investment company shall have as a director, officer, or employee, any investment banker, or any affiliated person of an investment banker, unless a majority of the board of directors of such registered company shall be persons who are not investment bankers or affiliated persons of any investment banker. Since the Bank may be deemed to be an "investment banker" as defined in section 2(a)(20) of the Act in that it participates from time to time in syndicates underwriting U.S. Government and municipal obligations, the Bank has requested an order exempting the Commingled Account from compliance with section 10(b)(3) of the Act.

Section 10(c) of the Act provides that no registered investment company shall have a majority of its board of directors consisting of persons who are officers or directors of any one bank. Since the Bank is a "bank" within the meaning of section 2(a)(5) of the Act, an exemption from the provisions of section 10(c) is requested.

Section 10(d) of the Act provides that a registered investment company may have a board of directors all the members of which, except one, are affiliated persons of the investment adviser of such company, or are officers or employees of such company, if certain conditions are met. One of these conditions (section 10(d)(2)) is that such investment adviser be registered under the Investment Advisers Act of 1940 and be engaged principally in the business of rendering investment supervisory services as therein defined. Since the Bank is by definition not an "investment adviser" within the meaning of section 202(a)(11) of the Investment Advisers Act of 1940 it therefore cannot register under that Act. Accordingly, the Bank has requested an order of the Commission exempting the Commingled Account from compliance with section 10(d)(2) of the Act so long as the Bank shall be acting as investment adviser to the Commingled Account. The Commingled Account will comply with the other provisions of section 10(d) of the Act so that all members of the Committee except one may be affiliated persons of the Bank, which will be the Commingled Account's investment adviser.

In order that the Commingled Account may operate for a limited period of time without Participant approval of the management agreement, without Par-

Participant election of the members of the Committee, and without Participant approval of the selection of the independent public accountants, as required by sections 15(a), 16(a), and 32(a)(2) of the Act, the Bank has requested an order of the Commission exempting the Commingled Account from compliance with the above sections of the Act. The Bank requests that such exemption remain effective until action can be taken with respect to these matters by the Participants at the first annual meeting of the Participants.

Section 17(f) of the Act requires every registered management investment company to place and maintain its securities and investments in the custody of a bank or in its own custody, but in the latter event only in accordance with such rules, regulations or orders as the Commission shall prescribe in the interests of investors. Rule 17f-2 under the Act prescribes the conditions under which a registered management investment company shall maintain its securities and investments in its own custody including their deposit in a bank for safekeeping. Pursuant to the proposed Management Agreement with the Bank, the securities and investments of the Commingled Account will be deposited in the Bank for safekeeping. The Bank has requested an order of the Commission exempting the Commingled Account from compliance with Rule 17f-2 to the extent that the rule might require that the securities and investments of the Commingled Account be deposited for safekeeping in a bank other than the First National City Bank.

Section 17(g) of the Act provides that the Commission is authorized to require that any officer and employee of a registered investment company who may singly, or jointly with others, have access to securities or funds of any registered investment company be bonded by a reputable fidelity insurance company in such reasonable minimum amounts as the Commission may prescribe. Rule 17g-1 under the Act prescribes the manner in which the amount of such bonds is to be determined and requires certain filings and the giving of certain notices. The Bank has requested an order of the Commission exempting the Commingled Account from compliance with Rule 17g-1 to the extent that the rule might require that the officers and employees of the Bank having access to the securities or funds of the Commingled Account be placed under a bond in compliance with the rule. The Bank requests that such exemption remain effective so long as the securities and other assets of the Commingled Account are placed and maintained in the custody of the Bank whose officers and employees are subject to control and supervision in these respects by other governmental authorities having supervision over banks.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appro-

priate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 20, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon said proposal shall be issued upon request or upon the Commission's own motion.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by certified mail to the Comptroller of the Currency, the Federal Reserve Board and the Federal Deposit Insurance Corporation.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 65-9435; Filed, Sept. 7, 1965; 8:49 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 543]

### ILLINOIS

#### Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Cook, Stephenson, Will, and Winnebago Counties in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may

be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid counties and areas adjacent thereto, suffered damage or destruction resulting from a tornado, and accompanying conditions occurring on or about August 26, 1965.

Office: Small Business Administration Regional Office, 219 South Dearborn Street, Chicago, Ill.

2. Temporary offices will be established in Matteson and Lockport, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1966.

Dated: August 30, 1965.

PIERRE R. LEEF,  
Acting Deputy Administrator.

[F.R. Doc. 65-9403; Filed, Sept. 7, 1965; 8:46 a.m.]

[Delegation of Authority No. 30—Dallas, Tex., Amdt. 1]

### DALLAS, TEXAS

#### Delegation of Authority To Conduct Program Activities in Regional Office

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Southwestern Area, 30 F.R. 3253, as amended, 30 F.R. 9339; Delegation of Authority 30 F.R. 5777, dated April 23, 1965, is hereby amended by deleting Items I.A. 5 and 6.

Effective date, August 24, 1965.

E. E. BEARDEN,  
Regional Director, Dallas Regional Office, SBA Southwestern Area, Dallas, Tex.

[F.R. Doc. 65-9402; Filed, Sept. 7, 1965; 8:45 a.m.]

[Delegation of Authority 30—Denver, Colo., Rocky Mountain Area, Disaster 1, Rev. 1]

#### MANAGER, DISASTER FIELD OFFICE, DENVER, COLO.

#### Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, F.R. 2741, as amended, there is hereby redelegated to the Manager of Denver Disaster Field Office the following authority:

A. *Financial assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$50,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

EUGENE P. FOLEY,  
Administrator,

By \_\_\_\_\_  
(Name)  
Manager, Denver Disaster Field Office.

3. To cancel, reinstate, modify and amend authorization for disaster loans approved under delegated authority.

4. To disburse disaster loans.
5. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

III. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

*Effective date:* August 17, 1965.

R. P. KUTTENKULER,  
Acting Regional Director,  
Denver, Colo.

[F.R. Doc. 65-9395; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30—Denver, Colo.,  
Rocky Mountain Area, Disaster 2, Rev. 1]

### MANAGER, DISASTER FIELD OFFICE, ENGLEWOOD, COLO.

#### Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, F.R. 2741, as amended, there is hereby redelegated to the Manager of Englewood Disaster Field Office the following authority:

A. *Financial assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$50,000.

2. To execute loan authorizations for Washington and Regional office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

EUGENE P. FOLEY,  
Administrator,

By \_\_\_\_\_  
(Name)

Manager, Englewood Disaster Field Office.

3. To cancel, reinstate, modify and amend authorization for disaster loans approved under delegated authority.

4. To disburse disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

IV. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

*Effective date.* August 17, 1965.

R. P. KUTTENKULER,  
Acting Regional Director.

[F.R. Doc. 65-9396; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30—Denver, Colo.,  
Rocky Mountain Area, Disaster 3, Rev. 1]

### MANAGER, DISASTER FIELD OFFICE, LAMAR, COLO.

#### Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, F.R. 2741, as amended, there is hereby redelegated to the Manager of Lamar Disaster Field Office the following authority:

A. *Financial assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$50,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

EUGENE P. FOLEY,  
Administrator,

By \_\_\_\_\_  
(Name)

Manager, Lamar Disaster Field Office.

3. To cancel, reinstate, modify, and amend authorization for disaster loans approved under delegated authority.

4. To disburse disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

IV. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

*Effective date.* August 17, 1965.

R. P. KUTTENKULER,  
Acting Regional Director,  
Denver, Colo.

[F.R. Doc. 65-9397; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30—Denver, Colo.,  
Rocky Mountain Area, Disaster 4, Rev. 1]

### MANAGER, DISASTER FIELD OFFICE, PUEBLO, COLO.

#### Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, F.R. 2741, as amended, there is hereby redelegated to the Manager of Pueblo Disaster Field Office, the following authority:

A. *Financial assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$20,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans ap-

proved under delegated authority, said execution to read as follows:

EUGENE P. FOLEY,  
Administrator,

By \_\_\_\_\_  
(Name)

Manager, Pueblo  
Disaster Field  
Office.

3. To cancel, reinstate, modify and amend authorization for disaster loans approved under delegated authority.

4. To disburse disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undischursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

IV. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

*Effective date.* August 17, 1965.

R. P. KUTTENKULER,  
Acting Regional Director,  
Denver, Colo.

[F.R. Doc. 65-9398; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30, New Orleans  
Regional Office, Amdt. 1]

### NEW ORLEANS, LA.

#### Delegation of Authority To Conduct Program Activities in Regional Office

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Southwestern Area, 30 F.R. 3253, as amended, 30 F.R. 9339; Delegation of Authority, 30 F.R. 5879 is hereby amended by deleting Items I.A.5 and 6.

*Effective date.* August 16, 1965.

E. J. MOLONY,  
Regional Director,  
New Orleans Regional Office.

[F.R. Doc. 65-9399; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30, Oklahoma City,  
Okla., Amdt. 1]

### OKLAHOMA CITY, OKLA.

#### Delegation of Authority To Conduct Program Activities in Regional Office

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Southwestern Area, 30 F.R. 3253, as amended, 30 F.R. 9339, Delegation of Authority 30 F.R. 5882 is hereby amended by deleting Items I.A. 5 and 6.

*Effective date.* August 23, 1965.

E. BRUCE CAFKY,  
Regional Director, SBA, South-  
western Area, Oklahoma City,  
Okla.

[F.R. Doc. 65-9400; Filed, Sept. 7, 1965;  
8:45 a.m.]

[Delegation of Authority 30—Sioux Falls, S. Dak., Region (Revision 1)]

**SIoux FALLS, S. DAK.**

**Delegation of Authority To Conduct Program Activities in Regional Area**

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Rocky Mountain Area, Denver, Colo., 30 F.R. 2741, as amended, 30 F.R. 8080 and 30 F.R. 8426; Delegation of Authority 30 F.R. 4568 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations (delegated to the positions as indicated below).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations (delegated to the positions as indicated below).* To determine the eligibility of applicants for assistance under any program of the agency in accordance with small business administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).*

1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Title of person signing.

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all

loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administrator or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Working supervisor or Chief, Loan Processing.* 1. Item I.C.3.

2. To decline business and disaster loans of any amount.

3. Items I.C.6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. *Working supervisor or Chief, Loan Administration.* 1. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C.12.—only the authority for servicing, administration and collection, including subitems a. and b.

3. Item I.A. (Size Determinations for Financial Assistance only.)

4. Item I.B. (Eligibility Determinations for Financial Assistance only.)

F. *Working supervisor or Chief, Loan Liquidation.* Item I.C.12.—only the authority for liquidation, including collateral purchased, and subitems a. and b.

G. *Reserved.*

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Regional counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and mov-

ing SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date August 19, 1965.

EDWIN JENISON,  
Regional Director,  
Sioux Falls, S. Dak.

[F.R. Doc. 65-9401; Filed, Sept. 7, 1965; 8:45 a.m.]

**INTERSTATE COMMERCE COMMISSION**

**FOURTH SECTION APPLICATIONS FOR RELIEF**

SEPTEMBER 2, 1965.

Protests to the granting of an application must be prepared in accordance with §1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

**LONG-AND-SHORT HAUL**

FSA No. 40002—*Lithium ore returned to Kings Mountain, N.C.* Filed by O. W. South, Jr., agent (No. A4766), for interested rail carriers. Rates on lithium ore, in carloads, on shipments returned from original destinations in official (including Illinois), southern, southwestern and western trunk-line territories.

Grounds for relief—Carrier competition.

Tariff—Supplement 154 to Southern Freight Association, agent, tariff ICC S-126.

FSA No. 40003—*Commodity rates from or to points in Texas.* Filed by Southwestern Freight Bureau, agent (No. B-8758), for interested rail carriers. Rates on property moving on point-to-point commodity rates, from or to Ashley, Bunsen, Fort Bliss, Plainport and Tobin, Tex., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—Rate relationship.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-9446; Filed, Sept. 7, 1965; 8:50 a.m.]

[Notice 44]

## FINANCE APPLICATIONS

SEPTEMBER 2, 1965.

The following publications are governed by the Interstate Commerce Commission's General Requirements governing notice of filing of applications under sections 20a except (12) and 214 of the Interstate Commerce Act. The Commission's order of May 20, 1964, providing for such publication of notice, was published in the FEDERAL REGISTER issue of July 31, 1964 (29 F.R. 11126), and became effective October 1, 1964.

All hearings and prehearing conferences, if any, will be called at 9:30 a.m., U.S. standard time unless otherwise specified.

F.D. No. 23788—By application filed August 19, 1965, River Falls Railway Co., Inc., 512 West Wisconsin Avenue, Pewaukee, Wis., 53072, seeks authority under section 20a of the Interstate Commerce Act to issue 1000 shares common stock, the value of each share to be ultimately determined by dividing the total amount invested by 1000 on a 1-vote-per-share basis. Address correspondence to: Clinton Jones, Jr., President and General Manager, River Falls Railway, 512 West Wisconsin Avenue, Pewaukee, Wis., 53072. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23791—By application filed August 30, 1965, Associated Transport, Inc., 380 Madison Avenue, New York 17, N.Y., seeks authority under section 214 of the Interstate Commerce Act to issue not to exceed 785,864 shares of its No-Par-Value common stock to effectuate a two-for-one stock split of its No-Par-Value common stock in the form of a 100 percent stock dividend. Applicant's attorney: Jack R. Turney, Jr., Turney, Major, Markham & Sherfy, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23792—By application filed August 30, 1965, Tennessee, Alabama & Georgia Railway Co., Siskin Transportation Building, 1478 Market Street, Post Office Box 8508, Station "B", Chattanooga, Tenn., 37408, seeks authority to assume indebtedness through short-term loans exceeding 5 percent of the par value of securities of applicant now outstanding but not to exceed an aggregate amount of \$100,000. Applicant's attorney: Albert L. Hodge, Chambliss, Chambliss & Hodge, 1111 Maclellan Building, 721 Broad Street, Chattanooga, Tenn., 37402. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23793—By application filed August 30, 1965, Redwing Carriers, Inc., Post Office Box 426, Tampa, Fla., 33601, seeks authority to issue: (1) 23,000 additional shares of common capital stock, par value \$1.25 each; and (2) a promissory note for up to \$1,000,000, payable in quarterly installments in each of 5 years, bearing interest at the rate of not exceeding 4 3/4 percent per annum. Applicant's attorney: James A. Harkins, Post Office Box 426, Tampa, Fla., 33601.

Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.[P.R. Doc. 65-9447; Filed, Sept. 7, 1965;  
8:51 a.m.]

[Notice 41]

MOTOR CARRIER TEMPORARY  
AUTHORITY APPLICATIONS

SEPTEMBER 2, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

## MOTOR CARRIERS OF PROPERTY

No. MC 30605 (Sub-No. 137 TA), filed September 1, 1965. Applicant: SANTA FE TRAIL TRANSPORTATION COMPANY, 433 East Waterman, Post Office Box 56, Wichita, Kans. Applicant's representative: C. F. Offenstern (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Greenwood Helium Plant, located in Morton County, Kans., approximately 12 miles north and 7 miles west of Elkhart, Kans., as an off-route point in connection with applicant's regular route-operations, for 180 days. Supporting shipper: Phillips Petroleum Co., Bartlesville, Okla., 74004. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 906 Schweiter Building, Wichita, Kans., 67202.

No. MC 94350 (Sub-No. 147 TA), filed September 1, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Transit Homes Building, Post Office Box 1628, Greenville, S.C. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, from Haleyville, Ala., to points in Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida, North Carolina, Tennessee, Virginia, Kentucky, West Virginia, and Maryland, for 180 days. Supporting shipper: Schevelle Mobile Homes, Inc., Haleyville, Ala. Attention: William Glascock. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

No. MC 94350 (Sub-No. 148 TA), filed September 1, 1965. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Transit Homes Building, Post Office Box 1628, Greenville, S.C. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers, designed to be drawn by passenger automobiles, from Milledgeville, Ga., to points in Alabama, Mississippi, Tennessee, Florida, North Carolina, South Carolina, Virginia, and Louisiana, for 180 days. Supporting shipper: American Coach Co., Milledgeville, Ga. Attention: Cecil S. Ward, Sales Manager. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

No. MC 102616 (Sub-No. 771 TA), filed September 1, 1965. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's representative: Samuel E. Smith (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum lubricating oil, in bulk, in tank vehicles, from Pittsburgh, Pa., to Huntington, W. Va., for 180 days. Supporting shipper: Humble Oil & Refining Co., Broad and Hamilton Street, Richmond, Va., 23230. Send protests to: Robert W. Ritzenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa.

No. MC 116419 (Sub-No. 3 TA), filed September 1, 1965. Applicant: ALBERT CAPONE TRUCKING, INC., 233 India Street, Brooklyn, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Record changer machines, parts of and speakers for record changer machines, and solder, between points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other, Plainville and Westbury, N.Y., limited to traffic moving in foreign commerce through the Port of New York, for 180 days. Supporting shipper: British Industries Corp., Westbury, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Com-

mission, 346 Broadway, New York, N.Y., 10013.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-9448; Filed, Sept. 7, 1965;  
8:51 a.m.]

[Notice 1229]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 2, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68023. By order of August 31, 1965, the Transfer Board approved the transfer of Certificate of Registration No. MC-121450 (Sub-No. 1) to McComas Truck Lines, Inc., Union City, Okla., originally issued January 31, 1964, to Doran R. McComas, Union City, Okla. evidencing a right to engage in interstate or foreign commerce, in the transportation of freight, between specified points, and as restricted, in Oklahoma. C. O. Hunt, 1504 South Midwest Boulevard, Midwest City, Okla., attorney for applicants.

No. MC-FC-68072. By order of August 31, 1965, the Transfer Board approved the transfer to Dorothy H. Loughman, doing business as Waynesburg-Pittsburgh Local Express, Waynesburg, Pa., of the operating rights issued by the Commission May 23, 1941, and September 3, 1946, under Certificates Nos. MC-19000 and MC-19000 (Sub-No. 2), respectively, to Dennis J. Loughman, doing business as Waynesburg-Pittsburgh Local Express, Waynesburg, Pa., authorizing the transportation, over regular routes of general commodities, with specified exceptions, between Waynesburg, Pa., and Washington, Pa.; between Waynesburg, Pa., and Brownville, Pa.; between Waynesburg, Pa., and Point Marion, Pa.; between Carmichaels, Pa., and Uniontown, Pa.; household goods, and machinery, materials, supplies, and equipment, incidental to or used in, the construction, development, operation and maintenance of facilities for the discovery, development and production of natural gas and petroleum, between points in Greene County, Pa., on the one hand, and, on the other, points in New Jersey, Maryland, New York, West Virginia, Virginia, Ohio, and the District of Columbia; and general commodities, with exceptions, between

Pittsburgh, Pa., and Waynesburg, Pa. Lloyd E. Pollock, Pollock, Pollock & Thomas, Waynesburg, Pa., attorneys for applicants.

No. MC-FC-68083. By order of August 31, 1965, the Transfer Board approved the transfer to Russell Kempt, doing business as Kempt Truck Lines, 2921 East 16th Street, Joplin, Mo., of the operating rights in Permit No. MC-117568, issued January 8, 1965, to Tam Fertilizer Carriers, Inc., Corning, Ark., authorizing the transportation, over irregular routes, of fertilizer, and fertilizer materials and compounds, except in bulk, in tank vehicles, ammonium nitrate, ammonium sulphate, phosphates, mixed fertilizers, and nitrate of soda, in bulk, except in bulk, in tank vehicles, potash, except in bulk, in tank vehicles, ammonium sulphate, except in bulk, in tank vehicles, ammonium sulphate, in bulk, except in bulk, in tank vehicles, nitrate of soda, except in bulk, in tank vehicles, agricultural insecticides, except in bulk, in tank vehicles, from and to specified points in Arkansas, Illinois, Tennessee, Mississippi, Louisiana, Texas, New Mexico, Kentucky, and Missouri, varying with the commodities indicated.

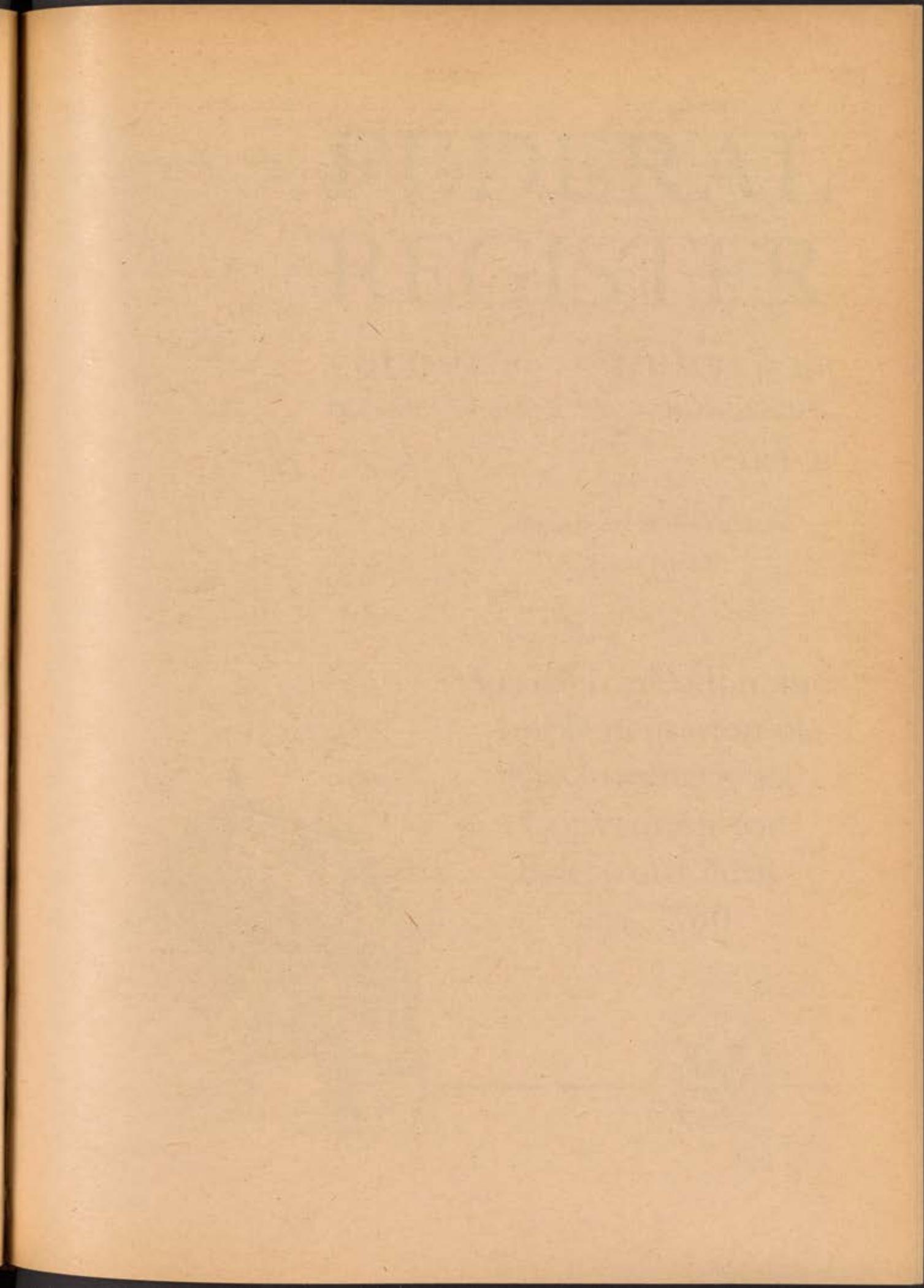
No. MC-FC-68091. By order of August 31, 1965, the Transfer Board approved the transfer to Frank Cosgrove Transportation Corp., Medford, Mass., of the operating rights issued by the Commission April 12, 1965, under Certificate in No. MC-87523, to Frank Cosgrove Transportation Co., Inc., Medford, Mass., authorizing the transportation, over regular routes, of general commodities, excluding household goods, and other specified commodities, between Boston, Mass., and Derby, Vt., serving the intermediate point of Newport, Vt.; over irregular routes, casein, from Colebrook, N.H., and points in Vermont to Bainbridge, N.Y.; and empty casein containers, and supplies, and equipment used in the manufacture of casein, from Bainbridge, N.Y., to Colebrook, N.H., and points in Vermont; milk, cream, and products thereof, except casein, from Enosburg Falls, East Berkshire, Morrisville, and Troy, Vt., to Boston, Somerville, Lowell, Mansfield, Cambridge, Andover, and Everett, Mass.; and empty containers, for milk, cream, and products thereof, from Boston, Somerville, Lowell, Mansfield, Cambridge, Andover, and Everett, Mass., to Enosburg Falls, East Berkshire, Morrisville, and Troy, Vt.; milk and cream, and products of milk and cream, as specified, from Abingdon and South Boston, Va., Greenville and Readyville, Tenn., Litchfield, Ill., and points in Indiana, Ohio, Michigan, and those in that part of New York north of Sullivan, Dutchess, and Ulster Counties, N.Y., to Portland and Bangor, Maine, Manchester, N.H., and points in Massachusetts, Connecticut, Rhode Island, and those in that part of New York north of Sullivan, Dutchess, and Ulster Counties, N.Y.; and empty containers used in the transportation of milk and cream and products thereof, from the above-specified destination points, to the above-specified origin points; milk and milk products in tank-type vehicle containers, from Somerville,

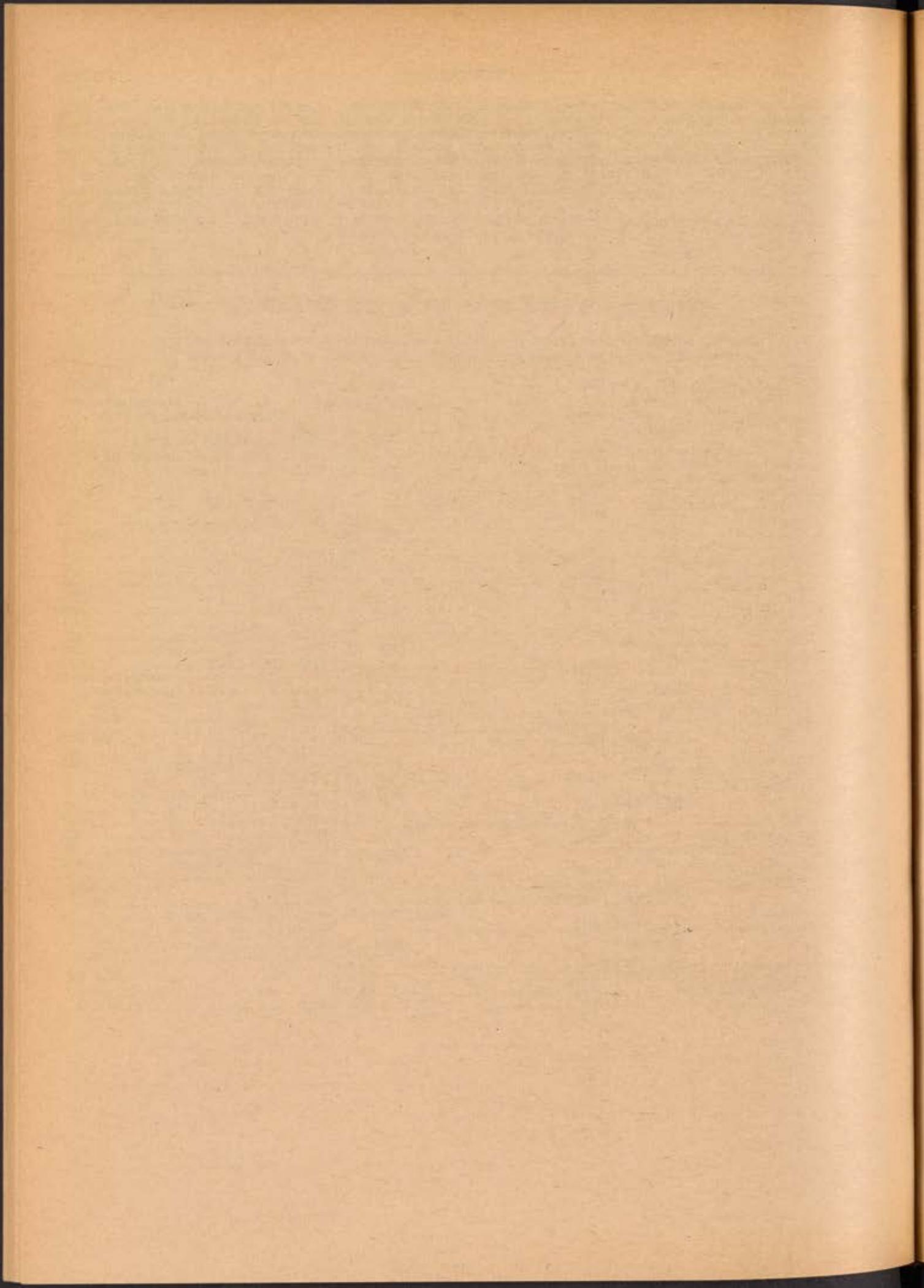
Mass., to points in Massachusetts, Connecticut, and Rhode Island; and empty containers for milk and milk products, from points in Massachusetts, Connecticut, and Rhode Island to Somerville, Mass.; milk and milk products in bulk, in tank vehicles, between points in that part of New York north of Sullivan, Ulster, and Dutchess Counties, N.Y., on the one hand, and, on the other, points in Vermont, New Hampshire (except Manchester, N.H.), and Maine (except Portland and Bangor, Maine); milk and milk products, except butter and cheese, and empty containers, between points in Maine, Vermont, and New Hampshire, on the one hand, and, on the other, points in Connecticut, Massachusetts, and Rhode Island; and soap, acids, chemicals, oil, and grease, in containers, from Providence and East Providence, R.I., to points in Massachusetts and Connecticut. Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., attorney for applicants.

No. MC-FC-68093. By order of August 31, 1965, the Transfer Board approved the transfer of Parker Refrigerated Service, Inc., Tacoma, Wash., of the operating rights issued by the Commission January 8, 1951, and February 10, 1961, under Certificates Nos. MC-112014 (Sub-No. 1), and MC-112014 (Sub-No. 2), respectively, to Skagit Valley Trucking Co., Inc., Mount Vernon, Wash., authorizing the transportation of dehydrated cereal grass, over irregular routes, from points in Skagit County, Wash., to the boundary of the United States and Canada near the ports of entry of Blaine and Sumas, Wash.; and frozen berries and frozen vegetables, from Burlington, Wash., to Portland, Oreg. Joseph O. Earp, 411 Lyon Building, 607 3d Avenue, Seattle, Wash., representative for Applicants.

No. MC-FC-68108. By order of August 31, 1965, the Transfer Board approved the transfer to Auto Fast Freight, Inc., San Bernardino, Calif., of the operating rights of Luciano Giudice, Charlotte Giudice, Charles Traina, and John Traina, a partnership, doing business as Auto Fast Freight, San Bernardino, Calif., in Corrected Certificate of Registration, issued September 24, 1964, authorizing the transportation, of general commodities, subject to specified conditions and restrictions, between (1) points in Los Angeles area as described in its certificate, on the one hand, and, on the other, Redlands, including intermediate points over and along, and points laterally within 3 miles of U.S. Highways 60, 70, and 99; (2) the said Los Angeles area and San Bernardino, including specified intermediate points; (3) the said Los Angeles area, on the one hand, and, on the other, Whittier, Fullerton, and Santa Ana, with no service at intermediate points; (4) the said Los Angeles area, on the one hand, and, on the other, Crestline, Lake Arrowhead, and Big Bear Lake and intermediate and off-route points within 3 miles laterally of the highways involved on specifically described routes, subject to specified conditions and restrictions; and (5) San Bernardino and Riverside, Calif., on the one hand, and Santa Ana, Calif., on the







# FEDERAL REGISTER

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PART II

Department of the Treasury  
Coast Guard

Vessel Inspection and  
Implementation of  
the International  
Convention for  
Safety of Life at  
Sea, 1960



## Title 46—SHIPPING

### Chapter I—Coast Guard, Department of the Treasury

[CGFR 65-9]

#### VESSEL INSPECTION AND IMPLEMENTATION OF THE INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1960

##### Miscellaneous Amendments to Chapter

The President by Proclamation dated March 24, 1965, announced that the International Convention for Safety of Life at Sea, 1960 (SOLAS) (Treaties and Other International Acts, Series 5780), shall come into force and effect on May 26, 1965, and thereafter this Convention, with each and every article and clause thereof, shall be observed and fulfilled with good faith by the United States of America, by the citizens of the United States of America, and by all others subject to the jurisdiction thereof. For those matters relating to merchant vessels and currently administered by the Commandant, U.S. Coast Guard, the implementing regulations are in 46 CFR Chapter I. These regulations are prescribed pursuant to existing laws and in accordance with Executive Order No. 11239.

Pursuant to the notices of proposed rule making published in the FEDERAL REGISTER of January 30 and February 1, 1964 (29 F.R. 1572-1586, 1646), and January 27 and February 13 and 18, 1965 (30 F.R. 832-842, 2030, 2031, 2219, 2220), and the Merchant Marine Council Public Hearing Agenda, dated March 23, 1964, and March 22, 1965 (CG-249), the Merchant Marine Council held public hearings on March 23, 1964, and March 22, 1965, for the purpose of receiving comments, views, and data. This document contains most of the changes required in 46 CFR Chapter I in order that these regulations will be in agreement with the provisions in the 1960 SOLAS Convention. These regulations are based on proposals in Item XII (vol. II) considered at the public hearing held March 23, 1964, and in various items considered at the public hearing held March 22, 1965.

This document is the second of a series regarding the regulations and actions considered at the 1965 public hearing and annual session of the Merchant Marine Council. This document contains the actions taken with respect to the following:

##### ITEM IV—INSPECTED VESSELS

IVa. Vent systems for Grades D and E liquid cargo tanks on tank vessels.

IVb. Decking within surgical operating rooms on passenger vessels.

IVc. Automatic sprinkler pumps; source of electrical power supply; on passenger vessels (1960 SOLAS).

IVd. Limitations on the use of fire hoses on cargo vessels.

IVe. Feeders required in loading and stowage of grain cargoes (1960 SOLAS).

IVf. Combustible gas indicators on tank vessels carrying Grade E liquids.

IVg. Automated or partially automated steam propelled vessels.

##### ITEM V—LIFESAIVING APPLIANCES AND FIRE PRECAUTIONS

Va. Equipment for inflatable liferafts.  
Vb. Steam smothering in boiler casings.

##### ITEM VI—MARINE ENGINEERING

VIa. Definition of terms in formula for calculating opening reinforcement in pressure vessels.

VIb. Pipe expansion and flexibility.

VIc. Fuel oil relief valve discharge.

VId. Pneumatic testing of unfired pressure vessels.

##### ITEM VII—ELECTRICAL ENGINEERING

VIIa. Reference specifications and publications.

VIIb. Insulation materials.

VIIc. Storage batteries.

VIIId. Motor controllers.

VIIe. Overcurrent protection.

VIIIf. Electrical cable.

VIIIg. Attachment plugs and portable cable.

VIIIf. Lighting fixtures.

VIIIf. Emergency lighting and power systems.

VIIIf. Sound powered telephones.

##### ITEM X—SPECIFICATIONS AND APPROVALS OF EQUIPMENT

Xa. Cork and balsa wood life preservers and withdrawal of approvals therefor.

Xc. Ring life buoys.

Xd. Lifeboats and their equipment, and rescue boats.

Xe. Inflatable liferafts.

Xf. Equipment for lifeboats and liferafts.

Xg. Fire protection and precaution.

Xh. Vessel construction materials.

##### ITEM XI—PRESSURE VESSELS

XIa. Acceptance of additional copper nickel alloy material for pressure vessels.

XIb. Hydrostatic testing of unfired pressure vessels.

**Commandant's actions.** The proposals designated IVc, IVd, VIa, VIb, VIe, VIIg, Xa, Xc, and XIa in the above list are approved as published in the Agenda (CG-249), and the regulations are set forth in this document. Those proposals designated IVb, IVf, Va, Vb, VIc, VIe, VIIa, VIIb, VIIc, VIIf, VIIh, VIIi, VIIj, Xc, Xd, Xf, Xg, Xh, and XIb, as revised, are approved and set forth in this document. The proposals designated IVa and VIId are withdrawn. The proposals designated IVe and IVg are tabled for further study. The actions of the Merchant Marine Council with respect to comments received on these proposals are approved.

The proposals in Item XII (vol. II) of the 1964 Merchant Marine Council Public Hearing Agenda, as revised, are approved and set forth in this document, as well as necessary changes in other regulations in order to have uniformity in administration of the inspection laws as required by section 372 of Title 46, U.S. Code.

**Background.** The International Convention for Safety of Life at Sea, 1960 (SOLAS), is the result of the fourth International Conference on the Safety of Life at Sea held in London from May 17 to June 17, 1960. This Conference was called primarily to take advantage of the many technological advances which had been made since the 1948 Convention was drafted and adopted.

Since the 1960 SOLAS Convention supersedes the 1948 SOLAS Convention

on May 26, 1965, the vessel inspection rules and regulations in 46 CFR Chapter I were reviewed and changes made so that these requirements will give force and effect to those portions of the 1960 SOLAS Convention which apply to merchant vessels of the United States. Where necessary the authority notes have been revised to include an appropriate reference to the Executive Order directing the various Federal agencies to carry out the administration responsibilities assumed under this Convention. Many vessel inspection rules and regulations did not have to be amended because of the similarity of requirements for certain subjects in the 1960 SOLAS Convention when compared with the 1948 SOLAS Convention. Therefore, such rules and regulations are continued in effect without modification.

The vast majority of changes in the rules and regulations in this document concern passenger ships carrying more than 12 passengers, tankships and cargo ships of 500 gross tons or more, and all ships provided with nuclear powerplants. These amendments are to the requirements in 46 CFR Parts 70 to 78 (Subchapter H—Passenger Vessels) (CG-256, Rules and Regulations for Passenger Vessels); Parts 90 to 98 (Subchapter I—Cargo and Miscellaneous Vessels) (CG-257, Rules and Regulations for Cargo and Miscellaneous Vessels); and Parts 30 to 35 (Subchapter D—Tank Vessels) (CG-123, Rules and Regulations for Tank Vessels). Minor changes were necessary in 46 CFR Parts 50 to 61 (Subchapter F—Marine Engineering) (CG-115, Marine Engineering Regulations and Material Specifications); and Parts 110 to 113 (Subchapter J—Electrical Engineering Regulations) (CG-259, Electrical Engineering Regulations). Revised procedures, minor changes to have uniformity in wording of requirements, appropriate cross references, and editorial changes were made throughout the chapter, but in particular in 46 CFR Parts 2, 24, 110, 175, and 176. In addition, the various specifications governing the manufacture of required items of equipment or processing of materials for use on merchant vessels, and the granting of approvals in specified instances are set forth in 46 CFR Parts 160 to 164 (Subchapter Q—Specifications).

**Application of regulations.** In the administration of the rules and regulations with respect to certain subjects, distinctions will be made between "existing vessels" and "new vessels." Therefore, various portions of the regulations (other than in the Tank Vessel Regulations) are generally set forth in terms of vessels or installations "contracted for" prior to, or on or after, a certain date. The term "contracted for" was adopted as being more definite than terms such as "keel laid" or "construction started." However, it should be noted that the provisions of the 1960 SOLAS Convention are stipulated in terms of "keel laid," and accordingly, in the case of vessels engaging upon an international voyage, the specific requirements of the

1960 SOLAS Convention must be considered in terms of the date of the laying of the keel rather than the date of the signing of the contract. As the number of vessels involved in this confusion of terms is fairly small, little difficulty should be encountered. However, it is important to note that for some time after the new regulations in this document are in effect, vessels will be completed and receive their first certificates, but for the purpose of the regulations they will be "existing vessels."

In writing the new or revised regulations in this document, it was assumed that each "existing vessel" was in complete compliance with all of the applicable existing requirements. This being the case, no change is contemplated for such vessels other than some items specifically required by the text of these regulations; however, if any such vessel is not in compliance with all the existing requirements, it should be brought up to the existing standards.

In writing the regulations in this document many of them are written specifically for new vessels or new installations. Many of the subparts of regulations for passenger, cargo and miscellaneous vessels (46 CFR Parts 70 to 78 and 90 to 98) have as their concluding section the applicable requirements for existing vessels. For convenience it should be noted that the ending number in such section identification is usually "90." In most cases, instead of giving or repeating the detailed requirements for existing vessels or installations, the regulations state that the existing arrangements and materials previously accepted or approved will be considered satisfactory so long as they are serviceable and maintained in good condition. The advantage of this method is that it preserves the current status on arrangements and details which have been previously accepted without an excessive amount of wording necessary to take care of the many special cases which have been acted upon in the past.

Certain items of new equipment primarily necessitated by the 1960 SOLAS Convention, such as the 15-minute floating orange smoke distress signal, the emergency fishing tackle kits, and lifeboat protecting covers, may not be available on May 26, 1965. Further, although certain items necessitated by the 1960 SOLAS Convention may be commercially available, such as the desalter kit or the international shore connection, the procurement or installation of such items may require some time. Accordingly, a reasonable time will be given to bring the vessel into compliance. For the time being the lack of such items of equipment will not be considered as sufficient reason for denial of the 1960 SOLAS Convention certificates or the certificate of inspection; however, it is believed reasonable and practicable to require compliance in this respect as soon as possible.

The specification regulations for cork and balsa wood life preservers in 46 CFR 160.003-1 to 160.003-7, inclusive, and 160.004-1 to 160.004-7, inclusive, are canceled effective July 1, 1965. The life preservers built to the specification re-

quirements in 46 CFR Subparts 160.003 and 160.004 fail to meet the standards for all life preservers with respect to supporting the head of an unconscious person properly and providing the desired turning moment of the wearers under the various conditions which may be encountered. The actions set forth in the Merchant Marine Council Public Hearing Agenda dated March 22, 1965, Item Xa (CG-249, pp. 94, 95) are approved.

The approvals of cork and balsa wood life preservers and the certificates of approvals for such life preservers issued in accordance with the specification regulations in 46 CFR Subparts 160.003 and 160.004 are withdrawn effective July 1, 1965.

Notwithstanding this withdrawal of approvals of cork and balsa wood life preservers since such life preservers will not comply with revised regulations, all such life preservers manufactured and approved pursuant to effective requirements prior to July 1, 1965, may be placed in service or continued in use so long as such life preservers are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection: *Provided, however,* That such life preservers bearing basic Approval No. 160.003 or 160.004 shall not be considered as approved equipment meeting the requirements of the regulations for those passenger, cargo, and tank vessels constructed or contracted for on or after May 26, 1965, which are engaged on international voyages and subject to all of the requirements of the 1960 Safety of Life at Sea Convention.

The proposals to amend 46 CFR 33.10-5 (f) (1) (viii), 33.10-10(d), 75.25-10(b), 75.33-5(b), 94.25-10(b), and 94.33-5(b) were intended to give effect to the requirement in Regulation 29(g) in Chapter III of the 1960 SOLAS Convention regarding the use of a fore and aft loading component on lifeboat handling equipment which would result from a 10-degree trim of a vessel. It has been determined that these proposals gave an erroneous interpretation of the Convention requirements because they merely provided for longer falls while it was found that consideration of a "fore and aft 10-degree trim" imposed additional factors governing the strength of the davits which must be taken into consideration when designing and constructing davits. Therefore, the revised requirements to cover this point were transferred to the general requirements in 46 CFR 75.25-5 and 94.25-5 and the specification requirements in 46 CFR 160.032-3 and 160.032-5 governing the design, construction and manufacture of davits, which is in agreement with comments received on this subject.

The provisions regarding certificates required by the 1960 SOLAS Convention were revised and certain comments proposing that the American Bureau of Shipping be authorized to issue the Cargo Ship Safety Construction Certificate to American Bureau classed cargo and tankships are accepted. At the option of the owner or agent of a cargo or tankship on an international voyage, and

on direct application to the American Bureau of Shipping, the Bureau may issue to such cargo or tankship a Cargo Ship Safety Construction Certificate. The requirements for Convention certificates issued by the Coast Guard, or the Cargo Ship Safety Construction Certificate issued by the American Bureau of Shipping at the option of the owner or agent, are set forth in this document and identified as 46 CFR 2.01-25, 31.40-1 through 31.40-45, 71.75-1 through 71.75-20, 91.60-1 through 91.60-45, and 176.35-1 through 176.35-30.

*Method of administration.* Beginning May 26, 1965, the 1960 SOLAS Convention certificates will be issued to passenger, cargo and tankships engaging on international voyages and subject to the Convention. After May 25, 1965, no more 1948 SOLAS Convention certificates will be issued. It is not intended that special inspections will be made for the purpose of determining that existing vessels are in compliance with the new requirements of the revised regulations in this document. However, as the various vessels come up for their regular inspection for certification after May 25, 1965, a determination of compliance with the new requirements will be made so that by May 26, 1966, passenger vessels, and by May 26, 1967, cargo and tank vessels will have been examined for compliance with the new or revised regulations.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521), and others specifically listed with the various regulations below, the following actions are ordered:

1. The vessel inspection regulations shall be amended in accordance with the changes in this document.
2. The amendments to the regulations shall be effective May 26, 1965, unless another date is specifically provided in this document.
3. The regulations in this document may be complied with during the period prior to the effective date specified in lieu of existing requirements.
4. The specification regulations in 46 CFR Subpart 162.039 in this document shall be effective January 1, 1966.

#### SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

### PART 2—VESSEL INSPECTIONS

#### Subpart 2.01—Inspecting and Certificating of Vessels

1. The authority note following Subpart 2.01 heading is amended to read as follows:

*AUTHORITY:* The provisions of this Subpart 2.01 interpret or apply R.S. 4417a, as amended, 4421, as amended, 4453, as amended, sec. 10, 35 Stat. 423, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 399, 435, 395, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

§ 2.01-7 [Amended]

2. Section 2.01-7 *Classes of vessels (including motorboats) examined or inspected and certificated* is amended by revising in footnote 6 in Table 2.01-7(a) in paragraph (a) the title from "International Convention for the Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

3. Subpart 2.01 is amended by inserting after § 2.01-7 a new § 2.01-8 reading as follows:

§ 2.01-8 Application of regulations to vessels or tankships on an international voyage.

(a) Where, in various places or portions of this chapter, requirements are stipulated specifically for "vessels on an international voyage" or "tankships on an international voyage," it is intended that these requirements apply only to vessels or tankships, as applicable, which are subject to the International Convention for Safety of Life at Sea, 1960.

(b) For details regarding application of Convention requirements to tankships, see § 30.01-6 of this chapter; to passenger vessels, see § 70.05-10 of this chapter; to cargo ships other than tankships, see § 90.05-10 of this chapter; and to small passenger vessels, see § 176.35-1 of this chapter. (E.O. 11239).

4. Section 2.01-25 is amended to read as follows:

§ 2.01-25 International Convention for Safety of Life at Sea, 1960.

(a) *Certificates required.* (1) The International Convention for Safety of Life at Sea, 1960, requires one or more of the following certificates to be carried on board certain passenger, cargo or tankships engaged in international voyages:

- (i) Passenger Ship Safety Certificate.
- (ii) Cargo Ship Safety Construction Certificate.
- (iii) Cargo Ship Safety Equipment Certificate.
- (iv) Cargo Ship Safety Radiotelephony Certificate.
- (v) Cargo Ship Radiotelegraphy Certificate.
- (vi) Exemption Certificate.
- (vii) Nuclear Passenger Ship Safety Certificate.
- (viii) Nuclear Cargo Ship Safety Certificate.

(2) The U.S. Coast Guard will issue through the Officer in Charge, Marine Inspection, the following certificates after performing an inspection of the vessel and determining the vessel meets applicable requirements:

- (i) Passenger Ship Safety Certificate.
- (ii) Cargo Ship Safety Construction Certificate except when issued to cargo ships by American Bureau of Shipping at the option of the owner or agent.
- (iii) Cargo Ship Safety Equipment Certificate.
- (iv) Exemption Certificate.
- (v) Nuclear Passenger Ship Safety Certificate.
- (vi) Nuclear Cargo Ship Safety Certificate.

(3) When authorized by the Commandant, U.S. Coast Guard, the Ameri-

can Bureau of Shipping may issue to cargo and tankships which it classes the Cargo Ship Safety Construction Certificate.

(4) The Federal Communications Commission will issue the following certificates:

(i) Cargo Ship Safety Radiotelephony Certificate.

(ii) Cargo Ship Radiotelegraphy Certificate.

(iii) Exemption Certificate.

(b) *Applications.* (1) The application for inspection and issuance of a certificate or certificates is made on the appropriate form listed in § 2.01-1, or by letter, to the Officer in Charge, Marine Inspection, in or nearest the port at which the inspection is to be made and shall be signed by the master or agent of the vessel. The certificates previously issued are surrendered at the time the inspection is performed. Further details are set forth in Subchapter H (Passenger Vessels), Subchapter T (Small Passenger Vessels), Subchapter D (Tank Vessels) and Subchapter I (Cargo and Miscellaneous Vessels) of this chapter.

(2) The application for the inspection of a vessel other than a passenger vessel concerning the issuance of a Cargo Ship Safety Radiotelephony Certificate or a Cargo Ship Safety Radiotelegraphy Certificate is made by formal application on FCC Form 801 to the local office of the Federal Communications Commission.

(c) *Certificates issued.* (1) If a vessel meets the applicable requirements of the Convention, it shall be issued appropriate certificates listed in paragraph (a) of this section. These certificates describe the vessel and state the vessel is in compliance with the applicable requirements of the Convention.

(2) A Convention certificate may be withdrawn, revoked or suspended at any time when it is determined the vessel is no longer in compliance with applicable requirements. (See § 2.01-70 for appeal procedures.)

(d) *CG-969—Notice of Receipt of Application for Passenger Ship Safety Certificate.* (1) The Passenger Ship Safety Certificate is issued by the Commandant after determining all applicable requirements of the Convention have been met. In the event the completion of the certification of any passenger vessel cannot be effected prior to the sailing of the passenger ship on a foreign voyage, or in any case where the Passenger Ship Safety Certificate is not received from the Commandant before the ship sails on a foreign voyage, the Officer in Charge, Marine Inspection, will issue a completed Form CG-969, describing the passenger ship and certifying that an application for a Passenger Ship Safety Certificate is being processed, and that in his opinion the vessel meets applicable requirements of the Convention administered by the Coast Guard.

(2) The completed Form CG-969 may be exhibited in explanation of the failure of the passenger ship to have on board a current Passenger Ship Safety Certificate. This completed Form CG-969 may be accepted as prima facie evidence that the passenger ship described therein is in compliance with the applicable requirements of the Convention.

(e) *Exempted vessel.* (1) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection. In such case the exemptions are stated in the Exemption Certificate, which is issued by the Commandant through the appropriate Officer in Charge, Marine Inspection.

(2) The Exemption Certificate which modifies the Cargo Ship Safety Radiotelephony Certificate or the Cargo Ship Safety Radiotelegraphy Certificate is issued by the Federal Communications Commission.

(f) *Posting certificates.* The Convention certificates issued to a vessel shall be posted in a prominent and accessible place on the vessel in a manner similar to that for certificates of inspection.

(g) *Foreign flag vessels.* At the request of the government of a country in which is registered a vessel engaged in an international voyage, such a vessel may be issued the applicable certificate or certificates listed in paragraph (a) of this section. The certificate will be issued only after inspection has been made by the issuing agency, providing the vessel is found to comply with the requirements of the Convention.

Subpart 2.95—Retention of Records by the Public

5. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 2.95 also interpret or apply sec. 4, 67 Stat. 462, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 43 U.S.C. 1333(e), 46 U.S.C. 390b, 50 U.S.C. 198. Treasury Department Orders 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 840; 167-20, June 18, 1956, 21 F.R. 4894.

PART 3—MERCHANT MARINE PERSONNEL

Subpart 3.01—Licenses and Documents

1. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 3.01 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 7, 49 Stat. 1936, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 689, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894.

Subpart 3.10—Disclosure of Information Regarding Shipment and Discharge of Merchant Mariners

2. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 3.10 issued under R.S. 4405, as amended, 4462, as amended, sec. 7, 49 Stat. 1936, as amended; 46 U.S.C. 375, 416, 689. Interpret or apply R.S. 4448, as amended, 4551, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 70 Stat. 152, sec. 3, 60 Stat. 238, sec. 3,

68 Stat. 675; 46 U.S.C. 234, 643, 367, 390b, 5 U.S.C. 1002, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894.

**Subpart 3.13—Shipment and Discharge of Seamen**

3. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 3.13 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 7, 49 Stat. 1936, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 689, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**Subpart 3.15—Arbitration by Shipping Commissioners**

4. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 3.15 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 7, 49 Stat. 1936, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 689, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**Subpart 3.19—Effects of Deceased or Deserting Seamen**

5. The authority note following the subpart heading is amended to read as follows:

**AUTHORITY:** The provisions of this Subpart 3.19 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 7, 49 Stat. 1936, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 689, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**SUBCHAPTER C—UNINSPECTED VESSELS**

**PART 24—GENERAL PROVISIONS**

1. The authority for Part 24 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 24 are issued under R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

**Subpart 24.05—Application**

§ 24.05-1 [Amended]

2. Section 24.05-1 *Vessels subject to the requirements of this subchapter* is amended by revising in footnote 6 in Table 24.05-1(a) in paragraph (a) the title from "International Convention for the Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

**Subpart 24.10—Definition of Terms Used in This Subchapter**

3. Section 24.10-13 is amended to read as follows:

§ 24.10-13 **International voyage.**

(a) The term "international voyage," as used in this subchapter, shall have the

same meaning as that contained in Regulation 2(d), Chapter I, of the International Convention for Safety of Life at Sea, 1960; i.e., "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such vessels shall not be considered as being on an "international voyage" for the purpose of this subchapter.

(c) For the purposes of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate.

(d) Although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purposes of this subchapter.

**Subpart 24.15—Equivalents**

4. Section 24.15-1(a) is amended to read as follows:

§ 24.15-1 **Conditions under which equivalents may be used.**

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement is at least as effective as that specified in this subchapter.

**PART 25—REQUIREMENTS**

1. The authority for Part 25 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 25 are issued under R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521. Additional authority cited with section affected.

**Subpart 25.25—Life Preservers and Other Lifesaving Equipment**

2. Section 25.25-5 is amended by revising paragraphs (c) and (e) to read as follows:

§ 25.25-5 **General provisions.**

(c) All life preservers shall be of an approved type, constructed in accordance with the applicable provisions of Subpart 160.002, 160.005 or 160.055 of Subchapter Q (Specifications) of this chapter.

(1) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts as required by Subparts 160.002 and 160.005 shall not be acceptable as equipment required by this subchapter.

(2) Cork and balsa wood life preservers, constructed in accordance with the applicable provisions of Subpart 160.003 or 160.004 and manufactured as approved life preservers prior to July 1, 1965, may be accepted as new or replacement equipment required by this subchapter providing such life preservers are serviceable and in good condition.

(e) All buoyant cushions shall be of an approved type, constructed in accordance with the applicable provisions of Subpart 160.048 or 160.049 of Subchapter Q (Specifications) of this chapter.

(1) All kapok and fibrous glass buoyant cushions which do not have plastic-covered pad inserts as required by Subpart 160.048 shall not be acceptable as equipment required by this subchapter.

3. Section 25.25-90 is amended to read as follows:

§ 25.25-90 **Vessels contracted for prior to November 19, 1952.**

(a) Vessels contracted for prior to November 19, 1952, shall meet the applicable provisions of §§ 25.25-5 through 25.25-15 insofar as the number of items of equipment and the method of stowage are concerned.

(b) Existing items of equipment, previously approved, but not meeting the applicable specifications may be continued in service so long as they are serviceable and in good condition, except that:

(1) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts as required by Subparts 160.002 and 160.005 shall not be acceptable as equipment required by this subchapter.

(2) All kapok and fibrous glass buoyant cushions which do not have plastic-covered pad inserts as required by Subpart 160.048 shall not be acceptable as equipment required by this subchapter.

(c) All new installations and replacements shall meet the applicable requirements or specifications as described in §§ 25.25-5 through 25.25-15.

**PART 26—OPERATIONS**

1. The authority for Part 26 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 26 are issued under R.S. 4405, as amended, 4462,

as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Order 120, July 31, 1950, 15 P.R. 6521. Additional authority is cited with sections affected.

### Subpart 26.15—Boarding

#### § 26.15-1 [Amended]

2. Section 26.15-1 *May board at any time* is amended by adding a reference to the Treasury Department Order of delegation to the additional authority cited after § 26.15-1(c) so this authority reads as follows:

(Interpret or apply sec. 7, 72 Stat. 1757; 46 U.S.C. 527d. Treasury Department Order 167-32, Sept. 23, 1958, 23 P.R. 7605)

### SUBCHAPTER D—TANK VESSELS

## PART 30—GENERAL PROVISIONS

1. The authority for Part 30 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 30 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026. Additional authority cited is in parentheses following the sections affected.

### Subpart 30.01—Administration

#### § 30.01-5 [Amended]

2. Section 30.01-5 *Application of regulations—TB/ALL* is amended by revising in paragraph (e) (1) and in footnote 6 in Table 30.01-5(d) in paragraph (d) the title from "International Convention for Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

3. Subpart 30.01 is amended by inserting after § 30.01-5 a new section reading as follows:

#### § 30.01-6 Application of regulations to tankships on an international voyage—T/ALL.

(a) Where, in various places or portions of this subchapter, requirements are stipulated specifically for "tankships on an international voyage," it is intended that these requirements apply only to tank ships subject to the International Convention for Safety of Life at Sea, 1960, which are mechanically propelled tank ships of 500 gross tons and over on an international voyage, as defined in § 30.10-36.

(b) In accordance with Regulation 4, Chapter I (General Provisions), of the International Convention for Safety of Life at Sea, 1960, a tank ship which is not normally engaged on an international voyage but which in exceptional circumstances, is required to undertake a single international voyage, may be exempted by the Commandant from any of the requirements of the regulations of this Convention: *Provided*, That it complies with safety requirements which are adequate, in his opinion, for the voyage which is to be undertaken.

(c) In accordance with Regulation 1(c), Chapter II (Construction), of the International Convention for Safety of Life at Sea, 1960, the Commandant may, if he considers that the sheltered nature

and conditions of the voyage are such as to render the application of any specific requirements of Chapter II of this Convention unreasonable or unnecessary, exempt from those requirements individual tankships or classes of tankships, which in the course of their voyage do not proceed more than 20 miles from the nearest land.

(d) In accordance with Regulation 3(a), Chapter III (Lifesaving Appliances, etc.), of the International Convention for Safety of Life at Sea, 1960, the Commandant, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of Chapter III of this Convention unreasonable or unnecessary, may to that extent exempt from the requirements of Chapter III individual tankships or classes of tankships which, in the course of their voyage, do not go more than 20 miles from the nearest land.

### Subpart 30.10—Definitions

3. Section 30.10-36 is amended to read as follows:

#### § 30.10-36 International voyage—TB/ALL.

(a) The term "international voyage," as used in this subchapter, shall have the same meaning as that contained in Regulation 2(d), Chapter I, of the International Convention for Safety of Life at Sea, 1960; i.e., " 'International voyage' means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to tank vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such tank vessels shall not be considered as being on an "international voyage" for the purposes of this subchapter.

(c) For the purposes of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate.

(d) Although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purposes of this subchapter.

4. Subpart 30.10 is amended by inserting after § 30.10-43 a new section reading as follows:

### § 30.10-44 Nuclear vessel—TB/ALL.

A nuclear vessel is a vessel provided with a nuclear powerplant for propulsion or any other purpose, or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

### Subpart 30.15—Equivalents

5. Section 30.15-1(a) is amended to read as follows:

#### § 30.15-1 Conditions under which equivalents may be used—TB/ALL.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other arrangement; *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement is at least as effective as that specified in this subchapter.

## PART 31—INSPECTION AND CERTIFICATION

1. The authority for Part 31 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 31 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026. Additional authority cited is in parentheses following the sections affected.

### Subpart 31.01—General

2. Section 31.01-1 is amended to read as follows:

#### § 31.01-1 Inspections required—TB/ALL.

(a) Every tank vessel subject to the regulations in this subchapter shall be inspected biennially, or annually, or oftener, if necessary, by the Coast Guard to see that the hull, boilers, machinery, equipment, apparatus for storage, and appliances of the vessel comply with the marine inspection laws, and the regulations in this subchapter, and Subchapter E (Load Lines), Subchapter F (Marine Engineering), Subchapter J (Electrical Engineering), and Subchapter Q (Specifications) of this chapter where applicable.

(b) Tank vessels while laid up and dismantled and out of commission are exempt from any or all inspections required by law or regulations in this subchapter.

(c) For inspection and tests of tanks containing certain dangerous cargoes in bulk, see Part 98 of Subchapter I (Cargo and Miscellaneous Vessels) of this chapter.

3. Subpart 31.01 is amended by inserting after § 31.01-1 a new section reading as follows:

**§ 31.01-5 Scope of initial inspection—TB/ALL.**

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, machinery, and equipment, including the outside of the vessel's bottom, and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, materials, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and that the radio installations, including fixed and portable radios for lifeboats, are in accordance with the requirements of the Federal Communications Commission. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory and that the vessel is provided with lights, means of making sound signals and distress signals as required by applicable regulations and the applicable Rules of the Road.

(b) For nuclear vessels, the foregoing inspection shall be made except insofar as they may be limited by the presence of radiation. In addition, the inspection shall include any special requirements of the vessel's "Safety Assessment."

**Subpart 31.05—Certificates of Inspection**

4. Section 31.05-10(a) is amended to read as follows:

**§ 31.05-10 Period covered by certificates of inspection—TB/ALL.**

(a) Certificates of inspection will be issued for periods of either 1 or 2 years. For nuclear vessels, the period of validity shall be 1 year.

**Subpart 31.10—Inspections**

5. Section 31.10-15 is amended to read as follows:

**§ 31.10-15 Inspection for certification—TB/ALL.**

(a) The Officer in Charge, Marine Inspection, shall once in every 2 years, at least, and in the case of nuclear vessels, at least once every year carefully inspect such tank vessel within his jurisdiction and shall satisfy himself that every such vessel so inspected is of a structure suitable for the carriage of flammable and/or combustible liquids in bulk and for the proper grade or grades of such cargo in the service in which she is employed. If the Officer in Charge, Marine Inspection, deems it expedient, he may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

(b) The inspection for certification shall include an inspection of the structure, boilers, and other pressure vessels, machinery and equipment. The inspection shall be such as to insure that the

vessel, as regards the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment is in satisfactory condition and fit for the service for which it is intended; and that it complies with the applicable regulations for such vessels, and that the radio installations, including fixed and portable radios for lifeboats, are in compliance with the requirements of the Federal Communications Commission. The lights and means of making sound signals and the distress signals carried by the vessel shall also be subject to the above mentioned inspection for certification for the purpose of insuring that they comply with the requirements of the applicable regulations and of the applicable Rules of the Road.

(c) For nuclear vessels, the foregoing inspections shall be made except insofar as they may be limited by the presence of radiation. In addition, the inspection shall include any special requirements of the vessel's "Safety Assessment."

6. Section 31.10-30 is amended to read as follows:

**§ 31.10-30 Stability requirements—TB/ALL.**

(a) *Application.* The provisions of this section shall apply to the following tank vessels:

(1) Any tankship of 500 gross tons and over on an international voyage, construction or conversion of which is started on or after November 19, 1952.

(2) Any other vessel whose stability is questioned by the Commandant or the Officer in Charge, Marine Inspection.

(b) *Stability test.* (1) The stability of each new tank vessel or class of vessels to which this section pertains shall be subject to review by the Commandant to determine whether or not a stability test is required. Where such a review involving a comparison with existing similar vessels, clearly indicates that due to the vessel's proportions and arrangements more than sufficient metacentric height will be available in all probable loading conditions, a stability test will not be required. Consistent with the foregoing principle, tank vessels will ordinarily not be required to be inclined if they have a molded beam in excess of 11 feet plus 1.5 times the molded depth, and further, if those vessels over 300 feet in length have two or more longitudinal bulkheads and those of 300 feet and less have at least one longitudinal bulkhead.

(2) The Commandant may allow the stability test of a tank vessel to be dispensed with provided basic stability data are available from the stability test of a sister vessel and it is shown to the satisfaction of the Commandant that reliable stability information for the exempted vessel can be obtained from such basic data.

(c) *Plans required.* (1) The following plans are essential for use in determining whether or not a stability test is to be required and should be made available as early as possible:

- Lines plan.
- Curves of form.

- General arrangement plan of all decks and levels.
- Inboard and outboard profile.
- Midship section.

(2) If it is determined that a stability test is required, the following additional plans will be required:

- Capacity plan showing capacities and vertical and longitudinal centers of gravity of all tanks and cargo spaces.
- Tank sounding tables.
- Draft mark locations.

(d) *Information supplied to master.*

(1) Vessels which are exempted from a stability test in accordance with the provisions of subparagraph (b)(1) of this section will be provided with a stability letter recording this fact.

(2) Vessels for which a stability test is required or which are exempted from such a test in accordance with subparagraph (b)(2) of this section shall be provided with information, based upon the results of the applicable stability test, which is such that the master can, by rapid and simple process, obtain accurate guidance as to the stability of the vessel under varying conditions of service. Where special regard to particular operating conditions is necessary to assure safety of the vessel, full information relative thereto shall be included. The information required by this paragraph shall be submitted to the Commandant. Upon approval of this information, a stability letter recording this fact will be provided to the vessel.

(e) *Stability letter.* (1) Each tank vessel subject to the requirements of this section shall have posted under glass in the pilothouse a stability letter issued by the Coast Guard before the vessel is placed in service.

(2) Stability letters issued in accordance with subparagraph (d)(2) of this section will set forth the master's responsibility for maintaining satisfactory stability conditions at all times.

(f) *Alterations.* Where any alterations are made to a tank vessel so as to materially affect the stability information supplied to the master, amended stability information shall be provided. If necessary the vessel shall have a new stability test.

7. Subpart 31.40, consisting of § 31.40-1, is amended and amplified by revising the heading and text to read as follows:

**Subpart 31.40—Certificates Under International Convention for Safety of Life At Sea, 1960**

- |          |  |
|----------|--|
| Sec.     |  |
| 31.40-1  | Application—T/ALL.                                   |
| 31.40-5  | Cargo Ship Safety Construction Certificate—T/ALL.    |
| 81.40-10 | Cargo Ship Safety Equipment Certificate—T/ALL.       |
| 31.40-15 | Cargo Ship Safety Radiotelegraphy Certificate—T/ALL. |
| 31.40-20 | Cargo Ship Safety Radiotelephony Certificate—T/ALL.  |
| 31.40-25 | Exemption Certificate—T/ALL.                         |
| 31.40-30 | Nuclear Cargo Ship Safety Certificate—T/ALL.         |
| 31.40-35 | Posting of Convention certificates—T/ALL.            |
| 31.40-40 | Duration of Convention certificates—T/ALL.           |
| 31.40-45 | American Bureau of Shipping—T/ALL.                   |

**§ 31.40-1 Application—T/ALL.**

(a) The provisions of this subpart, with the exception of §§ 31.40-30 and 31.40-40(e), shall apply to all tankships on an international voyage other than nuclear vessels.

(b) The provisions of §§ 31.40-30, 31.40-35 and 31.40-40(e) shall apply to nuclear tankships on an international voyage.

**§ 31.40-5 Cargo Ship Safety Construction Certificate—T/ALL.**

(a) All tankships on an international voyage are required to have a Cargo Ship Safety Construction Certificate. This certificate shall be issued by the U.S. Coast Guard or the American Bureau of Shipping to certain vessels on behalf of the United States of America as provided in Regulation 12, Chapter I, of the International Convention for Safety of Life at Sea, 1960.

(b) All such tankships shall meet the applicable requirements of this chapter for tankships on an international voyage.

**§ 31.40-10 Cargo Ship Safety Equipment Certificate—T/ALL.**

(a) All tankships on an international voyage are required to have a Cargo Ship Safety Equipment Certificate.

(b) All such tankships shall meet the applicable requirements of this chapter for tankships on an international voyage.

**§ 31.40-15 Cargo Ship Safety Radiotelegraphy Certificate—T/ALL.**

(a) The application for a Cargo Ship Safety Radiotelegraphy Certificate is made on FCC Form 801 to the local office of the Federal Communications Commission.

(b) Where applicable, a Cargo Ship Safety Radiotelegraphy Certificate will be issued by the Federal Communications Commission to a tankship meeting its requirements for a tankship fitted with a radiotelegraph installation.

**§ 31.40-20 Cargo Ship Safety Radiotelephony Certificate—T/ALL.**

(a) The application for a Cargo Ship Safety Radiotelephony Certificate is made on FCC Form 801 to the local office of the Federal Communications Commission.

(b) Where applicable, a Cargo Ship Safety Radiotelephony Certificate will be issued by the Federal Communications Commission to a tankship meeting its requirements for a tankship fitted with a radiotelephone installation.

**§ 31.40-25 Exemption Certificate—T/ALL.**

(a) A tankship may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection.

(b) When an exemption is granted to a tankship by the Commandant under and in accordance with the Convention, an Exemption Certificate describing such exemption shall be issued through the appropriate Officer in Charge, Marine Inspection, in addition to other required certificates.

**§ 31.40-30 Nuclear Cargo Ship Safety Certificate—T/ALL.**

(a) All nuclear tankships on an international voyage are required to have a Nuclear Cargo Ship Safety Certificate.

(b) All such ships shall meet the applicable requirements of this chapter for nuclear vessels on an international voyage.

(c) Nuclear vessels cannot be exempted from any requirements of the Convention.

**§ 31.40-35 Posting of Convention certificates—T/ALL.**

(a) The certificates described in this subpart, or certified copies thereof, when issued to a vessel shall be posted in a prominent and accessible place on the tankship.

(b) The certificates shall be carried in a manner similar to that described in § 31.05-5 for a certificate of inspection.

**§ 31.40-40 Duration of Convention certificates—T/ALL.**

(a) A Cargo Ship Safety Equipment Certificate shall be issued for a period of not more than 24 months.

(b) A Cargo Ship Safety Construction Certificate shall be issued for a period of not more than 60 months.

(c) A Cargo Ship Safety Radiotelegraphy Certificate and a Cargo Ship Safety Radiotelephony Certificate shall be issued for a period of not more than 12 months.

(d) An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.

(e) The Nuclear Cargo Ship Safety Certificate shall be issued for a period of not more than 12 months.

(f) A Convention certificate may be withdrawn, revoked, or suspended at any time when it is determined the vessel is no longer in compliance with applicable requirements. (See § 2.01-70 of this chapter for procedures governing appeals.)

**§ 31.40-45 American Bureau of Shipping—T/ALL.**

(a) The American Bureau of Shipping, with its home office at 45 Broad Street, New York, N.Y., 10004, is hereby designated as an organization duly authorized to issue the "Cargo Ship Safety Construction Certificate" to certain tankships on behalf of the United States of America as provided in Regulation 12, Chapter I, of the International Convention for Safety of Life at Sea, 1960, and Executive Order 11239 and the certificate shall be subject to the requirements in this subpart. The American Bureau of Shipping is authorized to place the official seal of the United States of America on the certificate. This designation and delegation to the American Bureau of Shipping shall be in effect from May 26, 1965, until terminated by proper authority and notice of cancellation is published in the FEDERAL REGISTER.

(b) At the option of the owner or agent of a tankship on an international voyage and on direct application to the American Bureau of Shipping, the Bureau may issue to such tankship a Cargo Ship Safety Construction Certificate, having a period of validity of not more

than 60 months after ascertaining that the tankship:

(1) Has met the applicable requirements of the Convention; and,

(2) Is currently classed by the Bureau and classification requirements have been dealt with to the satisfaction of the Bureau.

(c) When the Bureau determines that a tankship to which it has issued a Cargo Ship Safety Construction Certificate no longer complies with the Bureau's applicable requirements for classification, the Bureau shall immediately furnish to the Coast Guard all relevant information, which will be used by the Coast Guard to determine whether or not to withdraw, revoke or suspend the Cargo Ship Safety Construction Certificate.

(Sec. 25, 41 Stat. 998, as amended, sec. 701, 62 Stat. 731, as amended; 46 U.S.C. 881, 18 U.S.C. 701)

**PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS**

1. The authority for Part 32 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 32 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**PART 33—LIFESAVING APPLIANCES**

1. The authority for Part 33 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 33 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 33.01—General Lifesaving Requirements**

2. Section 33.01-30 is amended to read as follows:

**§ 33.01-30 Approval of lifesaving appliances—TB/ALL.**

(a) Any type of lifeboat or liferaft approved by the Commandant shall be considered as equivalent to the standard lifeboat or liferaft.

(b) Lifeboats shall be of an approved type and constructed in accordance with Subpart 160.035 of Subchapter Q (Specifications) of this chapter.

(c) A Class 1 motor lifeboat is one that is fitted with a compression-ignition engine, is capable of being readily started in all conditions, and has sufficient fuel for 24 hours continuous operation. The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be at least 6 knots.

(d) Rigid type liferafts shall be of an approved type and constructed in accordance with Subpart 160.018 of Subchapter Q (Specifications) of this chapter.

(e) Buoyant apparatus shall be of an approved type and constructed in ac-

cordance with Subpart 160.010 of Subchapter Q (Specifications) of this chapter.

(f) Inflatable liferafts shall be of an approved type constructed in accordance with Subpart 160.051 of Subchapter Q (Specifications) of this chapter. On tankships on an international voyage, each inflatable liferaft shall have a carrying capacity of not less than 6 nor more than 25 persons.

(g) In general, a suitable rescue boat shall be a small lightweight boat of rigid construction, with built-in buoyancy and capable of being readily launched and easily maneuvered. Also it shall be of adequate proportion to permit taking an unconscious person on board without capsizing. A rescue boat and its installation shall be acceptable to the Officer in Charge, Marine Inspection, as suitable for the rescue of persons accidentally falling over the side, or for similar emergency purposes. The size, shape, installation, and other factors of suitability will be determined with due consideration of the size, arrangement, intended service and crew requirements of the vessel on which it is to be installed.

**Subpart 33.05—Lifeboats, Liferafts, and Buoyant Apparatus Required**

3. Section 33.05-1 is amended to read as follows:

§ 33.05-1 Lifeboats and liferafts for tankships; ocean and coastwise; construction or conversion of which was started prior to November 19, 1952—T/O.C.

(a) All tankships shall carry a sufficient number of lifeboats on each side to accommodate all persons on board: *Provided*, That such tankships of 350 feet in length or over in ocean service, having superstructure amidships and propelling machinery aft shall be provided with at least four lifeboats, one on each side in way of the after accommodations, and one on each side in way of amidship accommodations.

(b) No lifeboat shall be of less than 180 cubic feet measurement, except, in the case of coastwise vessels, if specifically approved by the Commandant.

(c) All tankships of 1,600 gross tons and over on an international voyage shall carry at least one Class 1 motor lifeboat on each side. The requirement of this paragraph shall not apply except for replacements, and then only if it can be done without change to existing davits, winches, and arrangements.

(d) Inflatable liferafts may be substituted for lifeboats on certain vessels not on an international voyage in accordance with Subpart 33.07.

(e) All tankships in ocean service, and all tankships of less than 1,600 gross tons on an international voyage shall carry inflatable liferafts of sufficient capacity to accommodate at least 50 percent of the persons on board. Those tankships having widely separated accommodation and/or working spaces shall have at least one liferaft in each such location.

4. Section 33.05-2 is amended to read as follows:

§ 33.05-2 Lifeboats and liferafts for tankships; ocean and coastwise; construction or conversion of which was started on or after November 19, 1952 and prior to May 26, 1965—T/O.C.

(a) All tankships shall carry a sufficient number of lifeboats on each side to accommodate all persons on board: *Provided*, That such tankships of 3,000 gross tons and over, having a superstructure amidships and propelling machinery aft shall be provided with at least four lifeboats, one on each side in way of the after accommodations, and one on each side in way of amidship accommodations.

(b) No lifeboat shall be less than 24 feet in length, except where owing to the size of the tankship, or for other reasons, the Commandant may permit smaller lifeboats, but in no case shall they be less than 16 feet in length.

(c) All tankships of 1,600 gross tons and over on an international voyage shall carry at least one Class 1 motor lifeboat on each side. The requirement of this paragraph shall not apply except for replacements, and then only if it can be done without change to existing davits, winches, and arrangements.

(d) Inflatable liferafts may be substituted for lifeboats on certain vessels not on an international voyage in accordance with Subpart 33.07.

(e) All tankships in ocean service, and all tankships of less than 1,600 gross tons on an international voyage shall carry inflatable liferafts of sufficient capacity to accommodate at least 50 percent of the persons on board. Those tankships having widely separated accommodation and/or working spaces shall have at least one liferaft in each such location.

5. Subpart 33.05 is amended by inserting after § 33.05-2 a new section reading as follows:

§ 33.05-3 Lifeboats and liferafts for tankships; ocean and coastwise; construction or conversion of which started on or after May 26, 1965—T/O.C.

(a) All ocean and coastwise tankships shall carry a sufficient number of lifeboats on each side to accommodate all persons on board.

(b) All tankships of 3,000 gross tons and over on an international voyage shall carry not less than four lifeboats. Two lifeboats shall be carried aft and two amidships except that in tankships which have no amidships superstructure all lifeboats shall be carried aft: *Provided*, That, if in the case of tankships with no amidships superstructure it is impracticable to carry four lifeboats aft, the Commandant may permit instead the carriage aft of one lifeboat on each side of the ship. In such cases:

(1) Each lifeboat shall not exceed 26 feet in length;

(2) Each lifeboat shall be stowed as far forward as practicable, but at least so far forward that the after end of the lifeboat is 1½ times the length of the lifeboat forward of the propeller; and

(3) Each lifeboat shall be stowed as near the sea level as is safe and practicable.

(c) No lifeboat shall be less than 24 feet in length, except where owing to the size of the tankship, or for other reasons, the Commandant may permit smaller lifeboats, but in no case shall they be less than 16 feet in length.

(d) All tankships 1,600 gross tons and over on an international voyage shall carry on each side at least one Class 1 motor lifeboat.

(e) All tankships certificated for ocean service, and all tankships of less than 1,600 gross tons on an international voyage shall carry inflatable liferafts of sufficient capacity to accommodate at least 50 percent of the persons on board. Those tankships having widely separated accommodation and/or working spaces shall have at least one liferaft in each such location.

(f) Inflatable liferafts may be substituted for lifeboats on certain vessels not on an international voyage in accordance with Subpart 33.07.

§ 33.05-10 [Canceled]

5a. Section 33.05-10 *Lifeboats for tankships; coastwise; construction or conversion of which was started prior to November 19, 1952—T/C* is canceled. (Revised requirements transferred to § 33.05-1.)

§ 33.05-11 [Canceled]

6. Section 33.05-11 *Lifeboats for tankships; coastwise; construction or conversion of which was started on or after November 19, 1952—T/C* is canceled. (Revised requirements transferred to § 33.05-2.)

7. Section 33.05-25 is amended by revising paragraph (a) and by adding a new paragraph (e) reading as follows:

§ 33.05-25 Lifeboats, liferafts, or buoyant apparatus for tank vessels; bays, sounds, lakes other than Great Lakes, and rivers—TB/BR.

(a) All tank vessels, except those on an international voyage, operating exclusively on bays, sounds, lakes (other than the Great Lakes), rivers, harbors, or inland waters tributary to the Gulf of Mexico, shall carry lifeboats, liferafts, or buoyant apparatus of sufficient number to accommodate all persons on board.

(e) All tankships on an international voyage shall meet the applicable requirements of §§ 33.05-1 through 33.05-3.

**Subpart 33.07—Substitution of Inflatable Liferafts for Other Liferafts, Lifeboats, and Buoyant Apparatus on Certain Vessels Not On an International Voyage**

8. The heading for Subpart 33.07 is amended to read "Substitution of Inflatable Liferafts for Other Liferafts, Lifeboats, and Buoyant Apparatus on Certain Vessels not on an International Voyage," as set forth above.

9. Section 33.07-5(a) is amended to read as follows:

§ 33.07-5 Inflatable liferafts for other liferafts, lifeboats and buoyant apparatus—T/ALL.

(a) On all tankships inflatable liferafts may be permitted as substitutes for

other types of liferafts, lifefloats and buoyant apparatus required by this subpart.

10. Section 33.07-15(a) is amended to read as follows:

§ 33.07-15 Inflatable liferafts for lifeboats on certain tankships of 500 to 1,600 gross tons—T/ALL.

(a) On all tankships of 500 gross tons and upwards to 1,600 gross tons inflatable liferafts may be substituted for all required lifeboats provided one approved lifeboat of a size acceptable to the Officer in Charge, Marine Inspection, suitable for rescue purposes, is installed.

11. Section 33.07-20(a) is amended to read as follows:

§ 33.07-20 Inflatable liferafts for lifeboats on certain tankships of 1,600 to 3,000 gross tons—T/ALL.

(a) On all tankships of 1,600 gross tons and upwards to 3,000 gross tons inflatable liferafts may be substituted for all except two of the required lifeboats. These lifeboats shall be of a size acceptable to the Officer in Charge, Marine Inspection, and shall be suitable for rescue purposes. In all cases, two approved lifeboats, one on each side, shall be provided.

12. Section 33.07-25(a) is amended to read as follows:

§ 33.07-25 Inflatable liferafts for lifeboats on certain tankships of 3,000 gross tons and upward—T/ALL.

(a) The Commandant may give special consideration to the substitution of approved inflatable liferafts for required lifeboats on tankships of 3,000 gross tons and over.

**Subpart 33.10—Lifeboat Handling Equipment Requirements**

13. Section 33.10-1 is amended by revising paragraphs (b) and (c) to read as follows:

§ 33.10-1 Lifeboat davits—TB/ALL.

(b) On any tank vessel the keel of which was laid after September 1, 1941, davits for lifeboats weighing in excess of 5,000 pounds when fully equipped (but without persons) shall be of the gravity type.

(c) On tank vessels of 1,600 gross tons and over on an international voyage, contracted for on or after May 26, 1965, all davits shall be of the gravity type.

14. Section 33.10-10 is amended by revising the heading and paragraph (d) to read as follows:

§ 33.10-10 Blocks and falls for lifeboats—TB/ALL.

(d) Falls shall be of such length that the lifeboat may be lowered to the water with the vessel at the lightest seagoing draft, listed 15 degrees either way.

**Subpart 33.15—Equipment for Lifeboats, Liferafts, or Buoyant Apparatus**

15. Section 33.15-1(a) is amended to read as follows:

§ 33.15-1 Lifeboat, liferaft or buoyant apparatus equipment; general—TB/ALL.

(a) The provisions of this subpart with the exception of § 33.15-90 shall apply to

all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965 shall meet the requirements of § 33.15-90.

16. Section 33.15-5(a) is amended by revising Table 33.15-5(a) to read as follows:

§ 33.15-5 Required equipment for lifeboats—TB/ALL.

(a) \* \* \*

TABLE 33.15-5(a)

Letter identification	Item	Tankship			Tank barge—all waters
		Ocean and coastwise	Great Lakes	Lakes, bays, sounds, and rivers	
a	Bailer	1	1	None	None
b	Bilge pump	1	None	None	None
c	Boathooks	2	1	1	1
d	Bucket	2	1	1	1
e	Compass and mounting	1	None	None	None
f	Ditty bag	1	None	None	None
g	Drinking cup	1	None	None	None
h	Fire extinguisher (motor-propelled lifeboats only)	2	2	2	2
i	First-aid kit	1	None	None	None
j	Flashlight	1	1	None	None
k	Hatchet	2	2	1	None
l	Heaving line	2	None	None	None
m	Jackknife	1	None	None	1
n	Ladder, lifeboat, gunwale	1	None	None	None
o	Lantern	1	1	1	1
p	Lifeline	1	1	1	1
q	Life preservers	2	2	2	2
r	Locker	1	1	None	None
s	Mast and sail (oar-propelled lifeboats only)	1	None	None	None
t	Matches (boxes)	2	1	1	1
u	Milk, condensed (pounds per person)	1	None	None	None
v	Mirror, signaling	2	None	None	None
w	Oars (units)	1	1	1	1
x	Oil, illuminating (quarts)	1	1	None	None
y	Oil, storm (gallons)	1	1	None	None
z	Painter	2	2	1	1
aa	Ping	1	1	1	1
bb	Provisions (pounds per person)	2	None	None	None
cc	Rowlocks (units)	1	1	1	1
dd	Rudder and tiller	1	1	None	None
ee	Sea anchor	1	1	None	None
ff	Signals, distress, floating orange smoke	2	None	None	None
gg	Signals, distress, red hand flare (units)	1	1/4 unit	None	None
hh	Signals, distress, red parachute flare (units)	1	1/4 unit	None	None
ii	Tool kit (motor-propelled lifeboats only)	1	1	1	1
jj	Water (quarts per person)	3	None	None	None
kk	Whistle, signaling	1	None	None	None
ll	Fishing kit	1	None	None	None
mm	Cover, protecting	1	None	None	None
nn	Signals, lifesaving	1	None	None	None
oo	Desalting kit	1	None	None	None

<sup>1</sup> Only 1 required on other than seagoing barges.

<sup>2</sup> Seagoing barges only.

<sup>3</sup> For description of unit see § 33.15-10.

<sup>4</sup> Lifeboats on barges need only carry 4 rowlocks.

<sup>5</sup> Vessels in coastwise service need only carry 1 unit for each 5 lifeboats or fraction thereof.

<sup>6</sup> Optional equipment. See § 33.15-10(j), water.

17. Section 33.15-10 is amended by revising paragraphs (g), (j), (w) (text only, Table 33.15-10(w) continued in effect), and (jj), and by adding new paragraphs (kk) through (oo), which read as follows:

§ 33.15-10 Description of equipment for lifeboats—TB/ALL.

(g) *Drinking cups.* Drinking cups shall be enamel coated or plastic, graduated in ounces, and be provided with lanyards 3 feet in length.

(j) *Flashlight.* The flashlight shall be of an approved Type I, Size No. 3, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter. Three spare cells (or one 3-cell battery) and two spare bulbs, stowed in a watertight container, shall

be provided with each flashlight. Batteries shall be replaced yearly during the annual stripping, cleaning, and overhaul of the lifeboat.

(w) *Oars.* A unit, consisting of a complement of rowing oars and steering oar, shall be provided for each lifeboat in accordance with Table 33.15-10(w), except that motor-propelled and hand-propelled lifeboats need only be equipped with 4 rowing oars and steering oar. All oars shall be buoyant.

(jj) *Water.* (1) For each person the lifeboat is certified to carry, there shall be provided three quarts of drinking water consisting of nine approved hermetically sealed containers per person constructed and filled in accordance with Subpart 160.026 of Subchapter Q (Speci-

fications) of this chapter. The service life of this equipment shall be limited to 5 years from date of packing, and replacement shall be made no later than the first annual stripping, cleaning, and overhaul of the lifeboat after date of expiration. Approved desalting kits capable of producing an equal amount of drinking water may be substituted for not more than one-third of the drinking water required to be carried.

(2) The drinking water containers shall be stowed in drinking water tanks, lockers, or other compartments providing suitable protection.

(kk) *Whistle, signaling.* The whistle shall be of the ball-type, of corrosion-resistant construction, with a 36-inch lanyard attached, and in good working order.

(ll) *Fishing kit.* The fishing kit shall be of approved type constructed in accordance with Subpart 160.061 of Subchapter Q (Specifications) of this chapter.

(mm) *Cover, protecting.* The protecting cover shall be of a highly visible color, and capable of protecting the occupants against injury by exposure.

(nn) *Table of lifesaving signals.* The table of lifesaving signals shall be in accordance with the provisions of Chapter V, Regulation 16, of the International Convention for Safety of Life at Sea, 1960, and shall be printed on water resistant paper.

(oo) *Desalting kit.* One or more approved desalting kits may be used as a substitute for one-third of the required amount of drinking water per person, and shall be constructed in accordance with Subpart 160.058 of Subchapter Q (Specifications) of this chapter.

18. Section 33.15-16(a) is amended to read as follows (but the note following it is retained without change):

§ 33.15-16 Required equipment for inflatable liferafts—TB/ALL.

(a) Inflatable liferafts shall be equipped with ocean service equipment for vessels on ocean and coastwise routes and with limited service equipment for vessels on Great Lakes, lakes, bays, sounds, and river routes in accordance with Subpart 160.051 of Subchapter Q (Specifications) of this chapter.

19. Section 33.15-25 is amended to read as follows:

§ 33.15-25 Portable radiotelegraph apparatus—T/OC.

(a) All tankships on an international voyage shall be provided with a portable radio apparatus complying with the requirements of the Federal Communications Commission unless at least one lifeboat on each side of the vessel is fitted with a fixed radio installation. Such portable radio shall be kept in the radio room, chartroom, or other suitable location ready to be moved to one or other of the lifeboats in the event of an emergency; however, in tankships of 3,000 gross tons and over in which lifeboats are fitted amidships and aft, such equipment shall be kept in a suitable place in the vicinity of those lifeboats which are

furthest removed from the ship's main transmitter.

20. Section 33.15-90 is amended to read as follows:

§ 33.15-90 Lifeboat, liferaft and buoyant apparatus equipment on tank vessels contracted for prior to May 26, 1965—TB/ALL.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 33.15-5 through 33.15-25 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned.

(2) Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 33.15-5 through 33.15-25 may be continued in service so long as they are maintained in a good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(3) Lifeboats previously approved without automatic drain plugs shall have two plugs or caps attached to the lifeboat by separate chains.

(4) On tank vessels certificated for ocean or coastwise service, and contracted for prior to November 19, 1952, unless other approved means are provided to achieve the same purpose, three ½-inch diameter manila grab lines shall be fitted extending from gunwale to gunwale under the keel to enable persons to cling or to climb upon the upturned lifeboat. The ends of each grab line shall be securely attached to the side benches or other permanent part of the lifeboat and each grab line shall be made up with figure eight knots spaced approximately 18 inches apart in order to provide hand grips. Means shall be provided for taking up any slack in the grab lines.

(5) All new installations shall meet the applicable specifications or requirements of this part.

Subpart 33.20—Stowage of Lifeboats, Liferafts, and Buoyant Apparatus

21. Section 33.20-1 is amended to read as follows:

§ 33.20-1 Davits and launching devices—TB/ALL.

(a) Tank ships of 100 gross tons or more shall be equipped with separate davits for each lifeboat carried.

(b) Tankships of less than 100 gross tons and tank barges where lifeboats are carried shall provide means for the launching of such lifeboats by davits or crane or, where the freeboard is less than 6 feet when the vessel has no cargo aboard, by slide.

(c) On all tankships of 500 gross tons and over in ocean and coastwise service, the conditions set forth in subparagraphs (1) to (5), inclusive, of this paragraph shall apply. Tankships of 500 gross tons and over in Great Lakes service shall comply with the conditions set forth in subparagraphs (1) and (3) of this paragraph.

(1) An approved ladder, constructed in accordance with Subpart 160.017 of Subchapter Q (Specifications) of this

chapter shall be provided at each set of davits to afford access to the lifeboats when waterborne.

(2) All davit installations shall have at least 2 lifelines fitted to a davit span. The lifelines shall be of such length as to reach the water at the lightest draft with the vessel listed 15 degrees either way.

(3) Suitable means shall be provided on vessels engaged on international voyages for illuminating the launching gear and the lifeboats during the process of launching the lifeboats from the stowed position until they are waterborne. Similar provisions shall be made on such vessels for the illumination of any liferaft stowage areas. For detailed requirements of such illumination for tank vessels contracted for on or after November 19, 1955, see Part 111 of Subchapter J (Electrical Engineering) of this chapter.

(4) On tankships the construction or conversion of which was started on or after November 19, 1952, where applicable, means shall be provided outside the machinery space to prevent the discharge of water into the lifeboats while they are being lowered. This shall consist of baffles to deflect the water down the vessel's side, reach rods or other means to close the discharge openings, or a remote means for stopping the pumps.

(5) Lifeboats on tankships contracted for on or after May 26, 1965, shall be fitted with skates or other suitable means to facilitate launching against an adverse list of up to 15 degrees. However, skates may be dispensed with if, in the opinion of the Commandant, the arrangements are such as to insure that the lifeboats can be satisfactorily launched without skates. For vessels contracted for prior to May 26, 1965, the foregoing shall apply unless in the opinion of the Officer in Charge, Marine Inspection, it is unreasonable or impracticable or the arrangement or construction of the vessel make their use unnecessary.

(d) Lifeboats shall not be placed in the bows of tankships. They shall be stowed in such positions as to insure safe launching.

(e) Suitable access to the lifeboats shall be provided to enable the crew to prepare the lifeboats for launching.

(f) Means shall be provided for bringing the lifeboats against the ship's side and holding them there so that persons may be safely embarked.

(g) On a tankship on which inflatable liferafts have been substituted for lifeboats, a launching device for each lifeboat to be used for rescue purposes shall be installed. Radial type davits or other means may be used in sheltered waters if acceptable to the Officer in Charge, Marine Inspection.

Subpart 33.25—Markings, Care and Inspection

22. Section 33.25-5(b) is amended to read as follows:

§ 33.25-5 Numbering and marking of lifeboats—TB/ALL.

(b) The cubical contents and number of persons allowed to be carried on each lifeboat shall be plainly marked or painted on each side of the bow in letters

and numbers 1½ inches high. For vessels on an international voyage, the vessel's port of registry shall be added in similar type letters. In addition, the number of persons allowed shall be plainly marked or painted on the top of at least two of the thwarts in letters and numbers 3 inches high.

#### Subpart 33.35—Life Preservers

23. Section 33.35-1 is amended to read as follows:

##### § 33.35-1 Number and type required—TB/ALL.

(a) All tank vessels shall be provided with one approved life preserver for each person carried. An additional number of life preservers shall be provided for personnel on watch in the engine room and pilot house.

(b) In addition to the life preservers required by paragraph (a) of this section, all tankships on an international voyage shall be provided with approved type life preservers for 5 percent of the persons carried. The additional number of life preservers required for personnel on watch in the engine room and pilot house may be counted toward meeting this requirement.

(c) All life preservers on tankships of 500 gross tons and over on an international voyage shall be provided with a whistle of the ball-type, of corrosion-resistant construction, with a 3-foot lanyard attached, and in good working order. It shall be attached to the life preserver by the lanyard alone without hooks, snaps, clips, etc., and shall extend not less than 15 inches from the life preserver body. While stowed on the life preserver, the whistle lanyard shall be coiled and stopped-off.

24. Section 33.35-15 is amended to read as follows:

##### § 33.35-15 Requirements for life preservers—TB/ALL.

(a) The specifications regarding life preservers are in Subparts 160.001, 160.002, 160.005, 160.006, and 160.055 of Subchapter Q (Specifications) of this chapter.

(b) Cork and balsa wood life preservers, constructed in accordance with the applicable provisions of Subpart 160.003 or 160.004 and manufactured as approved life preservers prior to July 1, 1965, may be accepted as new or replacement equipment required by this subchapter if such life preservers are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection: *Provided, however,* That such life preservers bearing basic Approval No. 160.003 or 160.004 shall not be considered as approved equipment meeting the requirements for those tankships on an international voyage, constructed or contracted for on or after May 26, 1965.

(c) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts, as required by Subparts 160.002 and 160.005 of Subchapter Q (Specifications) of this chapter, shall be removed from service.

#### Subpart 33.40—Ring Life Buoys and Water Lights

25. Section 33.40-1 is amended by adding a new paragraph (c) reading as follows:

##### § 33.40-1 Ring life buoys and water lights, general requirements—TB/ALL.

(c) All self-activated smoke signals shall be of an approved type, constructed in accordance with the requirements of Subpart 160.057 of Subchapter Q (Specifications) of this chapter, which shall be capable of producing smoke of a highly visible color for at least 15 minutes.

26. Section 33.40-5 is amended to read as follows:

##### § 33.40-5 Number required on tankships—T/ALL.

(a) The minimum number of approved 30-inch ring life buoys, and the minimum number of which shall have water lights attached, shall be in accordance with Table 33.40-5(a).

TABLE 33.40-5(a)

Length of tankship (feet)	Ocean		All services other than ocean	
	Minimum number of ring life buoys	Minimum number of ring life buoys in column 2 which shall have water lights attached	Minimum number of ring life buoys	Minimum number of ring life buoys in column 4 which shall have water lights attached
Column 1	Column 2	Column 3	Column 4	Column 5
Under 100.....	8	6	2	1
100 and under 200.....	8	6	4	2
200 and under 300.....	8	6	6	2
300 and under 400.....	12	6	12	4
400 and under 600.....	18	9	18	9
600 and under 800.....	24	12	24	12
800 and over.....	30	15	30	15

(b) One of the ring life buoys on each side of the vessel shall have secured to it a line at least 15 fathoms in length. On tankships on an international voyage, the line shall be of the buoyant type.

(c) On tankships on an international voyage, at least two of the ring life buoys with waterlights attached as required by Table 33.40-5(a), shall also be provided with an approved self-activated smoke signal and shall be capable of quick release from the bridge.

(d) On tankships on an international voyage, the ring life buoys required by this section shall be orange in color.

#### PART 34—FIREFIGHTING EQUIPMENT

1. The authority for Part 34 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 34 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 415. Interpret or apply R.S. 4488, as

amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-38, Oct. 26, 1959, 24 P.R. 8857.

#### Subpart 34.05—Firefighting Equipment, Where Required

2. The heading for Part 34 is amended by deleting the hyphen from between the words "fire fighting," so it reads as set forth above, and the same change is made in the heading for Subpart 34.05.

#### Subpart 34.10—Fire Main System, Details

3. Section 34.10-1(a) is amended to read as follows:

##### § 34.10-1 Application—TB/ALL.

(a) On all tankships the provisions of this subpart, with the exception of § 34.10-90, shall apply to all fire main installations contracted for on or after May 26, 1965. Installations contracted for prior to May 26, 1965, shall meet the requirements of § 34.10-90.

4. Section 34.10-5 is amended to read as follows:

##### § 34.10-5 Fire pumps—T/ALL.

(a) Tankships shall be equipped with independently driven fire pumps in accordance with Table 34.10-5(a).

TABLE 34.10-5(a)—FIRE PUMPS

Size vessel, L.O.A.		Minimum number of pumps	Powerful streams of water per pump	Minimum hydrant and hose size	
Over—	Not over—			Exterior stations	Interior stations
(Feet)	(Feet)	(1)	(Inches)	(Inches)	
100	100	1	1½	1½	
200	250	2	1½	1½	
400	400	2	2	1½	
600	650	2	2½	1½	
		2	3	1½	

<sup>1</sup> Vessels of 65 feet and not over 100 feet shall be equipped with 2 B-V extinguishers. (Refer to Table 34.50-5(e).) Vessels under 65 feet shall be equipped with 1 B-V extinguisher. (Refer to Table 34.50-5(c).)

<sup>2</sup> Vessels of 1,000 gross tons and over on an international voyage shall have at least 2 fire pumps.

<sup>3</sup> From hydrants having greatest pressure drop between fire-pump(s) and nozzles.

<sup>4</sup> Where 2½-inch hydrant size is required, two 1½-inch outlets may be substituted therefor with two 1½-inch hoses.

(b) Each pump shall be capable of delivering simultaneously the number of streams of water required by Table 34.10-5(a) from the outlets having the greatest pressure drop between fire pump(s) and nozzles at a Pitot tube pressure of approximately 75 p.s.i. Where 1½-inch hose is permitted in lieu of 2½-inch hose by footnote 3 of Table 34.10-5(a), the pump capacity shall be determined on the basis that both hoses are used.

(c) On tankships of 1,000 gross tons and over on an international voyage, each required fire pump, while delivering water through the fire main system at a pressure corresponding to that required by § 34.10-15(e), shall have a minimum capacity of at least two-thirds of that required for an independent bilge pump if no length correction is taken

for the cargo tank space. However, in no case shall the capacity of each fire pump be less than that otherwise required by this section.

(d) Fire pumps shall be fitted on the discharge side with relief valves set to relieve at 25 p.s.i. in excess of the pressure necessary to maintain the requirements of paragraph (b) of this section.

(e) Fire pumps shall be fitted with a pressure gage on the discharge side of the pumps.

(f) Fire pumps may be used for other purposes provided at least one of the required pumps is kept available for use on the fire system at all times. Unless specifically approved by the Commandant no branch lines shall be connected to the fire mains for other than fire, deck wash or tank cleaning purposes. Other discharge lines shall lead from a discharge manifold near the fire pump. In no case shall a pump having connection to an oil line be used as a fire pump.

(g) On all vessels where two fire pumps are required, they shall be located in separate spaces, and the arrangement of pumps, sea connections, and sources of power shall be such as to insure that a fire in any one space will not put all of the fire pumps out of operation. However, where it is shown to the satisfaction of the Commandant that it is unreasonable or impracticable to meet this requirement due to the size, or arrangement of the vessel, or for other reasons, the installation of a total flooding carbon dioxide system may be accepted as an alternate method of extinguishing any fire which would affect the powering and operation of at least one of the required fire pumps.

5. Section 34.10-15 is amended by adding new paragraphs (d) and (e) reading as follows:

§ 34.10-15 Piping—T/ALL.

(d) Tankships of 1,000 gross tons and over on an international voyage shall be provided with at least one international shore connection. Facilities shall be available enabling such a connection to be used on either side of the vessel. The international shore connection shall be in accordance with specification Subpart 162.034 of Subchapter Q (Specifications) of this chapter.

(e) For tankships on an international voyage, the diameter of the fire main shall be sufficient for the effective distribution of the maximum required discharge from two fire pumps operating simultaneously. This requirement is in addition to § 34.10-5(b). The discharge of this quantity of water through hoses and nozzles at a sufficient number of adjacent hydrants shall be at a minimum Pitot tube pressure of approximately 50 pounds per square inch.

6. Section 34.10-90 is amended by changing the heading and by adding a new paragraph (b) reading as follows:

§ 34.10-90 Installations contracted for prior to May 26, 1965—T/ALL.

(b) Installations contracted for on or after January 1, 1962, but prior to

May 26, 1965, shall meet the following requirements:

(1) Existing arrangements, materials, and facilities previously approved shall be considered satisfactory as long as they meet the minimum requirements of this paragraph and they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, and alterations may be made to the same standards as the original installation.

(2) The details of the systems shall be in general agreement with §§ 34.10-5 through 34.10-15 insofar as is reasonable and practicable.

Subpart 34.13—Steam Smothering System, Details

6a. Section 34.13-1 is amended by adding a new paragraph (c) reading as follows:

§ 34.13-1 Application—T/ALL.

(c) This does not preclude the introduction of steam into such confined spaces as boiler casings or into tanks for steaming out purposes. Such installations are not to be considered as part of any required fire extinguishing system.

Subpart 34.15—Carbon Dioxide Extinguishing Systems, Details

7. Section 34.15-5(e) is amended to read as follows:

§ 34.15-5 Quantity, pipe sizes, and discharge rates—T/ALL.

(e) Machinery spaces, pumprooms, paint lockers, and similar spaces.

(1) Except as provided in subparagraph (4) of this paragraph, the number of pounds of carbon dioxide required for each space shall be equal to the gross volume of the space divided by the appropriate factor noted in Table 34.15-5(e)(1). If fuel can drain from the compartment being protected to an adjacent compartment, or if the compartments are not entirely separate, the requirements for both compartments shall be used to determine the amount of carbon dioxide to be provided. The carbon dioxide shall be arranged to discharge into both such compartments simultaneously.

TABLE 34.15-5(e)(1)

Gross volume of compartment, cubic feet		Factor
Over—	Not Over—	
.....	500	15
500	1,000	16
1,000	4,500	18
4,500	50,000	20
50,000	.....	22

(2) For the purpose of the above requirement of this paragraph, the volume of a machinery space shall be taken as exclusive of the normal machinery casing unless the boiler, internal combustion propelling machinery, or fuel oil installations subject to the discharge pressure of the fuel oil service pump extend into such space, in which case the volume shall be taken to the top of the casing

or the next material reduction in casing area whichever is lower. The terms "normal machinery casing" and "material reduction in casing area" shall be defined as follows:

(i) By "normal machinery casing" shall be meant a casing the area of which is not more than 40 percent of the maximum area of the machinery space.

(ii) By "material reduction in casing area" shall be meant a reduction to at least 40 percent of the casing area.

(3) For the purpose of the above requirements of this paragraph, the volume of a pumproom shall include the pumproom and all associated trunks up to the deck at which access from the weather is provided.

(4) For tankships on an international voyage contracted for on or after May 26, 1965 the amount of carbon dioxide required for a space containing propulsion boilers or internal combustion propulsion machinery shall be as given by subparagraphs (1) and (2) of this paragraph or by dividing the entire volume, including the casing, by a factor of 25, whichever is the larger.

(5) Branch lines in the various spaces shall be as noted in Table 34.15-5(e)(5).

TABLE 34.15-5(e)(5)

Maximum quantity of carbon dioxide required, pounds	Minimum pipe size, inches	Maximum quantity of carbon dioxide required, pounds	Minimum pipe size, inches
100	1/4	2,500	2 3/4
225	3/4	4,450	3
300	1	7,100	3 3/4
600	1 1/4	10,450	4
1,000	1 3/4	15,000	4 1/2
2,450	2		

(6) Distribution piping within the space shall be proportioned from the supply line to give proper distribution to the outlets without throttling.

(7) The number, type and location of discharge outlets shall be such as to give a uniform distribution throughout the space.

(8) The total area of all discharge outlets shall not exceed 85 percent nor be less than 35 percent of the nominal cylinder outlet area or the area of the supply pipe, whichever is smaller. The nominal cylinder outlet area in square inches shall be determined by multiplying the factor 0.0022 by the number of pounds of carbon dioxide required, except that in no case shall this outlet area be less than 0.110 square inches.

(9) The discharge of at least 85 percent of the required amount of carbon dioxide shall be complete within 2 minutes.

Subpart 34.50—Portable and Semi-portable Extinguishers

§ 34.50-10 [Amended]

8. Section 34.50-10 Location—T/ALL is amended by deleting paragraph (f).

PART 35—OPERATIONS

1. The authority for Part 35 is amended to read as follows:

AUTHORITY: The provisions of this Part 35 issued under R.S. 4405, as amended, 4417a.

as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4472, as amended, 4488, as amended, 4491, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 170, 481, 489, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857. Additional authority is cited in parentheses following the sections affected.

### Subpart 35.01—Special Operating Requirements

2. Section 35.01-20 is amended to read as follows:

#### § 35.01-20 Pilot ladders—T/OC.

(a) On and after May 26, 1965, every tankship which normally employs a pilot shall have an approved type ladder for the use of the pilot in addition to the ladders required by § 33.20-1(c) of this subchapter. Pilot ladder installations shall be in accordance with the following:

(1) All pilot ladders shall be approved Type I (rope suspension) or Type II (chain suspension) ladders constructed in accordance with Subpart 160.017 of Subchapter Q (Specifications) of this chapter.

(2) Suitable spreaders, a man rope, and a safety line shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require.

(3) When used, the ladder shall be secured in a position so that each step rests firmly against the ship's side, and so the pilot can gain safe and convenient access to the ship after climbing not more than 30 feet. Whenever the distance from sea level is more than 30 feet, access from the pilot ladder to the ship shall be by means of an accommodation ladder or other equally safe and convenient means.

(4) Arrangements shall be such that the rigging of the ladder and the embarkation and debarkation of the pilot is supervised by a responsible officer of the ship, and that handholds are provided to assist the pilot to pass safely and conveniently from the head of the ladder into the ship or onto the ship's deck.

(5) At night a light shining over the side shall be available for use, and the deck at the position where the pilot boards the ship shall be adequately lighted.

(b) Tankships contracted for prior to May 26, 1965, shall meet the requirements of this section, except as follows:

(1) Existing pilot ladders not meeting the requirements of paragraph (a) (1) of this section may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new or replacement ladders shall meet the applicable requirements.

### Subpart 35.10—Fire and Emergency Requirements

3. Section 35.10-5(a) is amended to read as follows:

#### § 35.10-5 Emergency signals; fire and lifeboat drills—T/ALL.

(a) The fire-alarm signals shall be a continuous blast of the whistle for a period of not less than 10 seconds supplemented by a continuous ringing of the

general alarm bells for not less than 10 seconds. For dismissal from fire-alarm stations, the general alarm bells should be sounded three times, supplemented by three short blasts of the whistle. The signal for lifeboat drill or lifeboat stations shall be more than six short blasts and one long blast of the whistle, supplemented by the same signal on the general alarm bells. Where whistle signals are used to direct the handling of lifeboats they shall be as follows:

(1) To lower lifeboats, one short blast of the whistle.

(2) To stop lowering the lifeboats, two short blasts of the whistle.

(3) For dismissal from lifeboat stations, three short blasts of the whistle: *Provided*, That on river tankships the whistle signals specified herein may be made on the ship's bell.

3a. Subpart 35.10 is amended by inserting after § 35.10-7 a new § 35.10-9 reading as follows:

#### § 35.10-9 Posting placards containing instructions for launching and inflating inflatable liferafts—TB/ALL.

(a) Every vessel equipped with inflatable liferafts shall have posted in conspicuous places which are regularly accessible to the crew and/or passengers, approved placards containing instructions for launching and inflating inflatable liferafts for the information of persons on board. The number and location of such placards for a particular vessel shall be as determined necessary by the Officer in Charge, Marine Inspection.

(b) Under the requirements contained in § 160.051-6(c) (1) of Subpart 160.051 in Subchapter Q (Specifications) of this chapter, the manufacturer of approved inflatable liferafts is required to provide approved placards containing such instructions with each liferaft.

#### § 35.10-10 [Canceled]

4. Section 35.10-10 *Posting placard containing instructions regarding use of breeches buoy—T/OCL* is canceled. (These requirements transferred to a new § 35.12-5.)

5. Subpart 35.10 is amended by adding after § 35.10-15 a new § 35.10-20 reading as follows:

#### § 35.10-20 Radio apparatus for lifeboats—T/OC.

(a) It shall be the duty of the master to require that all batteries for all fixed and portable radio apparatus for lifeboats are brought up to full charge weekly if the batteries are of a type which require recharging.

(b) In any case, the transmitter shall be tested weekly using a suitable artificial aerial.

6. Part 35 is amended by inserting after § 35.10-20 a new Subpart 35.12, consisting of §§ 35.12-1 and 35.12-5, reading as follows:

### Subpart 35.12—Placard of Lifesaving Signals and Breeches Buoy Instructions

Sec.  
35.12-1 Application—T/OCBL.  
35.12-5 Availability—T/OCBL.

#### § 35.12-1 Application—T/OCBL.

(a) The provisions of this subpart shall apply to all vessels on an international voyage, and all other vessels of 150 gross tons or over in ocean, coastwise or Great Lakes service.

#### § 35.12-5 Availability—T/OCBL.

(a) On all vessels to which this subpart applies there shall be posted in the pilothouse and readily available to the deck officer of the watch a placard (Form CG-811) containing instructions for the use of breeches buoys and the lifesaving signals set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1960. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

(b) A copy of Form CG-811 shall also be conveniently posted in the engine-room and crews quarters of all vessels to which this subpart applies.

### Subpart 35.30—General Safety Rules

6a. Section 35.30-15 is amended to read as follows:

#### § 35.30-15 Combustible gas indicator—TB/ALL.

(a) The provisions of this section shall apply only to United States flag vessels.

(b) Manned tank barges and tankships authorized to carry Grade A, B, C, or D liquids at any temperature, or Grade E liquids at elevated temperatures, shall be provided with a combustible gas indicator suitable for determining the presence of explosive concentrations of the cargo carried. An indicator which bears the label of Underwriters' Laboratories, Inc., Factory Mutual Engineering Division, or other organizations acceptable to the Commandant will be accepted as meeting this requirement.

7. Section 35.30-20 is amended to read as follows:

#### § 35.30-20 Emergency equipment—TB/ALL.

(a) All manned tank vessels having tanks which exceed 15 feet in depth, measured from the deck to the lowest point at which cargo is carried, all tankships on an international voyage, and all tankships of 1,000 gross tons and over shall be provided with an outfit as follows:

(1) One approved fresh air breathing apparatus, including belt and lifeline. The length of the air hose shall be sufficient to reach from the open deck, well clear of hatch or doorway, to any part of the holds, tanks, and, except as provided in the following subparagraph, the machinery spaces.

(2) If it is not practicable to reach all portions of the machinery space with the air hose of the fresh air breathing apparatus, an approved self-contained breathing apparatus with adequate lifeline shall be carried for use in the machinery space. In such case, the particular apparatus provided for the machinery space shall be used for no other purpose, shall be marked indicating the restriction to its use, and shall be stowed

convenient to, but outside of the machinery space.

(3) One approved 3-cell, explosion-proof flashlight, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter.

(4) One fire ax.

(b) Approved self-contained breathing apparatus with adequate lifelines may be provided in addition to the equipment required in the preceding paragraph, and may be used in any space on the vessel.

(c) For tankships on an international voyage, lifelines shall be of steel or bronze wire rope. Steel wire rope shall be either inherently corrosion resistant or made so by galvanizing or tinning. Each end shall be fitted with a hook with keeper having a throat opening which can be readily slipped over a 1/2-inch bolt. The total length of the lifeline shall be dependent upon the size and arrangement of the vessel, and more than one line may be hooked together to achieve the necessary length. No individual length of lifeline may be less than 50 feet in length. The assembled lifeline shall have a minimum breaking strength of 1,500 pounds.

**Subpart 35.40—Marking of Fire and Emergency Equipment**

8. Section 35.40-40 is amended by adding a new paragraph (b) reading as follows:

§ 35.40-40 Vessel's name on equipment—TB/ALL.

(b) For vessels on an international voyage, in addition to other markings required, the port of registry of the vessel shall be marked on all lifeboats, rigid liferafts, buoyant apparatus, and ring life buoys. On lifeboats, the name of the vessel and the port of registry shall be marked on each side of the bow.

**PART 36—ELEVATED TEMPERATURE CARGOES**

The authority for Part 36 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 36 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**PART 38—LIQUEFIED FLAMMABLE GASES**

1. The title for Part 38 is amended to read as set forth above.

2. The authority for Part 38 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 38 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026. Additional authority cited with sections affected.

**PART 39—FLAMMABLE OR COMBUSTIBLE LIQUIDS HAVING LETHAL CHARACTERISTICS**

1. The title for Part 39 is amended to read as set forth above.

2. The authority for Part 39 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 39 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN FLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK**

1. The title for Part 40 is amended to read as set forth above.

2. The authority for Part 40 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 40 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026. Additional authority cited with sections affected.

**SUBCHAPTER E—LOAD LINES**

**PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS**

1. The authority for Part 46 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 46 issued under sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a. Interpret or apply R.S. 4490, as amended, sec. 3, 24 Stat. 129, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 482, 483, 363, 369, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-48, Oct. 19, 1962, 27 F.R. 10504.

**SUBCHAPTER F—MARINE ENGINEERING**

**PART 50—GENERAL PROVISIONS**

The authority for Part 50 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 50 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**PART 51—MATERIALS**

1. The authority for Part 51 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 51 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 51.67—Copper and Copper-Alloy Plate**

2. Section 51.67-1(a) is amended by revising Table 51.67-1 to read as follows:

**§ 51.67-1 Scope.**

(a) \* \* \*

TABLE 51.67-1—MATERIAL SPECIFICATIONS

A.S.T.M. designation	A.S.T.M. grade	Coast Guard grade
Copper:		
B11-61....	Type ETP (tough pitch copper nonarsenical).	B11-1.
B11-61....	Type DHP (phosphorized copper nonarsenical).	B11-2.
B11-61....	Type ATP (tough pitch arsenical copper).	B11-3.
B11-61....	Type DPA (phosphorized arsenical copper).	B11-4.
Copper-alloy:		
B96-61....	Copper silicon alloy A or C.	B96-A or C.
B169-55....	Aluminum bronze alloy D.	B169-D.
B171-58....	Naval brass.....	B171-A.
B171-58....	Admiralty metal.....	B171-B.
B171-58....	Copper-nickel alloy 70-30.....	B171-C.
B171-58....	Copper-nickel alloy 90-10.....	B171-D.
B171-58....	Aluminum bronze alloy D.	B171-E.
B171-58....	Aluminum bronze alloy E.	B171-F.
B-402....	Copper-nickel alloy 70-30.	B-402-A.
B-402....	Copper-nickel alloy 90-10.	B-402-B.

**PART 52—CONSTRUCTION**

1. The authority for Part 52 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 52 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.



TABLE 54.03-10(c)—MAXIMUM ALLOWABLE STRESSES<sup>1</sup> FOR NONFERROUS MATERIALS—Continued

Specification	A.S.T.M. designation	Grade		Minimum tensile strength p.s.i.	Minimum yield strength p.s.i.	Notes	For metal temperatures not exceeding ° F.											
		A.S.T.M.	C.G.				100	150	200	250	300	350	400 <sup>2</sup>	450	500	550	600	650/700
<i>Copper and copper-alloy plates</i>																		
§1.67	B-11	Copper	B11-1, -2, -3, -4	30,000	10,000	(9)	6,700	6,700	6,500	6,300	5,000	3,800	2,500					
§1.67	B-96	Copper-silicon	B96-A or -C	80,000	18,000	(9)	12,000	12,000	11,900	11,700								
§1.67	B-171	Naval brass	B171-A	80,000	30,000	(7)	12,500	12,500	12,000	11,200	10,500	7,500	2,000					
§1.67	B-171	Admiralty metal	B171-B	45,000	18,000	(7)	10,000	10,000	10,000	10,000	10,000	8,000	5,000	3,000				
§1.67	B-171	Copper nickel 70-30	B171-C	50,000	30,000	(7)	12,500	12,200	11,900	11,600	11,300	11,000	10,800	10,600	10,400	10,200	10,000	9,800/9,700
§1.67	B-171	Copper nickel 90-10	B171-D	40,000	15,000	(7)	10,000	10,000	9,800	9,500	9,300	9,000	8,700	8,300	8,000	7,000	6,000	
§1.67	B-402	Copper nickel 70-30	B-402-A	45,000	18,000		11,200	10,800	10,500	10,200	9,900	9,700	9,500	9,400	9,300	9,200	9,100	9,000/8,900
§1.67	B-402	Copper nickel 90-10	B-402-B	35,000	15,000		9,500	9,500	9,300	9,000	8,800	8,500	8,200	7,900	7,600	6,600	5,700	
§1.67	B-169	Aluminum bronze alloy D	B169-D	70,000	30,000	(7)	17,800	17,500	16,800	16,000	15,500	15,000	14,500	12,000	10,000			
§1.67	B-171	Aluminum bronze alloy D	B171-E	70,000	30,000	(*)	17,500	17,500	16,800	16,000	15,500	15,000	14,500	12,000	10,000			
§1.67	B-171	Aluminum bronze alloy E	B171-E, -F	90,000	36,000	(*)	22,500	22,500	21,000	19,500	18,000	16,500	15,000	13,500	12,000	10,500	9,000	7,500/6,000
<i>Seamless pipe or tubes</i>																		
§1.80	B-210	1099	1099-0	9,500	2,500	(*)	1,650	1,650	1,600	1,450	1,250	1,200	1,050					
§1.80	B-235	3003	3003-0	14,000	5,000	(7)	3,500	3,150	2,900	2,700	2,400	2,100	1,800					
§1.80	B-210	5154	5154-0	30,000	11,000	(7)	7,350	7,350	7,350	7,000	6,400							
§1.80	B-235	5456	5456-0	42,000	19,000		10,500	10,400										
§1.80	B-210	6063-T6W	6063-T6W	* 17,000			4,250	4,200	4,000	3,800	3,600	2,750	1,900					
§1.80	B-210	6061-T6W	6061-T6W	* 24,000			6,000	5,900	5,700	5,400	5,000	4,200	3,200					
§1.70	B-42	Copper pipe	B42	30,000	9,000	(*)	6,000	6,000	5,900	5,800	5,000	3,800	2,500					
§1.70	B-42	Copper pipe (2.00" and under)	B42	45,000	40,000	(*)	11,300	11,300	11,000	10,500	8,000	5,000	2,600					
§1.70	B-42	Copper pipe (above 2.00")	B42	35,000	30,000	(*)	9,000	9,000	8,700	8,300	8,000	5,000	2,500					
§1.70	B-43	Red brass pipe	B43	40,000	12,000	(*)	8,000	8,000	8,000	8,000	5,000	6,000	3,000	2,000				
§1.72	B-75	Copper tubes	B75-A or -B	30,000	9,000	(*)	6,000	6,000	5,900	5,800	5,000	3,800	2,500					
§1.72	B-75	Copper tubes	B75-A or -B	36,000	30,000	(*)	9,000	9,000	8,700	8,300	8,000	5,000	2,500					
§1.73	B-88	Copper tubes or -M	B88-K, -L or -M	30,000	10,000	(7)	6,700	6,700	6,500	6,300	5,000	3,800	2,500					
§1.73	B-88	Copper tubes or -M	B88-K, -L or -M	36,000	30,000	(*)	9,000	9,000	8,700	8,300	8,000	5,000	2,500					
§1.73	B-111	Copper tubes	B111-A or -B	30,000	10,000	(*)	6,700	6,700	6,500	6,300	5,000	3,800	2,500					
§1.73	B-111	Copper tubes	B111-A or -B	36,000	30,000	(*)	9,000	9,000	8,700	8,300	8,000	5,000	2,500					
§1.73	B-111	Red brass tubes	B111-C	40,000	12,000	(*)	8,000	8,000	8,000	8,000	5,000	6,000	3,000	2,000				
§1.73	B-111	Admiralty metal	B111-D	45,000	18,000	(*)	10,000	10,000	10,000	10,000	10,000	8,000	5,000	3,000				
§1.73	B-111	Aluminum brass tubes	B111-E	50,000	18,000	(*)	12,000	12,000	12,000	12,000	12,000	7,500	3,800	2,000				
§1.73	B-111	Copper nickel tubes 70-30	B111-G	52,000	18,000	(*)	12,000	11,600	11,300	11,000	910,800	10,600	10,300	10,100	9,900	9,800	9,600	9,500/9,400
§1.73	B-111	Copper nickel tubes 80-20	B111-H	45,000	16,000	(*)	10,700	10,600	10,300	10,400	10,300	10,100	9,900	9,600	9,300	8,900	8,400	7,700/7,000
§1.73	B-111	Copper nickel tubes 90-10	B111-I	40,000	15,000	(*)	10,000	10,000	9,800	9,500	9,300	9,000	8,700	8,300	7,500	6,700	6,000	
§1.73	B-111	Aluminum bronze tubes	B111-F	50,000	19,000	(*)	12,500	12,400	12,200	11,900	11,600	10,600	6,000	4,000	2,000			
<i>Brass pipe</i>																		
		Copper					3,000	3,000	3,000	3,000	2,600							
<i>Bars, rods, shapes and forgings</i>																		
§1.81	B-247	3003F	3003F	14,000	5,000		3,350	3,150	2,900	2,700	2,400	2,100	1,800					
§1.82	B-221	5083	5083	38,000	16,000		9,500	9,500										
§1.82	B-221	5154	5154	30,000	11,000	(7)	7,350	7,350	7,350	7,000	6,400							
§1.82	B-221	5456	5456	42,000	19,000		10,600	10,400										
§1.82	B-211	6061-T6	6061-T6	38,000	35,000	(15)	9,500	9,200	9,000	8,500	7,200	5,600	4,000					
§1.82	B-221	6061-T6W	6061-T6W	* 24,000			6,000	5,900	5,700	5,400	5,000	4,200	3,200					
§1.81	B-247	6061-T6	6061-T6	38,000	35,000	(15)	9,500	9,200	9,000	8,500	7,200	5,600	4,000					
§1.81	B-247	6061-T6W	6061-T6W	* 24,000			6,000	5,900	5,700	5,400	5,000	4,200	3,200					
§1.81	B-247	6063-T6	6063-T6	36,000	30,000	(15)	9,000	8,400	7,900	7,300	6,100	4,700	3,200					
<i>Castings</i>																		
§1.76 <sup>1</sup>	B-61	Steam bronze	2A	34,000	16,000	(16)	8,500	8,400	8,300	8,200	8,100	7,900	7,600	7,200				
§1.76	B-62	Ounce metal	4A	20,000	14,000	(16)	7,500	7,300	7,100	6,900	6,800	6,600	6,500					
§1.76	B-143	Tin bronze 1A	1A	40,000	18,000	(16)	8,000	8,000	7,900	7,800	6,000	5,500	5,000					
§1.76	B-143	Tin bronze 1B	1B	40,000	18,000	(16)	8,000	8,000	7,900	7,800	6,000	5,500	5,000					

See footnotes at end of table.

TABLE 54.03-10(c)—MAXIMUM ALLOWABLE STRESSES<sup>1</sup> FOR NONFERROUS MATERIALS—Continued

Specification	A. S. T. M. designation	Grade		Minimum tensile strength p.s.i.	Minimum yield strength p.s.i.	Notes	For metal temperatures not exceeding ° F.											
		A. S. T. M.	C. G.				100	200	300	400	500	600	700	800	900	1,000	1,100	1,200
<i>Nickel copper plates and sheets</i>																		
51.85.....	B-127...	Hot or cold rolled.	B127.....	70,000	28,000		17,500	16,500	15,500	14,800	14,700	14,700	14,700	14,500	8,000			
51.85.....	B-127...	Hot rolled (as rolled).	B127.....	75,000	40,000		18,750	17,500	17,000	17,000	17,000	17,000	16,500	14,500	4,000			
<i>Nickel copper pipe or tubes</i>																		
51.86.....	B-163...	Nickel copper tubes (3" and under).	B163.....	70,000	28,000		17,500	16,500	15,500	14,800	14,700	14,700	14,700	14,500	8,000			
51.86.....	B-163...	Nickel copper tubes (5/8" to 7/8").	B163.....	90,000	55,000	(*)	22,500	21,200	20,700	20,500	20,500	20,500	19,500	15,000				
51.86.....	B-163...	Nickel copper tubes (other sizes).	B163.....	85,000	55,000	(*)	21,200	20,200	19,500	19,200	19,200	19,200	18,500	15,000				
51.86.....	B-165...	Nickel copper pipe or tubes.	B165.....	70,000	28,000		17,500	16,500	15,500	14,800	14,700	14,700	14,700	14,500	8,000			
51.86.....	B-165...	Nickel copper pipe or tubes.	B165.....	85,000	55,000	(*) (7)	21,200	20,200	19,500	19,200	19,200							

<sup>1</sup> All stresses refer to the annealed condition of the material, unless otherwise specified. For wrought material, the allowable "S" values are based upon one-fourth of the minimum tensile strength or two-thirds of the minimum yield strength for temperatures of 150° F. and below, whichever is lower; and upon creep stress or stress-rupture at the higher temperatures. For cast material, the allowable "S" values are based upon one-fifth of the minimum tensile strength for temperatures of 150° F. and below; and upon creep stress or stress-rupture at the higher temperatures.  
<sup>2</sup> The same stress may be employed for a temperature of 400° F.  
<sup>3</sup> The minimum yield strength employed not included in the specification.  
<sup>4</sup> For nominal thickness not greater than 2.00-inch.  
<sup>5</sup> Strength of reduced tensile specimen to qualify welding procedures, see § 54.03-1(c)(3).  
<sup>6</sup> This material limited to a maximum allowable temperature of 212° F.  
<sup>7</sup> This material approved for tube plates only.

<sup>8</sup> For nominal thickness not greater than 2.50-inch.  
<sup>9</sup> For nominal thickness not less than 0.25-inch.  
<sup>10</sup> The minimum tensile strength employed not included in the specification.  
<sup>11</sup> These stresses refer to the light drawn condition.  
<sup>12</sup> The same stress may be employed for 320° F.  
<sup>13</sup> The stress values given for this material are not applicable when either welding or thermal cutting is employed.  
<sup>14</sup> To these stresses a casting quality factor of 0.80 shall be used. This is not intended to apply to valves and fittings complying with A.S.A. standards.  
<sup>15</sup> This stress is not permitted for temperatures exceeding 360° F.  
<sup>16</sup> The stresses refer to the stress relieved condition.  
<sup>17</sup> The maximum operating temperature is (arbitrarily) set at 500° F., because harder temper adversely affects design stress in the creep rupture temperature range.

#### § 54.03-27 [Amended]

4. Section 54.03-27 *Unfired steam boilers* is amended by changing in paragraph (b) the phrase from "design pressure" to "maximum allowable pressure."

#### Subpart 54.07—Pressure-Relief Devices

#### § 54.07-25 [Amended]

5. Section 54.07-25 *Safety relief valves* is amended by changing in paragraph (b) the phrase from "design pressure" to "maximum allowable pressure" and the phrase from "maximum design pressure" to "maximum allowable pressure."

### PART 55—PIPING SYSTEMS AND APPURTENANCES

1. The authority for Part 55 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 55 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

#### Subpart 55.07—Detail Requirements

#### § 55.07-6 [Amended]

2. Section 55.07-6 *Expansion and flexibility* is amended by changing the last two words of paragraph (b) from "slip joints" to "movable joints that will provide adequate flexibility."

#### Subpart 55.10—Pumping Arrangements and Piping Systems

3. Section 55.10-40(c) is amended to read as follows:

#### § 55.10-40 Fuel oil service systems.

(c) Piping between service pumps and burners shall be located so as to be readily observable. The relief valve located at the pump and the relief valves fitted to the fuel-oil heaters shall discharge back into the fuel supply tank or the suction side of the pump. The return line from the burners shall be so arranged that the suction piping cannot be subjected to discharge pressure.

#### Subpart 55.13—Refrigeration Systems

#### § 55.13-10 [Amended]

4. Section 55.13-10 *Pressure vessels and piping* is amended by changing in the first sentence of paragraph (a) the last two words from "design pressure" to "maximum allowable pressure," and by changing in the second sentence of paragraph (b) the last two words from "design pressure" to "maximum allowable pressure."

#### Subpart 55.17—Hydraulic Systems

#### § 55.17-30 [Amended]

5. Section 55.17-30 *Accumulators* is amended by changing the last two words at the end of the first sentence of paragraph (c) from "design pressures" to "maximum allowable pressures."

### PART 56—ARC WELDING, GAS WELDING, AND BRAZING

1. The authority for Part 56 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 56 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### PART 57—MAIN AND AUXILIARY MACHINERY

1. The authority for Part 57 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 57 issued under R.S. 4405, as amended, 4462,

as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**PART 58—REPAIRS TO BOILERS, UNFIRED PRESSURE VESSELS AND APPURTENANCES**

1. The authority for Part 58 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 58 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**PART 59—INDEPENDENT INTERNAL COMBUSTION ENGINE FUEL TANKS**

1. The authority for Part 59 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 59 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**PART 61—INSTALLATIONS, TESTS, INSPECTIONS, MARKINGS, AND OFFICIAL FORMS**

1. The authority for Part 61 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 61 issued under R.S. 4405, as amended, 4462, as

amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 61.25—Tests and Inspections of Pressure Vessels**

2. Section 61.25-5 is amended by revising the introductory sentence of paragraph (a) but not the subparagraphs thereof and by adding a new paragraph (d) to read as follows:

**§ 61.25-5 New pressure vessels.**

(a) Except as otherwise provided for in this section, upon completion of a new pressure vessel one of the following applicable hydrostatic tests shall be made in the presence of an inspector:

(d) Pressure vessels designed and/or supported so that they cannot be safely filled with water, or which cannot be dried and are to be used in a service where traces of the testing medium cannot be tolerated, shall be pneumatically tested in accordance with § 61.25-16.

3. Section 61.25-15 is amended to read as follows:

**§ 61.25-15 Hydrostatic test of welded and brazed pressure vessels.**

(a) All welded or brazed pressure vessels shall satisfactorily pass the hydrostatic test prescribed by this section, excepting those unfired pressure vessels noted under § 61.25-16.

(b) The hydrostatic test pressure shall be at least equal to 1½ times the maximum allowable pressure stamped on the pressure vessel, multiplied by the ratio of the stress value "S" at the test temperature to the stress value "S" at the design temperature for the materials of which the pressure vessel is constructed. The values for "S" shall be taken from Table 52.05-10(a) in § 52.05-10 for ferrous materials and Table 54.03-10(c) in § 54.03-10 for nonferrous materials. The value of "S" at test temperature shall be that taken for the material at the tabulated value of temperature closest to the test temperature. The value of "S" at design temperature shall be as interpolated from the appropriate table. No ratio less than one shall be used. The design shall consider the combined stress during hydrostatic testing due to pressure and the support reactions. This stress shall not exceed 90 percent of the yield stress of the material at the test temperature. In addition, the adequacy of the supporting structure, during hydrostatic testing, shall be considered in the design.

(c) The hydrostatic test pressure shall be applied for a sufficient period of time to permit a thorough examination of all joints and connections. The test shall not be conducted until the vessel and liquid are at approximately the same temperature.

(d) Pinholes, cracks, or other defects detected during the hydrostatic test or upon examination shall be repaired as required by Part 58 of this chapter.

(e) Vessels requiring stress relieving shall be stress-relieved after any welding repairs have been made.

(f) After repairs have been made the vessel shall again be tested in the regular way, and if it passes the test, the inspector shall accept it. If it does not pass the test, the inspector can order supplementary repairs, or, if in his judgment the vessel is not suitable for service, he may permanently reject it.

4. Subpart 61.25 is amended by inserting after § 61.25-15 a new § 61.25-16 reading as follows:

**§ 61.25-16 Pneumatic testing of pressure vessels.**

(a) Pneumatic testing of welded pressure vessels shall be permitted only for those units which are so designed and/or supported that they cannot be safely filled with water, or which cannot be dried and are to be used in a service where traces of the testing medium cannot be tolerated.

(b) Proposals to pneumatically test shall be submitted to the Commandant for approval.

(c) Pneumatic testing shall be limited to unfired pressure vessels designed and constructed to the requirements of Class I pressure vessels.

(d) The pneumatic test shall be 1.25 (1¼) times the maximum allowable pressure of the vessel.

(e) The pneumatic test of pressure vessels shall be accomplished as follows:

(1) The pressure on the vessel shall be gradually increased to not more than half the test pressure.

(2) The pressure will then be increased at steps of approximately one-tenth the test pressure, until the test pressure has been reached.

(3) The pressure will then be reduced to maximum allowable pressure of the vessel to permit examination.

(f) Pressure vessels pneumatically tested shall also be leak-tested. The test shall be capable of detecting leakage consistent with the design requirements of the pressure vessel. Details of the leak test shall be submitted to the Commandant for approval.

(g) After satisfactory completion of the pneumatic pressure test, the vessel may be stamped in accordance with § 61.40-5. A marine inspector shall observe the pressure vessel in a loaded condition at the first opportunity following the pneumatic test. The tank supports and saddles, connecting piping, and insulation if provided shall be examined to determine they are satisfactory and that no leaks are evident.

(h) The pneumatic test is inherently more hazardous than a hydrostatic test, and suitable precautions shall be taken to protect personnel and adjacent property.

## RULES AND REGULATIONS

5. Section 61.25-20 is amended by adding a paragraph (9) to paragraph (e) and a paragraph (h) at the end of the section, which read as follows:

§ 61.25-20 Pressure vessels in service.

(e) \* \* \*

(9) Pressure vessels which have been pneumatically tested in accordance with § 61.25-16.

(h) (1) Pressure vessels which have been pneumatically tested shall be thoroughly examined internally and externally biennially at the regular annual or biennial inspection, except in those instances where the inspection interval is prescribed otherwise by the specific regulations applicable to the product carried in Subchapter D (Tank Vessels), Subchapter I (Cargo and Miscellaneous Vessels), or Subchapter N (Dangerous Cargoes) of this chapter. For those tanks the design of which precludes a thorough internal or external examination, the thickness shall be determined by nondestructive method acceptable to the Officer in Charge, Marine Inspection.

(2) Such pressure vessels in service are not required to be pneumatically tested unless repairs have been made to them, or unless defects are found which in the opinion of the marine inspector, may impair the safety of the pressure vessel. If required, the pneumatic test shall be conducted in accordance with § 61.25-16.

Subpart 61.40—Markings

6. Section 61.40-1(a) is amended to read as follows:

§ 61.40-1 Boilers.

(a) Upon satisfactory completion of the tests and inspection of a new boiler the following data shall be stamped on the front head of fire tube boilers and on the drum head of water tube boilers:

-----	(Name of fabricator and serial number)	
-----	(Maximum allowable pressure)	p.s.i.
-----	(Hydro test pressure)	p.s.i.
-----	(Steam test pressure)	p.s.i.
-----	(U.S.C.G. No.)	
-----	(C.G. Symbol)	
-----	(Inspector's Initials)	
-----	(Month and year fabricated)	

7. Section 61.40-5 is amended to read as follows:

§ 61.40-5 Unfired pressure vessels.

(a) After a marine inspector has examined a new pressure vessel subject to inspection and has determined that the vessel has been constructed in accordance with the applicable parts of this subchapter, and the vessel has satisfactorily withstood the required tests,

the following data shall be stamped thereon:

-----	(Name and address of fabricator)	
-----	(Maximum allowable pressure)	p.s.i.
-----	(Hydro test pressure)	p.s.i.
-----	(O.C.M.I. No., inspector's initials, and C.G. symbol)	
-----	(Mfr. serial No.)	
-----	(Month and year)	
-----	(Riveted, brz., welded (class))	

(b) Those pressure vessels which must be pneumatically tested shall be stamped with "Pneumatic test pressure p.s.i."

SUBCHAPTER G—MARINE ENGINEERING INSTALLATIONS CONTRACTED FOR PRIOR TO JULY 1, 1935

PART 66—GENERAL

The authority for Part 66 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 66 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

PART 67—CONSTRUCTION

The authority for Part 67 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 67 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

PART 68—PIPING SYSTEMS

The authority for Part 68 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 68 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

PART 69—INSTALLATIONS, TESTS, INSPECTIONS, AND REPAIRS

The authority for Part 69 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 69 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

1. The authority for Part 70 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 70 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 399, 435, 481, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 70.05—Application

§ 70.05-1 [Amended]

2. Section 70.05-1 *United States flag vessels subject to the requirements of this subchapter* is amended by revising in paragraph (a) in footnote 6 in Table 70.05-1(a) the title from "International Convention for the Safety of Life at Sea,

1948," to "International Convention for Safety of Life at Sea, 1960."

§ 70.05-3 [Amended]

3. Section 70.05-3 *Foreign vessels subject to the requirements of this subchapter* is amended by changing in subparagraph (b) (1) the title from "International Convention for the Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

4. Section 70.05-10 is amended to read as follows:

§ 70.05-10 Application to vessels on an international voyage.

(a) Where, in various places or portions of this subchapter, requirements are stipulated specifically for "vessels on an international voyage", it is intended that these requirements apply only to vessels subject to the International Convention for Safety of Life at Sea, 1960, which are mechanically propelled on an international voyage as defined in § 70.10-21, and certificated to carry more than 12 passengers.

(b) In accordance with Regulation 4, Chapter I (General Provisions), of the International Convention for Safety of Life at Sea, 1960, a vessel which is not normally engaged on an international voyage but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Commandant from any of the requirements of the Regulations of the Convention: *Provided*, That it complies with safety requirements which are adequate in his opinion for the voyage which is to be undertaken.

(c) In accordance with Regulation 1(c), Chapter II (Construction), of the International Convention for Safety of Life at Sea, 1960, the Commandant may, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of Chapter II of this Convention unreasonable or unnecessary, exempt from those requirements individual vessels or classes of vessels which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(d) In accordance with Regulation 3(a), Chapter III (Lifesaving Appliances, Etc.), of the International Convention for Safety of Life at Sea, 1960, the Commandant, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of Chapter III of this Convention unreasonable or unnecessary, may to that extent exempt from the requirements of Chapter III individual vessels or classes of vessels which, in the course of their voyage, do not go more than 20 miles from the nearest land.

Subpart 70.10—Definition of Terms Used in This Subchapter

4a. Section 70.10-21 is amended to read as follows:

§ 70.10-21 International voyage.

(a) The term "international voyage" as used in this subchapter shall have the

same meaning as that contained in Regulation 2(d), Chapter I of the International Convention for Safety of Life at Sea, 1960, i.e., "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to vessels "solely navigating the Great Lakes of North American and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such vessels shall not be considered as being on an "international voyage" for the purpose of this subchapter.

(c) For the purposes of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate.

(d) In addition, although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purposes of this subchapter.

5. Subpart 70.10 is amended by inserting after § 70.10-29 a new section 70.10-30 reading as follows:

§ 70.10-30 Nuclear vessel.

(a) A nuclear vessel is a vessel provided with a nuclear power plant for propulsion or any other purpose, or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

Subpart 70.15—Equivalents

6. Section 70.15-1(a) is amended to read as follows:

§ 70.15-1 Conditions under which equivalents may be used.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other provision or arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement shall be at least as effective as that specified in this subchapter.

Subpart 70.20—General Marine Engineering Requirements

7. Section 70.20-5 is amended to read as follows:

§ 70.20-5 Nuclear vessels.

(a) Nuclear vessels shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Dangerous Cargoes) of this chapter.

PART 71—INSPECTION AND CERTIFICATION

1. The authority for Part 71 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 71 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4490, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 399, 404, 411, 435, 481, 482, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 130, July 31, 1950, 15 P.R. 6521; 187-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857. Additional authority cited with sections affected.

Subpart 71.20—Initial Inspection

1a. Section 71.20-15 is amended to read as follows:

§ 71.20-15 Scope of inspections.

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, machinery, and equipment, including the outside of the vessel's bottom, and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, materials, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire detecting and extinguishing equipment, pilot ladders, and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and that the radio installations, including fixed and portable radios for lifeboats, are in accordance with the requirements of the Federal Communications Commission. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory and that the vessel is provided with lights, means of making sound signals and distress signals as required by applicable regulations and the applicable "Rules of the Road."

(b) For nuclear vessels, the foregoing inspections shall be made except insofar

as they may be limited by the presence of radiation. In addition, the inspection shall include any special requirements of the vessel's "Safety Assessment."

#### Subpart 71.25—Annual Inspection

2. Section 71.25-10 is amended to read as follows:

##### § 71.25-10 Scope of inspections.

(a) The annual inspection shall include an inspection of the structure, boilers, and other pressure vessels, machinery and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, boilers and other pressure vessels, and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire detecting and extinguishing equipment, pilot ladders, and other equipment is in satisfactory condition and fit for the service for which it is intended, and that it complies with the applicable regulations for such vessels, and that the radio installations, including fixed and portable radios for lifeboats, are in compliance with the requirements of the Federal Communications Commission. The lights and means of making sound signals and the distress signals carried by the vessel shall also be subject to the above-mentioned annual inspection for the purpose of insuring that they comply with the requirements of the applicable regulations and the applicable "Rules of the Road."

(b) For nuclear vessels, the foregoing inspections shall be made except insofar as they may be limited by the presence of radiation. In addition, the inspection shall include any special requirements of the vessel's "Safety Assessment."

3. Section 71.25-15(a) is amended by redesignating subparagraph (7) as subparagraph (8) and by inserting a new subparagraph (7), so that subparagraphs (7) and (8) read as follows:

##### § 71.25-15 Lifesaving equipment.

(a) \* \* \*

(7) Where launching devices for inflatable liferafts are installed, the launching device shall be proof tested with a weight equal to the raft and its full complement of persons and equipment.

(8) All other items of lifesaving equipment shall be examined to determine that they are in suitable condition.

4. Subpart 71.75, consisting of § 71.75-1, is amended to read as follows:

#### Subpart 71.75—Certificates Under the International Convention for Safety of Life at Sea, 1960

Sec.	
71.75-1	Application.
71.75-5	Passenger Ship Safety Certificate or Nuclear Passenger Ship Safety Certificate.
71.75-10	Exemption Certificate.
71.75-15	Posting of Convention certificates.
71.75-20	Duration of certificates.

##### § 71.75-1 Application.

(a) The provisions of this subpart shall apply to all vessels on an international voyage.

#### § 71.75-5 Passenger Ship Safety Certificate or Nuclear Passenger Ship Safety Certificate.

(a) All vessels on an international voyage are required to have a "Passenger Ship Safety Certificate" or a "Nuclear Passenger Ship Safety Certificate," as appropriate.

(b) All such vessels shall meet the requirements of this chapter for vessels on an international voyage.

##### § 71.75-10 Exemption Certificate.

(a) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection.

(b) When an exemption is granted to a vessel by the Commandant under and in accordance with the Convention, an Exemption Certificate describing such exemption shall be issued through the appropriate Officer in Charge, Marine Inspection, in addition to the Passenger Ship Safety Certificate.

(c) Nuclear vessels cannot be exempted for any requirements of the International Convention for Safety of Life at Sea, 1960.

##### § 71.75-15 Posting of Convention certificates.

(a) The certificates described in this subpart, or certified copies thereof, when issued to a vessel shall be posted in a prominent and accessible place on the vessel.

(b) The certificate shall be carried in a manner similar to that described in § 71.01-5 for a certificate of inspection.

##### § 71.75-20 Duration of certificates.

(a) The certificates shall be issued for a period of not more than 12 months.

(b) An Exemption Certificate shall not be valid for longer than the period of the Passenger Ship Safety Certificate to which it refers.

(c) The Passenger Ship Safety Certificate or the Nuclear Passenger Ship Safety Certificate may be withdrawn, revoked, or suspended at any time when it is determined the vessel is no longer in compliance with applicable requirements. (See § 2.01-70 of this chapter for procedures governing appeals.)

#### PART 72—CONSTRUCTION AND ARRANGEMENT

1. The authority for Part 72 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 72 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4490, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 160, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 399, 404, 411, 435, 481, 482, 489, 368, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239;

Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-23, July 24, 1956, 21 F.R. 5659; 167-33, Oct. 26, 1959, 24 F.R. 8857. Additional authority cited with sections affected.

#### Subpart 72.05—Structural Fire Protection

1a. Section 72.05-1(b) is amended to read as follows:

##### § 72.05-1 Application.

(b) The provisions of this subpart, with the exception of § 72.05-90, shall apply to all vessels noted in paragraph (a) of this section contracted for on or after May 26, 1965. Such vessels contracted for prior to May 26, 1965, shall meet the requirements of § 72.05-90.

2. Section 72.05-10 is amended by revising paragraphs (c) and (p) to read as follows:

##### § 72.05-10 Type, location, and construction of fire control bulkheads and decks.

(c) All bulkheads and decks shall be classed as A-60, A-30, A-15, A-0, B-15, B-0, or C, depending upon the type of space on each side of the bulkhead or above and below the deck.

(1) Bulkheads or decks of the "A" Class shall be composed of steel or equivalent metal construction, suitably stiffened and made intact with the main structure of the vessel, such as shell, structural bulkheads, and decks. They shall be so constructed that, if subjected to the standard fire test, they would be capable of preventing the passage of smoke and flame for 1 hour. In addition, they shall be so insulated with approved structural insulation, bulkhead panels, or deck covering that the average temperatures on the unexposed side would not rise more than 250° F. above the original temperature, nor would the temperature at any one point, including any joint, rise more than 325° F. above the original temperature, within the time listed below:

Class A-60	60 minutes.
Class A-30	30 minutes.
Class A-15	15 minutes.
Class A-0	0 minutes (i.e., no insulation requirements).

(2) Bulkheads of the "B" Class shall be constructed with approved incombustible materials and made intact from deck to deck (or to ceiling as provided in paragraph (h) of this section) and to shell or other boundaries. They shall be so constructed that, if subjected to the standard fire test, they would be capable of preventing the passage of flame for ½ hour. In addition, their insulation value shall be such that the average temperature of the unexposed side would not rise more than 250° F. above the original temperature, nor would the temperature at any one point, including any joint, rise more than 405° F. above the original temperature within the time listed below:

Class B-15	15 minutes.
Class B-0	0 minutes (i.e., no insulation requirements).

(3) Class C bulkheads or decks shall be constructed of approved incombustible materials, but need meet no requirements relative to the passage of flame nor the limiting of temperature rise.

(p) Decking within surgical operating rooms shall be of a type which is acceptably conductive to prevent accumulation of dangerous electrostatic charges, and shall be in general agreement with "Code for Flammable Anesthetics," of issue in effect at the time the construction or alteration of the vessel is contracted for, published by the National Fire Protection Association, 60 Batterymarch Street, Boston, Mass., 02100.

§ 72.05-90 [Amended]

3. Section 72.05-90 *Vessels contracted for prior to May 26, 1965* is amended by changing the date in the headnote, paragraph (c) (two times), and paragraph (d) from "January 1, 1962" to "May 26, 1965."

**PART 73—WATERTIGHT SUBDIVISION**

1. The authority for Part 73 is amended to read as follows:

Authority: The provisions of this Part 73 issued under R.S. 4405, as amended 4462, 73 as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 395, 363, 85a, 88a, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; OGP 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857; 167-48, Oct. 19, 1962, 27 F.R. 10504.

**Subpart 73.01—Application**

1a. Section 73.01-1(a) is amended to read as follows:

§ 73.01-1 General.

(a) The provisions of this part, with the exception of Subpart 73.90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of Subpart 73.90.

**Subpart 73.05—Definitions**

2. Section 73.05-10 is amended to read as follows:

§ 73.05-10 Machinery space.

(a) The machinery space is to be taken as extending from the molded base line to the margin line and between the extreme main transverse watertight bulkheads bounding the spaces containing the main and auxiliary propelling machinery, boilers serving the needs of propulsion, and all permanent coal bunkers. In the case of unusual arrangements the Com-

mandant may define the limits of the machinery space.

**Subpart 73.10—Rules for Subdivision—Vessels on International Voyages and Vessels of 150 Gross Tons and Over in Ocean and or Coastwise Service**

3. Subpart 73.10 is amended by inserting after § 73.10-20 a new § 73.10-23 reading as follows:

§ 73.10-23 Vessels especially required to have a factor of subdivision not more than 0.5.

(a) Irrespective of the results of application of § 73.10-20, any vessel 430 feet in length or longer shall have a factor of subdivision of not more than 0.5 if the value of "X" as given by either of the following formulae is equal to or exceeds the values given in Table 73.10-23(a), whichever is the greater:

$$X = \frac{(M+2P)}{V} \text{ or } \frac{(M+2P_1)}{V+P_1-P}$$

where:

M=the volume of the machinery space, as defined in § 73.05-10, with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottom and before or abaft the machinery space.

P=the whole volume of the passenger spaces below the margin line, as defined in § 73.05-11.

V=the whole volume of the vessel below the margin line.

P<sub>1</sub>=0.6LN, but not more than the sum of P and the whole volume of the actual passenger spaces above the margin line or 0.4LN, whichever is less.

L=length of the vessel in feet, as defined in § 73.05-3.

N=number of passengers for which the vessel is to be certificated.

TABLE 73.10-23(a)

L	"X"
430.....	1.336
440.....	1.285
450.....	1.230
460.....	1.174
470.....	1.117
480.....	1.060
490.....	1.002
500.....	.944
510.....	.885
520.....	.828
530.....	.769
540.....	.708
550.....	.645
564 and up.....	.625

Interpolate for intermediate values.

4. Section 73.10-35(a) is amended to read as follows:

§ 73.10-35 Additional subdivision at forward end.

(a) In vessels 330 feet in length and upward, one of the main transverse bulkheads abaft the forepeak shall be fitted at a distance from the forward perpendicular which is not greater than the permissible length.

**Subpart 73.25—Double Bottoms**

5. Section 73.25-5 is amended by revising paragraphs (b), (c), and (d) to read as follows:

§ 73.25-5 Extent of double bottoms.

(b) In vessels 165 feet and under 200 feet in length a double bottom shall be fitted at least from the machinery space to the forepeak bulkhead, or as near thereto as practicable.

(c) In vessels 200 feet and under 249 feet in length a double bottom shall be fitted at least outside the machinery space, and shall extend to the fore and afterpeak bulkheads, or as near thereto as practicable.

(d) In vessels 249 feet in length and upwards a double bottom shall be fitted amidships and shall extend to the fore and afterpeak bulkheads or as near thereto as practicable.

6. Section 73.25-10(a) is amended to read as follows:

§ 73.25-10 Wells in double bottoms.

(a) Small wells constructed in the double bottom in connection with drainage arrangements of holds, etc., shall not extend downward more than necessary. The depth of the well shall in no case be more than the depth less 18 inches of the double bottom at the center line, nor shall the well extend below the horizontal plane referred to in § 73.25-5 (e). A well extending to the outer bottom is, however, permitted at the after end of the shaft tunnel of screw vessels. Other wells, such as for lubricating oil under main engines, may be permitted by the Commandant, if satisfied that the arrangements give protection equivalent to that afforded by a double bottom complying with this section.

**Subpart 73.30—Penetrations and Openings in Watertight Bulkheads**

7. Section 73.30-25(b) is amended to read as follows:

§ 73.30-25 Watertight door limitations.

(b) *Machinery space doors.* (1) Within spaces containing the main and auxiliary propelling machinery including boilers serving the needs of propulsion and all permanent bunkers, not more than one door apart from the doors to bunkers and shaft tunnels may be fitted in each main transverse bulkhead. Where two or more shafts are fitted, the tunnels shall be connected by an intercommunicating passage. There shall be only one door between the machinery space and the tunnel spaces where not more than two shafts are fitted and only two doors where there are more than two shafts. Except as provided in § 73.35-5(b), all these doors shall be of the sliding type and shall be located so as to have their sills as high as practicable. The hand gear for operating these doors from above the bulkhead deck shall be situated outside the spaces containing the machinery if this is consistent with a satisfactory arrangement of the necessary gearing.

**Subpart 73.35—Watertight Bulkhead Doors**

8. Section 73.35-10 is amended by revising paragraphs (b) and (c) to read as follows:

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## § 73.35-10 Class 2 doors, permissible locations.

(b) When the number of watertight doors which may be sometimes opened at sea, and whose sills are below the deepest subdivision loadline (excluding doors at entrance to shaft tunnels) does not exceed five and the ship has no passenger spaces below the bulkhead deck, these watertight doors and the shaft tunnel doors shall be of sliding type but may be hand operated (Class 2).

(c) When the total number of watertight doors which may be sometimes opened at sea, and whose sills are below the deepest subdivision loadline, does not exceed two and they are into or within the space containing machinery, these two doors shall be of sliding type but may be hand operated (Class 2).

9. Section 73.35-15(a) is amended to read as follows:

## § 73.35-15 Class 3 doors, required locations.

(a) When the number of watertight doors which may be sometimes opened at sea, and whose sills are below the deepest subdivision loadline (excluding doors at entrance to shaft tunnels) exceeds five, or where the vessel has passenger spaces below the bulkhead deck, all of these doors and those at the entrance to shaft tunnels or ventilation or forced draft ducts shall be power operated (Class 3), and shall be capable of being simultaneously closed from a central station situated on the bridge.

## Subpart 73.90—Vessels Contracted for Prior to May 26, 1965

10. The title for Subpart 73.90 is amended by changing the date from "January 1, 1962," to "May 26, 1965," so that it reads as set forth above.

## § 73.90-1 [Amended]

11. Section 73.90-1 Requirements is amended by changing in the introductory sentence of paragraph (a) the date from "January 1, 1962," to "May 26, 1965."

## PART 74—STABILITY

1. The authority for Part 74 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 74 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1234, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 395, 363, 367, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857; 167-48, Oct. 19, 1962, 27 F.R. 10504.

## Subpart 74.01—Application

1a. Section 74.01-1 is amended by adding a new paragraph (b) reading as follows:

## § 74.01-1 General.

(b) The provisions of this part, with the exception of Subpart 74.90, shall apply to all the vessels noted in paragraph (a) of this section, which are contracted for on or after May 26, 1965. Such vessels contracted for prior to May 26, 1965, shall meet the requirements of Subpart 74.90.

## Subpart 74.10—Stability Standards

2. Section 74.10-15 is amended by cancelling paragraph (e), by revising sub-

paragraphs (a) (1) and (c) (8), and by revising Table 74.10-15(c) (4) in subparagraph (c) (4), which read as follows:

## § 74.10-15 Damaged stability standards.

(a) *Application.* (1) The provisions of this section shall apply to all vessels that are required by Subparts 73.10 and 73.15 of this subchapter to have at least a one-compartment standard of subdivision.

(c) *Damaged stability calculations.*

(4) \* \* \*

TABLE 74.10-15(c)(4)

Vessel category	Longitudinal extent <sup>1</sup>	Transverse extent <sup>2,3</sup>	Vertical extent
All vessels	10 feet + 0.03L or 35 feet (whichever is less) no main bulkhead involved.	½B	From base line upward without limit.
Vessels required by Subpart 73.15 to have a two compartment standard of subdivision.	35 feet or 10 feet + 0.03L (whichever is less) involving not more than one main bulkhead.	½B	From base line upward without limit.
Vessels required by Subpart 73.10 to have a factor of subdivision of 0.50 or less.	10 feet + 0.03L or 35 feet (whichever is less) involving not more than one main bulkhead.	½B	From base line upward without limit.
	20 feet + 0.04L, involving not more than one main bulkhead.	½B	Top of double bottom upward without limit.
Vessels required by Subpart 73.10 to have a factor of subdivision of 0.33 or less.	20 feet + 0.04L, but in any case long enough to involve two main bulkheads	½B	From base line upward without limit.

<sup>1</sup> L equals the length of the vessel as defined in § 73.05-3.

<sup>2</sup> B equals the breadth of the vessel as defined in § 73.05-4.

<sup>3</sup> The transverse extent of damage is measured inboard from the vessel's side and at right angles to the centerline at the level of the deepest subdivision load line. For vessels on inland waters and for ferry vessels, where the maximum molded beam at the deck and at the load water line differ appreciably, the transverse extent of damage may be taken as the mean between the inboard penetration at the deck using the maximum beam at the deck and the inboard penetration at the deepest subdivision load line using the maximum beam at that load line.

(3) For unsymmetrical flooding with assumed side damage in excess of 10 feet plus 0.03L, the remaining heel due to unsymmetrical moment, after equalization as provided by subparagraph (5) of this paragraph shall not exceed 15 degrees.

(e) [Canceled.]

## Subpart 74.90—Vessels Contracted for Prior to May 26, 1965

3. Part 74 is amended by adding after § 74.25-1 a new Subpart 74.90 entitled "Vessels Contracted for Prior to May 26, 1965," and containing § 74.90-1 reading as follows:

## § 74.90-1 Requirements.

(a) Vessels contracted for prior to May 26, 1965, shall meet the requirements specified in this section.

(b) Except as otherwise provided in this section, existing arrangements, materials, and facilities previously approved will be considered satisfactory so long as they meet the minimum requirements of this section and they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alterations may be made to the original standards.

(c) In general, the standards of stability previously attained should be maintained. In this regard, and particularly with respect to § 74.10-15, no change or modification should result in a lowering of stability farther below that required for a new vessel than existed before the change or modification. This

is intended to include the normal additions and subtractions which occur over the life of the vessel.

## PART 75—LIFESAVING EQUIPMENT

1. **AUTHORITY:** The provisions of this Part 75 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 395, 363, 367, 369, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

## Subpart 75.10—Lifeboats, Liferrafts, Lifoats, and Buoyant Apparatus

1a. Section 75.10-1 is amended to read as follows:

## § 75.10-1 Application.

(a) Except as otherwise provided in this section, the provisions of this subpart shall apply to all vessels contracted for on or after May 26, 1965.

(b) Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.10-80.

2. Section 75.10-5 is amended by revising paragraph (a) and by revising paragraph (b) (1) and by adding a paragraph (b) (4), reading as follows:

**§ 75.10-5 Type of lifeboats, liferafts, lifefloats, and buoyant apparatus required.**

(a) *Lifeboats.* (1) All lifeboats shall be of an approved type, constructed in accordance with Subpart 160.035 of Subchapter Q (Specifications) of this chapter.

(2) All lifeboats certified to carry 60 or more, but not over 100, persons shall be either motor lifeboats or shall be fitted with an approved type of hand-propelling gear. Lifeboats carrying more than 100 persons shall be motor lifeboats.

(3) A Class 1 motor lifeboat is one that is fitted with a compression ignition engine, is capable of being readily started in all conditions, and has sufficient fuel for 24 hours continuous operation. The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be at least 6 knots.

(4) A Class 2 motor lifeboat shall meet the Class 1 requirements, and in addition, shall be fitted with a search light constructed in accordance with Subpart 161.006 of Subchapter Q (Specifications) of this chapter.

(5) A Class 3 motor lifeboat shall meet the Class 2 requirements, and in addition, shall be fitted with a radio cabin and a radio installation complying with requirements of the Federal Communications Commission.

(6) All lifeboats, except those installed on vessels in river service, shall be fitted with suitable disengaging apparatus consisting of fixed hooks in the lifeboat or mechanical disengaging apparatus. Mechanical disengaging apparatus, if fitted, shall be of an approved type, constructed in accordance with Subpart 160.033 of Subchapter Q (Specifications) of this chapter.

(1) All lifeboats installed on ocean, coastwise, or Great Lakes vessels of over 3,000 gross tons shall be fitted with mechanical disengaging apparatus so arranged as to make it possible for the lifeboats to be launched with their full complement of persons and equipment while such vessels are underway or stopped, and for both ends of the lifeboat to be released simultaneously, under tension or not, by one person. Simultaneous release shall be effected by partially rotating a shaft which shall be continuous and extend from points of contact with the hooks.

(ii) All lifeboats installed on any particular vessel shall be fitted with the same type of releasing gear.

(b) *Liferafts.* (1) All rigid type liferafts shall be of an approved type, constructed in accordance with Subpart 160.018 of Subchapter Q (Specifications) of this chapter. Rigid type liferafts shall not be used as required equipment on vessels on an international voyage.

(4) On vessels on an international voyage, each inflatable liferaft shall have a carrying capacity of not less than 6 nor more than 25 persons.

3. Section 75.10-10 is amended to read as follows:

**§ 75.10-10 Requirements for vessels in ocean service.**

(a) *Lifeboats.* (1) Except as further noted in this paragraph, all vessels shall be provided with sufficient lifeboats on each side of such aggregate capacity as will accommodate half the total number of persons on board.

(2) Lifeboats shall be not less than 24 feet in length, except where owing to size of the vessel, or for other reasons, the Commandant considers the carriage of such lifeboats to be unreasonable or impracticable. However, in no case shall lifeboats be less than 16 feet in length.

(3) *Emergency lifeboats:* One of the lifeboats on each side of the vessel shall be of suitable size and design for performing emergency work at sea. Such lifeboats shall be not more than 28 feet in length and the ratio of length to beam shall be not less than 3.3. They shall be kept ready for immediate use while the vessel is at sea.

(4) All vessels shall be provided with the minimum number of motor lifeboats as shown in Table 75.10-10(a)

(4). In those cases where at least two motor lifeboats are required, these shall be one on each side. On vessels of over 2,500 gross tons which in the normal course of their voyage are at any point 200 miles offshore, if a Class 3 motor lifeboat is not installed, an approved portable radio unit shall be carried by the vessel in addition to the one required by § 75.55-1.

TABLE 75.10-10(a)(4)

Total number of persons carried		Minimum number Class 2 motor lifeboats	Minimum number Class 3 motor lifeboats
Over	Not over		
-----	30	1	-----
30	199	2	-----
199	1,500	1	1
1,500	-----	-----	2

(5) On vessels on an international voyage other than a short international voyage, the Commandant may permit liferafts to be substituted for lifeboats required by subparagraph (1) of this paragraph to the extent that there shall never be less than sufficient lifeboats on each side of the vessel to accommodate 37½ percent of the total number of persons on board. In such cases, there shall be provided approved launching devices for these liferafts in accordance with Subpart 75.27.

(6) Where, in the case of vessels on short international voyages it is shown that the carriage of sufficient lifeboat capacity to accommodate all persons on board, as called for by subparagraph (1) of this paragraph, is impracticable, the Commandant may permit a relaxation from this requirement to the extent permitted by Regulations 27 and 28 of Chapter III of the International Convention for the Safety of Life at Sea, 1960, provided the vessel complies fully with the special watertight subdivision requirements of § 73.10-65 of this subchapter.

(7) Vessels not exceeding 150 feet in length which are under 300 gross tons engaged exclusively in the business of

transporting passengers to or from operational sites of exploration, development, removal or storage of resources, or related activities thereof, on the continental shelf of the United States in the Gulf of Mexico, in the Atlantic Ocean south of the thirty-third parallel of north latitude, and in the Pacific Ocean, may use approved lifefloats in lieu of lifeboats if a suitable emergency boat is carried and is adequately installed. For the purpose of this subparagraph the word "passengers" is defined as meaning industry personnel engaged exclusively in the exploration, development, removal and storage of resources, or related activities thereof, on the continental shelf of the United States who are required by the nature of their work to ride such vessels. Vessels subject to this subparagraph may also carry supplies, equipment, and cargo.

(8) For vessels not on an international voyage, inflatable liferafts may be substituted for lifeboats on certain vessels in accordance with § 75.10-25.

(b) *Liferafts, lifefloats, and buoyant apparatus.* (1) Vessels on an international voyage other than a short international voyage shall carry, in addition to any other required equipment, approved liferafts with an aggregate capacity of at least 25 percent of the persons on board together with approved buoyant apparatus with an aggregate capacity of at least 3 percent of the persons on board. However, if the factor of subdivision of the vessel is 0.33 or less, liferafts are not required, but approved buoyant apparatus shall be provided with an aggregate capacity of at least 25 percent of the persons on board.

(2) Vessels on a short international voyage shall carry, in addition to any other required equipment, approved liferafts with an aggregate capacity at least equal to 10 percent of the capacity of the lifeboats. In addition, there shall be carried sufficient approved buoyant apparatus so that the aggregate capacity of the buoyant apparatus and liferafts is at least equal to 25 percent of the persons on board.

(3) All vessels not on an international voyage shall be provided with buoyant apparatus sufficient to accommodate 25 percent of all persons on board. Lifefloats not weighing more than 400 pounds or Type A liferafts may be substituted for the buoyant apparatus required.

(4) Inflatable liferafts may be substituted for liferafts, lifefloats and buoyant apparatus on certain vessels not on an international voyage in accordance with § 75.10-25.

4. Section 75.10-15 is amended to read as follows:

**§ 75.10-15 Requirements for vessels in coastwise service.**

(a) Except as further modified by paragraphs (b) and (d) of this section, all other vessels to which this section pertains shall be provided with sufficient lifeboats and Type A liferafts to accommodate all persons on board. Not less than 75 percent of the total capacity

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shall be in lifeboats and the remainder may be in liferafts. Such lifeboats shall have a length of at least 16 feet unless otherwise specifically permitted by the Officer in Charge, Marine Inspection, in cases where the crew is insufficient to properly handle lifeboats of such size or where there is insufficient space to properly stow such lifeboats.

(b) In the case of motor vessels of less than 300 gross tons and, if in the opinion of the Commandant it is unreasonable or impracticable to meet the requirements of paragraph (a) of this section, due to the size and arrangement of the vessel and its intended service, the Commandant may prescribe the size, capacity, and number of lifeboats, or other boats of suitable design and construction, liferafts, lifeboats, and/or buoyant apparatus to be carried as in his opinion is reasonable and practicable. In any case, there shall be sufficient total capacity for all persons on board.

(c) Inflatable liferafts may be substituted for lifeboats, liferafts, lifeboats and buoyant apparatus on certain vessels in accordance with § 75.10-25.

(d) Vessels engaged on international voyages shall meet the applicable requirements of § 75.10-10.

5. Section 75.10-20 is amended by adding a subparagraph (5) to paragraph (a), and by revising paragraph (b) (including Table 75.10-20(b) (1)) to read as follows:

**§ 75.10-20 Requirements for vessels in Great Lakes; lakes, bays and sounds; or river service.**

(a) *General.* \* \* \*

(5) Vessels engaged on short international voyages shall meet applicable requirements of § 75.10-10.

(b) *Ferryboats.* (1) Except as otherwise provided in this paragraph, all ferryboats of 50 gross tons and over shall be equipped with lifeboats and liferafts in accordance with Table 75.10-20(b) (1).

TABLE 75.10-20(b)(1)

Size of ferryboat in gross tons		Cubic feet of lifeboatage required <sup>1</sup>
Over	Not over	
-----	150	60
150	300	120
300	600	240
600	-----	360

<sup>1</sup> For purposes of determining lifeboat capacity in persons for use in substituting inflatable liferafts in accordance with substitutions permitted by § 75.10-25, allow 10 cubic feet of lifeboatage per person.

<sup>2</sup> One-half of the required lifeboatage may be supplied by liferafts of Type A or B.

(2) Except as otherwise provided in this paragraph, ferryboats of less than 50 gross tons shall be equipped with lifeboats or Type A or B liferafts as in the opinion of the Officer in Charge, Marine Inspection, having jurisdiction may be necessary in case of disaster to secure the safety of all persons on board.

(3) Inflatable liferafts may be substituted for lifeboats, liferafts, lifeboats and buoyant apparatus on certain vessels in accordance with § 75.10-25.

(4) Ferryboats engaged on short international voyages shall meet the applicable requirements of § 75.10-10.

6. Section 75.10-25 is amended to read as follows:

**§ 75.10-25 Inflatable liferafts as an alternate for lifeboats, other liferafts, lifeboats, and buoyant apparatus on certain vessels not on international voyage.**

(a) (1) On all vessels inflatable liferafts may be permitted as substitutes for other types of liferafts, lifeboats and buoyant apparatus wherever they may be required.

(2) The capacity of inflatable liferafts carried in place of other liferafts, lifeboats, and buoyant apparatus shall be at least equivalent to that required of the equipment for which substitution is made.

(3) The substitution of inflatable liferafts shall not be made without prior approval of the Officer in Charge, Marine Inspection.

(b) On all vessels less than 3,000 gross tons the substitution of inflatable liferafts for lifeboats may be permitted as follows:

(1) (i) On all vessels under 500 gross tons, inflatable liferafts may be substituted for all required lifeboats.

(ii) The total capacity of the inflatable liferafts shall be at least equal to the total number of persons that the lifeboats would have been required to accommodate. Partial substitution is permissible provided the aggregate lifeboat and inflatable liferaft capacity is sufficient to accommodate the required number of persons, as indicated above.

(iii) Where substitution of inflatable liferafts is made, a suitable rescue boat shall be provided. In the case of partial substitution, a lifeboat may serve as the rescue boat.

(2) (i) On all vessels of 500 gross tons and upwards to 1,600 gross tons, inflatable liferafts may be substituted for all required lifeboats provided two approved lifeboats of a size acceptable to the Officer in Charge, Marine Inspection, suitable for rescue purposes, one on each side, are installed.

(ii) The aggregate lifeboats and inflatable liferaft capacity shall be at least equal to the total number of persons that the lifeboats would have been required to accommodate.

(iii) The launching arrangement and location of the two lifeboats to be used as rescue boats shall be such that they can be readily launched and shall be to the satisfaction of the Officer in Charge, Marine Inspection.

(3) (i) On all vessels of 1,600 gross tons and upwards to 3,000 gross tons, inflatable liferafts may be substituted for all except two of the required lifeboats. These lifeboats shall be of a size acceptable to the Officer in Charge, Marine Inspection, and shall be suitable for rescue purposes. In all cases, two approved lifeboats, one on each side, shall be provided.

(ii) The aggregate lifeboat and inflatable liferaft capacity shall be at least equal to the total number of persons that the lifeboats, for which substitutions are made plus those remaining on board, would have been required to accommodate.

(4) The substitution of inflatable liferafts for lifeboats shall not be made without prior approval of the Officer in Charge, Marine Inspection.

(c) The Commandant may give special consideration to the substitution of approved inflatable liferafts for required lifeboats on vessels of 3,000 gross tons and over.

7. Section 75.10-90 is amended to read as follows:

**§ 75.10-90 Vessels contracted for prior to May 26, 1965.**

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.10-5 through 75.10-25 shall be complied with insofar as the number and general type of lifesaving equipment is concerned. Existing items of lifesaving equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.10-5 through 75.10-25 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be permitted to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable specifications or requirements in this part.

(2) Vessels certificated for ocean service may comply with this subparagraph in lieu of subparagraph (4) of this paragraph. In this respect, vessels with 13 or less lifeboats shall have at least one motor lifeboat; vessels with over 13 but not over 19 lifeboats shall have 2 motor lifeboats, one of which shall have a searchlight and radio cabin; vessels with over 19 lifeboats shall have 2 motor lifeboats, both of which shall have a searchlight and radio cabin. If a vessel with 13 or less lifeboats is of over 2,500 gross tons and in the normal course of its voyage is at any point 200 miles offshore, the motor lifeboat shall be fitted with a radio cabin, or alternately, an approved portable radio unit shall be carried by the vessel in addition to that required by § 75.55-1. Existing motor lifeboat installations with spark ignition engines may be retained, but replacements shall meet current specifications.

(3) The substitution of liferafts for lifeboats permitted by § 75.10-10(a) (5) and (6) shall not apply.

(4) On vessels of over 3,000 gross tons certificated for ocean, coastwise, or Great Lakes service, all replacements of disengaging apparatus shall meet the requirements of § 75.10-5(a) (6) (i). On all other vessels in any service, all of the lifeboats on a particular vessel shall be

fitted with the same type of disengaging apparatus.

(5) Vessels certificated for coastwise service the keels of which were laid prior to July 2, 1915, during the interval between May 15 and September 15 in any one year, both dates inclusive, shall have sufficient lifeboats, liferafts, or buoyant apparatus to accommodate all persons on board, not more than 30 percent of which may be in buoyant apparatus and not more than a total of 65 percent may be in liferafts and buoyant apparatus.

**Subpart 75.15—Stowage and Marking of Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus**

8. Section 75.15-1(a) is amended to read as follows:

**§ 75.15-1 Application.**

(a) The provisions of this subpart, with the exception of § 75.15-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.15-90.

9. Section 75.15-10 is amended to read as follows:

**§ 75.15-10 Stowage.**

(a) Lifeboats, liferafts, lifeboats, and buoyant apparatus shall be stowed in such a manner that:

(1) They are capable of being launched in the shortest possible time.

(2) They shall not impede the launching or handling of other lifesaving appliances.

(3) They shall not impede the marshalling of persons at the embarkation stations, or their embarkation.

(4) They shall be capable of being put in the water safely and rapidly even under unfavorable conditions of list and trim.

(b) Lifeboat stowage shall be as follows:

(1) Every lifeboat shall be attached to a separate set of davits.

(2) Suitable access to the lifeboats shall be provided to enable the crew to prepare the lifeboats for launching.

(3) Lifeboats shall be so stowed that embarkation into them may be made rapidly and in good order.

(4) Lifeboats shall not be stowed in the bows of the vessel nor as far aft as to be endangered by the propellers or overhang of the stern.

(5) Lifeboats shall be so stowed that it shall not be necessary to lift them in order to swing out the davits.

(6) Lifeboats may be stowed on more than one deck, provided proper measures are taken to prevent lifeboats on a lower deck being fouled by those stowed on a deck above.

(7) Means shall be provided for bringing the lifeboats against the ship's side and holding them there so that persons may be safely embarked.

(8) Vessels in ocean or coastwise service shall be fitted with skates or other suitable means to facilitate launching against an adverse list of up to 15 degrees. However, skates may be dispensed with if, in the opinion of the Commandant, the arrangements are such as to insure that the lifeboats can be satisfactorily launched without such skates.

(9) Ocean and coastwise vessels fitted with radial davits shall, when the weather permits, have one of the lifeboats on each side swung out while at sea, gripped in to a boom or rail, and ready for immediate use.

(10) On vessels in ocean and coastwise service, where applicable, means shall be provided outside the machinery space to prevent the discharge of water into the lifeboats while they are being lowered. This shall consist of baffles to deflect the water down the vessel's side, or reach rods, or other means to close the discharge openings.

(c) Liferaft stowage shall be as follows:

(1) Liferafts for which approved launching devices are required shall be distributed equally on each side of the ship and shall be stowed so as to be readily accessible to the launching device which serves them. They shall not be stowed in the bows of the vessel nor as far aft as to be endangered by the propellers or overhang of the stern. Such liferafts shall be capable of being put into the water loaded with their full complement of persons and equipment even with unfavorable conditions of trim and a list of 15 degrees either way.

(2) Means shall be provided outside the machinery space to prevent discharge of water into liferafts launched at fixed positions or from approved launching devices.

(3) The liferafts for which approved launching devices are not required shall be capable of being launched even with unfavorable conditions of trim and a list of 15 degrees either way.

(4) On vessels fitted with approved devices for launching liferafts, all liferafts shall be of a size and type which is capable of being launched from such devices.

(5) Type A liferafts shall be stowed on standard skids constructed in accordance with Subpart 160.042 of Subchapter Q (Specifications) of this chapter.

(6) Type B liferafts shall be stowed in such a manner that they may be readily launched.

(7) The additional liferaft required on Great Lakes vessels by Table 75.10-20(a) shall be stowed in such a manner that it will float clear in the event of sinking of the vessel. The requirements of the other subparagraphs in this paragraph need not be complied with for such liferaft.

(8) Inflatable liferafts shall be stowed in such a manner that they will float free

in the event of the vessel sinking. Stowage and launching arrangements will be to the satisfaction of the Officer in Charge, Marine Inspection.

(d) Lifeboat and buoyant apparatus stowage shall be as follows:

(1) Lifeboats and buoyant apparatus shall be stowed in such a manner as to be readily launched. Lifeboats and buoyant apparatus exceeding 400 pounds in weight shall be stowed in such a manner as not to require lifting before launching.

(2) Lifeboats and buoyant apparatus shall not be secured to the vessel except by lashings which can be easily slipped. They may be stowed in tiers one above the other, but not more than four high. When stowed in tiers, the separate units shall be kept apart by suitable distance pieces.

(3) Means shall be provided to prevent shifting.

10. Section 75.15-90 is amended to read as follows:

**§ 75.15-90 Vessels contracted for prior to May 26, 1965.**

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) The provisions of §§ 75.15-5 through 75.15-15 shall be met except as further set forth in this paragraph.

(2) The requirements of § 75.15-10(b) shall apply unless, in the opinion of the Officer in Charge, Marine Inspection, it is unreasonable or impracticable or the arrangements or construction of the vessel make the use of skates or similar appliances unnecessary.

(3) The requirements of § 75.15-10(b) need only apply if it is deemed reasonable and practicable by the Officer in Charge, Marine Inspection.

(4) Existing vessels having nested lifeboats may continue such arrangements. However, no subsequent modification, replacement, or rearrangement may result in a greater capacity in the nested lifeboats nor a greater number of persons being permitted aboard the vessel.

**Subpart 75.20—Equipment for Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus**

11. Section 75.20-1(a) is amended to read as follows:

**§ 75.20-1 Application.**

(a) The provisions of this subpart, with the exception of § 75.20-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.20-90.

12. Section 75.20-10 is amended by revising Table 75.20-10(a) to read as follows:

**§ 75.20-10 Required equipment for lifeboats.**

TABLE 75.20-10(a)

Letter identification	Item	Ocean and coastwise	Great Lakes	Lakes, bays and sounds, and rivers
a	Bailer	1	1	None
b	Bilge pump	1 <sup>1</sup>	None	None
c	Boathooks	2	1	1
d	Bucket	2	1	1
e	Compass and mounting	1	None	None
f	Ditty bag	1	None	None
g	Drinking cups	1	None	None
h	Fire extinguishers (motor-propelled lifeboats only)	2	2	2
i	First aid kit	1	None	None
j	Flashlight	1	1	None
k	Hatchets	2	2	1
l	Heaving line	2	None	None
m	Jackknife	1	None	None
n	Ladder, lifeboat gunwale	1	None	None
o	Lantern	1	1	1
p	Lifeline	1	1	1
q	Life preservers	2	2	2
r	Locker	1	1	None
s	Mast and sail (oar-propelled lifeboats only)	1	None	None
t	Matches (boxes)	2	1	1
u	Milk, condensed (pounds per person)	1	None	None
v	Mirrors, signaling	2	None	None
w	Oars	1 unit	1 unit	1 unit
x	Oil, illuminating (quarts)	1	1	None
y	Oil, storm (gallons)	2	2	1
z	Painter	1	1	1
aa	Plugs	2	None	None
bb	Provisions (pounds per person)	1	None	None
cc	Radio installation	1	None	None
dd	Rowlocks	1 unit	1 unit	1 unit
ee	Rudder and tiller	1	1	None
ff	Sea anchor	1	1	None
gg	Searchlight	1	None	None
hh	Signals, distress, floating orange smoke	2	None	None
ii	Signals, distress, red hand flare	1 unit	1/2 unit	None
jj	Signals, distress, red parachute flare	1 unit	1 unit	None
kk	Tool kit (motor-propelled lifeboats only)	1 unit	1 unit	1 unit
ll	Water (quarts per person)	3	None	None
mm	Whistle, signaling	1	None	None
nn	Fishing kit	1	None	None
oo	Cover, protecting	1	None	None
pp	Signals, lifesaving	1	None	None
qq	Desalting kit	1	None	None

sealed containers per person constructed and filled in accordance with Subpart 160.026 of Subchapter Q (Specifications) of this chapter. The service life of this equipment shall be limited to 5 years from date of packing, and replacement of outdated containers shall be made at the first annual inspection of the vessel after the date of expiration. Approved desalting kits capable of producing an equal amount of drinking water may be substituted for not more than one-third of the drinking water required to be carried in the lifeboat.

(2) The drinking water containers shall be stowed in drinking water tanks, lockers, or other compartments providing suitable protection.

(mm) *Whistle, signaling.* The whistle shall be of the ball-type, of corrosion-resistant construction, with a 3-foot lanyard attached, and in good working order.

(nn) *Fishing kit.* The fishing kit shall be of approved type constructed in accordance with Subpart 160.061 of Subchapter Q (Specifications) of this chapter.

(oo) *Cover, protecting.* The protecting cover shall be of a highly visible color, and capable of protecting the occupants against injury by exposure.

(pp) *Table of lifesaving signals.* The table shall be in accordance with the provisions of Chapter V, Regulation 16, of the International Convention for Safety of Life at Sea, 1960, and shall be printed on water resistant paper.

(qq) *Desalting kit.* One or more approved desalting kits may be used as a substitute for one-third of the required amount of drinking water per person, and shall be in accordance with Subpart 160.058 of Subchapter Q (Specifications) of this chapter.

13a. Section 75.20-20(b) is amended to read as follows (but the note following it is retained without change):

#### § 75.20-20 Required equipment for liferafts.

(b) Inflatable liferafts shall be equipped with ocean service equipment for vessels on ocean and coastwise routes and with limited service equipment for vessels on Great Lakes, lakes, bays, sounds, and river routes in accordance with Subpart 160.051 of Subchapter Q (Specifications) of this chapter.

14. Section 75.20-90 is amended to read as follows:

#### § 75.20-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.20-5 through 75.20-35 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.20-5 through 75.20-35 may be continued in service so long as they are maintained

<sup>1</sup> Motor-propelled lifeboats, certified for 100 or more persons, shall be fitted with an additional hand bilge pump of an approved type or a power bilge pump.

<sup>2</sup> For description of units, see § 75.20-15.

<sup>3</sup> Required only on motor-propelled lifeboats fitted with radio cabin, see § 75.10-5(a)(5).

<sup>4</sup> Vessels in coastwise service need only carry 1 unit for each 5 lifeboats or fraction thereof.

<sup>5</sup> Optional equipment. See § 75.20-15(11), water.

13. Section 75.20-15 is amended by revising paragraphs (g), (j), (w) (text only), Table 75.20-15(w) continued in effect, (gg) and (ll), and by adding new paragraphs (mm) through (qq), which read as follows:

#### § 75.20-15 Description of equipment for lifeboats.

(g) *Drinking cups.* Drinking cups shall be enamel coated or plastic, graduated in ounces, and be provided with lanyards 3 feet in length.

(j) *Flashlight.* The flashlight shall be of an approved Type I, Size No. 3, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter. Three spare cells (or one 3-cell battery) and two spare bulbs, stowed in a watertight container, shall be provided with each flashlight. Batteries shall be replaced yearly during the annual stripping, cleaning, and overhaul of the lifeboat.

(w) *Oars.* A unit, consisting of a complement of rowing oars and a steering oar, shall be provided for each lifeboat in accordance with Table 75.20-15 (w), except that motor-propelled and hand-propelled lifeboats need only be equipped with 4 rowing oars and 1 steering oar. In any case, the emergency lifeboats shall be provided with the full

complement of oars prescribed by the table. All oars shall be buoyant.

(gg) *Searchlight.* The searchlight shall be of an approved type, constructed in accordance with Subpart 161.006 of Subchapter Q (Specifications) of this chapter. If installed on a lifeboat equipped with a radio cabin, it shall be securely mounted to the top of the radio cabin and its source of power shall be capable of operating the light intermittently (10 minutes of continuous operation per hour) for a period of at least 3 hours. Where the power for the radio equipment and the searchlight are derived from the same source, it shall be sufficient to provide for adequate operation of both appliances. On lifeboats without a radio cabin, means shall be provided to mount it readily. The mounting may be of a portable type (stanchion type or collapsible type). The source of power shall be connected with watertight electrical fittings as required in Subpart 111.60 of Subchapter J (Electrical Engineering) of this chapter. When not in use, it shall be securely stowed safely, free from any possible damage. Two spare bulbs shall be provided with each installation.

(ll) *Water.* (1) For each person the lifeboat is certified to carry, there shall be provided 3 quarts of drinking water consisting of nine approved hermetically

in a good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements in this part.

(2) Lifeboats previously approved without automatic drain plugs shall have two plugs or caps attached to the lifeboat by separate chains.

(3) Decked lifeboats shall have no drain holes or plugs, but shall be equipped with two bilge pumps.

(4) On vessels in ocean or coastwise service and contracted for prior to November 19, 1952, unless other approved means are provided to achieve the same purpose, three 1/2-inch diameter manila grablines shall be fitted extending from gunwale to gunwale under the keel to enable persons to cling to and climb upon the upturned lifeboat. The ends of each grabline shall be securely attached to the side benches or other permanent part of the lifeboat and each grabline shall be made up with figure eight knots spaced approximately 18 inches apart in order to provide hand grips. Means shall be provided for taking up any slack in the grablines.

#### Subpart 75.25—Davits for Lifeboats

15. The heading for Subpart 75.25 is amended to read "Davits for Lifeboats," as set forth above.

16. Section 75.25-1(a) is amended to read as follows:

##### § 75.25-1 Application.

(a) The provisions of this subpart, with the exception of § 75.25-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.25-90.

17. Section 75.25-5(d) is amended to read as follows:

##### § 75.25-5 General.

(d) All davits and necessary gear shall be such as to meet the requirements for the installation test set forth in Subpart 75.35. The design, arrangements, and installation shall be such as to preclude undue delay in getting the lifeboats into the water, and shall be of such strength that the lifeboats can be turned out manually by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way and with a 10-degree trim.

18. Section 75.25-10 is amended to read as follows:

##### § 75.25-10 Requirements for vessels in ocean or coastwise service.

(a) All vessels shall be fitted with a set of approved gravity or mechanical davits for each lifeboat carried.

(b) All davit installations shall have two lifelines fitted to a davit span: *Provided*, That the span fitted to the davits which are used to handle the emergency lifeboats required by § 75.10-10(a)(3) shall have four such lifelines. The lifelines shall be of such length as to reach the water at the lightest seagoing draft with the vessel listed 15 degrees either way.

19. Section 75.25-90 is amended to read as follows:

##### § 75.25-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.25-5 through 75.25-15 shall be complied with insofar as the number and general type of equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.25-5 through 75.25-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be made to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable specifications or requirements in this subpart.

(2) On vessels the keels of which were laid after September 1, 1941, all davits for lifeboats weighing in excess of 5,000 pounds when fully equipped (but without persons) shall be of the gravity type.

(3) Existing vessels having nested lifeboats may continue such arrangements.

20. Part 75 is amended by inserting after § 75.25-90 a new Subpart 75.27, consisting of §§ 75.27-1 and 75.27-5, reading as follows:

#### Subpart 75.27—Inflatable Liferaft Launching Devices

##### § 75.27-1 Application.

(a) The provisions of this subpart shall apply to all vessels on an international voyage on which liferafts were permitted to be substituted for lifeboats under the provisions of § 75.10-10(a)(5).

##### § 75.27-5 General.

(a) All launching devices for putting liferafts loaded with persons in the water shall be of an approved type.

(b) The design, arrangement, and installation of all launching devices shall be such as to preclude any undue delay in getting the liferafts safely into the water loaded with their full complement of persons and equipment even with unfavorable conditions of trim and a list of 15 degrees either way. The design shall provide a factor of safety of at least 6 in these conditions, based upon the ultimate strength of the materials.

(c) Launching devices shall be so arranged that after the rafts are loaded with persons, they do not require lifting prior to being swung out or lowered.

(d) Launching devices shall be provided with suitable means for detaching the liferafts from the falls which is operable from inside the liferaft, or by an automatic release which shall operate when the weight of the loaded raft is waterborne; however, such an automatic release shall be limited to rafts which are suspended from a single attachment point.

(e) Launching devices shall be provided with means for rapidly retrieving the falls by hand power.

(f) The number of approved liferaft launching devices required to be provided and the number of liferafts allocated to each launching device shall be as determined by the Commandant, and shall be such that fully loaded liferafts and lifeboats of sufficient capacity to accommodate all persons on board can be put into the water in not more than 30 minutes in calm conditions.

(g) On vessels where approved liferaft launching devices are required, they shall be distributed equally on each side of the vessel, and in no case shall there be less than two launching devices, one on each side.

#### Subpart 75.30—Lifeboat Winches

21. Section 75.30-1(a) is amended to read as follows:

##### § 75.30-1 Application.

(a) The provisions of this subpart, with the exception of § 75.30-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.30-90.

22. Section 75.30-10 is amended by adding a new paragraph (d) reading as follows:

##### § 75.30-10 Number and type required.

(d) Lifeboat winches shall be fitted for each set of davits used for the emergency lifeboats, and in addition to meeting all other requirements for winches, the emergency lifeboat winch shall be capable of recovering the emergency lifeboat with its full complement of persons and equipment at a hoisting speed of not less than 20 feet per minute.

##### § 75.30-15 [Amended]

22a. Section 75.30-15 *Installation* is amended by canceling paragraph (c).

23. Section 75.30-90 is amended to read as follows:

##### § 75.30-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specially modified by this paragraph, the requirements of §§ 75.30-5 through 75.30-15 shall be complied with insofar as the number and general type of equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.30-5 through 75.30-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. However, all new installations or major replacements shall meet the applicable specifications or requirements in this part.

(2) Vessels certificated for river service need not comply with the requirements of § 75.30-10(a).

(3) Existing arrangements previously approved, but not meeting the requirements of § 75.30-10(d) or § 75.30-15(a), need not be changed. However, new installations or major alterations should conform with such requirements where reasonable and practicable.

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(4) Where lifeboat winches are used with gravity davits, the installation shall comply with the requirements contained in § 160.015-3(k), of Subpart 160.015 (Lifeboat Winches) of Subchapter Q (Specifications) of this chapter.

(5) Lifeboat winches for use with nested lifeboats shall be provided with suitable means for rapidly retrieving the falls by handpower unless separate falls are provided for each lifeboat.

#### Subpart 75.33—Blocks and Falls for Lifeboats

24. The heading for Subpart 75.33 is amended to read "Blocks and Falls for Lifeboats," as set forth above.

25. Section 75.33-1(a) is amended to read as follows:

##### § 75.33-1 Application.

(a) The provisions of this subpart, with the exception of § 75.33-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.33-90.

26. Section 75.33-5(b) is amended to read as follows:

##### § 75.33-5 General.

(b) Falls shall be of such length that the lifeboat may be lowered to the water with the vessel at its lightest draft listed 15 degrees either way.

27. Section 75.33-10 is amended by canceling paragraph (d) and by redesignating paragraphs (e) and (f) to (d) and (e), respectively, so these paragraphs read as follows:

##### § 75.33-10 Installations where lifeboat winches are used.

(d) The lead sheaves to the drum shall be located so as to provide fleet angles of not more than 8 degrees for grooved drums and not more than 4 degrees for nongrooved drums. By fleet angle is meant the angle included between the wire rope from the lead sheave to the drum (or drum extended) when it is perpendicular to the axis of the drum, and the wire rope from the lead sheave to either extremity of the drum.

(e) Sheaves shall have a diameter at the base of the groove at least equal to 12 times the diameter of the wire rope.

28. Section 75.33-15 is amended by canceling paragraph (c) and by redesignating paragraph (d) as (c) so this paragraph reads as follows:

##### § 75.33-15 Installations where lifeboat winches are not used.

(c) There shall be ample clearance between the cheeks of all blocks. The width between the cheeks shall be one-half inch greater than the diameter of new rope when rope of 3/4-inch circumference or greater is used. Blocks for smaller rope shall be designed with proportional clearances.

29. Section 75.33-90 is amended to read as follows:

##### § 75.33-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.33-5 through 75.33-15, as applicable, shall be complied with insofar as the general type of equipment is concerned. Existing equipment previously approved, but not meeting the detailed requirements of §§ 75.33-5 through 75.33-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be made to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable requirements in this subpart.

(2) When nested lifeboats are used, the lower blocks shall be of the non-toppling type unless separate falls are provided for each lifeboat. Separate falls shall be provided for each lifeboat in all nested lifeboat installations not using wire falls.

##### Subpart 75.35—Installation of Lifeboats, Davits, and Winches

30. Section 75.35-5 is amended by revising subparagraphs (b) (3) and (b) (4) to read as follows:

##### § 75.35-5 Tests and examinations.

(b) . . . . .  
(3) The falls shall be of sufficient length to lower the lifeboat as required by § 75.33-5(b).

(4) Where lifeboat winches are used, the following additional determinations shall be made:

(i) During lowering, the lifeboat shall be stopped at intervals of approximately 6 feet by the action of the counterweight alone. The counterweight shall be capable of stopping and holding the lifeboat. The brake action shall be smooth, but positive.

(ii) Brakes exposed to the weather shall be tested under the load conditions with the braking surfaces both wet and dry.

(iii) The governor brake shall be capable of controlling the speed of lowering of the fully equipped lifeboat with its complement of persons on board to not more than 120 feet per minute. In addition, the speed of lowering of the fully equipped lifeboat without its complement of persons shall be not less than 40 feet per minute. However, emergency lifeboats shall have a minimum lowering speed of 60 feet per minute in the fully equipped condition without persons aboard and a maximum lowering speed of 160 feet per minute in the fully equipped condition with the full complement of persons aboard.

(iv) Emergency lifeboat winches required to meet the provisions of § 75.33-10(d) shall be capable of recovering the emergency lifeboats in the fully equipped condition with the full complement of persons aboard at a hoisting speed of not less than 20 feet per minute.

(v) If nested lifeboats are used, the hand-operated quick-return mechanism shall be tested. The action shall be easy enough for one man to recover the falls.

31. Part 75 is amended by inserting after § 75.35-5 a new Subpart 75.37, consisting of §§ 75.37-1 and 75.37-5, reading as follows:

##### Subpart 75.37—Installation of Inflatable Liferaft Launching Devices

##### § 75.37-1 Application.

(a) The provisions of this subpart shall be applicable to all installations contracted for on or after May 26, 1965, except as specifically noted.

##### § 75.37-5 Tests and examinations.

(a) Upon completion of the installation of liferaft launching devices, tests and examinations as required by this section shall be made to the satisfaction of the marine inspector before the vessel may be navigated.

(b) A fully equipped liferaft shall be inflated at its embarkation position. It shall then be loaded with deadweight equivalent to the number of persons allowed (165 pounds per person), plus 10 percent of the total load, which shall include the weight of the fully equipped raft. The liferaft shall then be lowered to the water and disengaged from the falls. Necessary safety precautions shall be taken for persons engaged in the loading of the liferaft. No person shall be allowed in the liferaft while it is being lowered. The following determinations shall be made:

(1) None of the equipment or parts thereof nor deck connections shall show signs of permanent set or excessive deflection.

(2) Arrangements at the embarkation deck shall be such that persons may be rapidly and safely loaded into the liferaft.

(3) The fully loaded liferaft shall be capable of being swung out from the embarkation deck and lowered without lifting.

(4) The falls shall be of sufficient length to lower the liferaft to the light load line with the vessel heeled 15 degrees inboard and with a 10-degree trim.

(5) During lowering, the liferaft shall be stopped at intervals of approximately 6 feet by the action of the counterweight alone. The counterweight shall be capable of stopping and holding the liferaft. The brake action shall be smooth, but positive.

(6) Brakes exposed to the weather shall be tested under the load conditions with the braking surfaces both wet and dry.

(7) The governor brake shall be capable of controlling the speed of lowering of the fully equipped liferaft with its complement of persons on board to not more than 120 feet per minute. In addition, the speed of lowering of the fully equipped liferaft without its complement of persons shall be not less than 40 feet per minute.

(8) The hand-operated quick-return mechanism shall be tested. The action shall be easy enough for one man to recover the falls.

(c) Other methods of testing liferaft launching devices to demonstrate compliance with paragraph (b) of this section, which do not involve the launching of a fully loaded raft may be authorized, if in the opinion of the Commandant, such alternate tests adequately demonstrate compliance with the requirements.

#### Subpart 75.40—Life Preservers

##### § 75.40-1 [Amended]

32. Section 75.40-1 *Application* is amended in paragraphs (a) and (b) by changing the date "January 1, 1962," to "May 26, 1965."

33. Section 75.40-5 is amended to read as follows:

##### § 75.40-5 General.

(a) All life preservers shall be of an approved type, constructed in accordance with Subparts 160.002, 160.005, or 160.055 of Subchapter Q (Specifications) of this chapter.

(b) All life preservers on vessels on an international voyage shall be provided with a whistle of the ball-type, of corrosion-resistant construction, with a 3-foot lanyard attached, and in good working order. It shall be attached to the life preserver by the lanyard alone without hooks, snaps, clips, etc., and shall extend not less than 15 inches from the life preserver body. While stowed on the life preserver, the whistle lanyard shall be coiled and stopped-off.

34. Section 75.40-10 is amended by adding a new paragraph (b) reading as follows:

##### § 75.40-10 Number and type required.

(b) In addition to the life preservers required by paragraph (a) of this section, all vessels on an international voyage shall be provided with approved type life preservers for 5 percent of the persons carried.

34a. Section 75.40-15 is amended by adding a new paragraph (b) reading as follows:

##### § 75.40-15 Distribution.

(b) The additional life preservers required by § 75.40-10(b) shall be stowed in conspicuous places on deck.

35. Section 75.40-90 is amended to read as follows:

##### § 75.40-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.40-5 through 75.40-25 shall be complied with insofar as the number of items of equipment and the method of stowage and notice is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.40-5 through 75.40-25 may be continued in service so long as they are serviceable

and in good condition to the satisfaction of the Officer in Charge, Marine Inspection, except that:

(1) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts, as required by Subparts 160.002 and 160.005 of Subchapter Q (Specifications) of this chapter, shall be removed from service.

(2) Where prior to November 19, 1952, wood floats were substituted for approved type adult life preservers, such wood floats may be continued in service so long as they are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection, on steam vessels in river service, barges carrying passengers while in tow of a steam vessel in other than ocean or coastwise service, and river ferries propelled by steam. Where permitted, wood floats shall be stowed in the most accessible spaces.

(3) All new installations or replacements shall meet the applicable specifications or requirements, except that:

(1) Cork and balsa wood life preservers, constructed in accordance with the applicable provisions of Subpart 160.003 or 160.004 and manufactured as approved life preservers prior to July 1, 1965, may be accepted as new or replacement equipment required by this subchapter if such life preservers are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection: *Provided, however,* That such life preservers bearing basic Approval No. 160.003 or 160.004 shall not be considered as approved equipment meeting the requirements for those passenger ships on an international voyage, constructed or contracted for on or after May 26, 1965.

#### Subpart 75.43—Ring Life Buoys and Water Lights

##### § 75.43-1 [Amended]

36. Section 75.43-1 *Application* is amended by changing in the first and second sentences of paragraph (a) the date from "November 19, 1952," to "May 26, 1965."

37. Section 75.43-5 is amended by adding a new paragraph (c) reading as follows:

##### § 75.43-5 General.

(c) All self-activating smoke signals shall be of an approved type, constructed in accordance with the requirements of Subpart 160.057 of Subchapter Q (Specifications) of this chapter which shall be capable of producing smoke of a highly visible color for at least 15 minutes.

38. Section 75.43-10 is amended by revising paragraph (b) and by adding paragraphs (c) and (d), which read as follows:

##### § 75.43-10 Number required.

(b) One of the ring life buoys on each side of the vessel shall have secured to it a line at least 15 fathoms in length.

On vessels on an international voyage, the line shall be of a buoyant type.

(c) On vessels on an international voyage, at least two of the ring life buoys with water lights attached as required by Table 75.43-10(a) shall also be provided with an approved self-activated smoke signal and shall be capable of quick release from the navigating bridge.

(d) On vessels on an international voyage, the ring life buoys required by this section shall be orange in color.

39. Section 75.43-90 is amended to read as follows:

##### § 75.43-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.43-5 through 75.43-15 shall be complied with insofar as the number of items of equipment and the method of stowage is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 75.43-5 through 75.43-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements in this subpart.

#### Subpart 75.50—Embarkation Aids

40. Section 75.50-1 is amended to read as follows:

##### § 75.50-1 Application.

(a) The provisions of this subpart, with the exception of § 75.50-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 75.50-90.

41. Section 75.50-5(a)(3) is amended to read as follows:

##### § 75.50-5 Ladders.

(a) \* \* \*

(3) All vessels certificated for ocean or coastwise service, which normally employ a pilot shall have a ladder for the use of the pilot, in addition to the ladders required by subparagraph (2) of this paragraph. Suitable spreaders, a man rope, and a safety line shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require. When used, the ladder shall be secured in a position so that each step rests firmly against the ship's side, and so the pilot can gain safe and convenient access to the ship after climbing not more than 30 feet. Whenever the distance from sea level is more than 30 feet, access from the pilot ladder to the ship shall be by means of an accommodation ladder or other equally safe and convenient means. Arrangements shall be such that the rigging of the ladder and the embarkation of the pilot is supervised by a responsible officer of the ship and handholds are provided to assist the pilot

## RULES AND REGULATIONS

## PART 76—FIRE PROTECTION EQUIPMENT

1. The authority for Part 76 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 76 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 423, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363,

367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 8521; 167-14, Nov. 28, 1954, 19 P.R. 8038; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-39, Oct. 26, 1959, 24 P.R. 8857.

### Subpart 76.05—Fire Detecting and Extinguishing Equipment, Where Required

2. Section 76.05-1(a) is amended by revising Table 76.05-1(a) to read as follows:

#### § 76.05-1 Fire detecting systems.

(a) \* \* \*

TABLE 76.05-1(a)

Space	Detecting systems	Fixed extinguishing systems
<i>Safety areas</i>		
Wheelhouse or fire-control room.....	None required <sup>1</sup>	None required. <sup>1</sup>
Stairway and elevator enclosures.....	do. <sup>1</sup>	Do. <sup>1</sup>
Communication corridors.....	do. <sup>1</sup>	Do. <sup>1</sup>
Lifeboat embarkation and lowering stations.....	do. <sup>1</sup>	Do. <sup>1</sup>
Radio room.....	do. <sup>1</sup>	Do. <sup>1</sup>
<i>Accommodations</i>		
Staterooms, toilet spaces, isolated pantries, etc.....	do. <sup>1</sup>	Do. <sup>1</sup>
Offices, lockers, and isolated storerooms.....	Electric, pneumatic, or automatic sprinkling. <sup>1</sup>	Do. <sup>1</sup>
Public spaces.....	None required with 20-minute patrol. Electric, pneumatic, or automatic sprinkling with 1 hour patrol. <sup>1</sup>	Do. <sup>1</sup>
Open decks or enclosed promenades.....	None required	Do.
<i>Service spaces</i>		
Galleys.....	do. <sup>1</sup>	Do. <sup>1</sup>
Main pantries.....	do. <sup>1</sup>	Do. <sup>1</sup>
Motion picture booths and film lockers.....	Electric, pneumatic, or automatic sprinkling. <sup>1, 2</sup>	Do. <sup>1, 2</sup>
Paint and lamp rooms.....	Smoke detecting. <sup>1</sup>	Carbon dioxide. <sup>4</sup>
Inaccessible baggage, mail, and specie rooms and storerooms.....	do.	Do.
Accessible baggage, mail, and specie rooms and storerooms.....	Electric, pneumatic, or automatic sprinkling.	None required. <sup>1</sup>
Refrigerated storerooms.....	None required	Do.
Carpenter, valet, photographic, and printing shops, sales rooms, etc.	Electric, pneumatic, or automatic sprinkling.	Do. <sup>1</sup>
<i>Machinery spaces</i>		
Coal fired boilers: Bunker and boiler space.....	None required	None required.
Oil fired boilers: Spaces containing oil fired boilers either main or auxiliary, their fuel oil service pumps, and/or such other fuel oil units as the heaters, strainers, valves, manifolds, etc., that are subject to the discharge pressure of the fuel oil service pumps, together with adjacent spaces to which oil can drain.....	do.	Carbon dioxide or foam. <sup>1</sup>
Internal combustion or gas turbines propelling machinery spaces.....	do.	Carbon dioxide. <sup>1</sup>
Electric propulsive motors or generators of open type.....	do.	None required.
Enclosed ventilating systems for motors and generators of electric propelling machinery.....	do.	Carbon dioxide (in ventilating system). <sup>7</sup>
Auxiliary spaces, internal combustion or gas turbine.....	do.	Carbon dioxide. <sup>3</sup>
Auxiliary spaces, electric motors or generators.....	do.	None required.
Auxiliary spaces, steam.....	do.	Do.
Trunks to machinery spaces.....	do.	Do. <sup>8</sup>
Fuel tanks.....	do.	Do. <sup>8</sup>
<i>Cargo spaces</i>		
Inaccessible during voyage (combustible cargo), including trunks (excluding tanks).....	Smoke detecting.....	Carbon dioxide. <sup>4</sup>
Accessible during voyage (combustible cargo).....	Smoke detecting, electric, pneumatic or automatic sprinkling.	Automatic or manual sprinkling.
Vehicular deck (except where no overhead deck is 30 feet in length or less).....	None required	Manual sprinkling.
Cargo oil tanks.....	do.	Carbon dioxide or foam. <sup>1</sup>

<sup>1</sup> Vessels of 100 gross tons and over contracted for on or before May 27, 1936, and having combustible joiner work shall be fitted with an automatic sprinkling system, except in relatively incombustible spaces.

<sup>2</sup> Sprinkler heads may be attached to sanitary system provided electrical or pneumatic detecting is installed.

<sup>3</sup> On vessels contracted for prior to November 19, 1932, electric or pneumatic detecting may be substituted.

<sup>4</sup> On vessels contracted for prior to January 1, 1962, a steam smothering system may be accepted. However, although existing steam smothering systems may be repaired, replaced, or extended, no new system contracted for on or after January 1, 1962, will be permitted.

<sup>5</sup> Protection of auxiliary boilers, fuel oil units, valves and manifolds not required on vessels contracted for prior to November 19, 1932.

<sup>6</sup> Not required on vessels of less than 300 gross tons (except on an international voyage) using fuel with a flashpoint higher than 110° F., where the space is normally manned.

<sup>7</sup> Not required on vessels contracted for prior to November 19, 1932.

<sup>8</sup> Not required on vessels of less than 300 gross tons nor on vessels contracted for prior to November 19, 1932, except where fuel, including starting fuel, has a flashpoint of 110° F. or less.

<sup>9</sup> Where fuel having a flashpoint of 110° F. or lower is used, the space containing the fuel tanks shall be protected by a carbon dioxide system.

to pass safely and conveniently from the head of the ladder into the ship or onto the ship's deck. At night a light shining over the side shall be available for use, and the deck at the position where the pilot boards the ship shall be adequately lighted.

42. Subpart 75.50 is amended by inserting after § 75.50-10 a new § 75.50-15 reading as follows:

#### § 75.50-15 Illumination for inflatable liferaft launching operations.

(a) On all vessels on an international voyage there shall be provided for any liferafts for which approved launching devices are carried, means for illuminating the liferafts and their launching gear during the preparation for and during the process of launching, and also for illuminating the water into which the liferafts are launched. In addition, there shall be provided means of illuminating the stowage position of liferafts for which approved launching devices are not carried. Details of the illuminating system shall be in accordance with applicable requirements in Subchapter J (Electrical Engineering) of this chapter.

43. Section 75.50-90 is amended to read as follows:

#### § 75.50-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 75.50-5 through 75.50-15 shall be complied with insofar as the number of items of equipment and the method of stowage is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements of §§ 75.50-5 through 75.50-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements in this subpart.

#### Subpart 75.55—Portable Radio Apparatus

44. Section 75.55-1(a) is amended to read as follows:

#### § 75.55-1 Required on international voyage.

(a) Any vessel on an international voyage shall be provided with a portable radio apparatus complying with the requirements of the Federal Communications Commission, unless at least one lifeboat on each side of the vessel is fitted with a fixed radio installation. The apparatus shall be so designed that it may be used by an unskilled person. Such apparatus shall be kept in the radioroom, chartroom, or other suitable location ready to be moved to one or other of the lifeboats in the event of an emergency. See also § 75.10-10(a)(4).

3. Section 76.05-30 is amended by adding a new paragraph (b) reading as follows:

§ 76.05-30 Sand.

(b) In lieu of the requirements in paragraph (a) of this section, one B-II fire extinguisher may be substituted.

Subpart 76.10—Fire Main System, Details

4. Section 76.10-1(a) is amended to read as follows:

§ 76.10-1 Application.

(a) The provisions of this subpart, with the exception of § 76.10-90, shall apply to all fire main installations contracted for on or after May 26, 1965. Installations contracted for prior to May 26, 1965, shall meet the requirements of § 76.10-90.

5. Section 76.10-5(b) is amended to read as follows:

§ 76.10-5 Fire pumps.

(b) Vessels on an international voyage shall have a minimum total fire pump capacity at least equal to two-thirds of the required total bilge pump capacity, but in no case less than that required by this section. Each of the required fire pumps shall have a capacity not less than 80 percent of the total required capacity divided by the number of required pumps.

6. Section 76.10-10(c) is amended to read as follows:

§ 76.10-10 Fire hydrants and hose.

(c) On vessels of 1,000 gross tons and over there shall be at least one shore connection to the fire main available to each side of the vessel in an accessible location. Suitable cut-out valves and check valves shall be provided. Suitable check valves shall be provided for furnishing the vessel's shore connections with couplings mating those on the shore fire lines. Such vessels on an international voyage, shall be provided with at least one international shore connection. Facilities shall be available enabling such a connection to be used on either side of the vessel. The international shore connection shall be in accordance with specification Subpart 162.034 of Subchapter Q (Specifications) of this chapter.

7. Section 76.10-15 is amended by adding a new paragraph (c) reading as follows:

§ 76.10-15 Piping.

(c) For vessels on an international voyage, the diameter of the fire main shall be sufficient for the effective distribution of the maximum required discharge from two fire pumps operating simultaneously. This is in addition to § 76.10-5(c). The discharge of this quantity of water through hoses and nozzles at a sufficient number of adjacent hydrants shall be at a minimum Pitot tube pressure of approximately 50 pounds per square inch.

8. Section 76.10-90 is amended to read as follows:

§ 76.10-90 Installations contracted for prior to May 26, 1965.

(a) Installations contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 76.10-5 through 76.10-15 shall be complied with insofar as the number and general type of equipment is concerned. Existing equipment previously approved, but not meeting the applicable requirements of §§ 76.10-5 through 76.10-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be permitted to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable requirements in this part.

(2) All vessels contracted for prior to November 19, 1952, shall be fitted with fire pumps, hoses, and nozzles in accordance with Table 76.10-90(a) (2).

TABLE 76.10-90(a) (2)

Gross tons		Minimum number of pumps	Minimum hose and hydrant size, inches	Nozzle orifice size, inches	Length of hose, feet
Over	Not over				
100	4,000	2	1 1/2	1 1/2	150
4,000	-----	3	1 3/4	1 3/4	150

<sup>1</sup> May use 50 feet of 2 1/2-inch hose with 1 1/2-inch nozzles for exterior stations. May use 75 feet of 1 3/4-inch hose with 1 1/2-inch nozzles for interior station in which case such interior stations shall have stamess connections.

(3) When reasonable and practicable, where two or more fire pumps are required, they shall not all be located in the same space.

(4) The general requirements of §§ 76.10-5 (c) through (h), 76.10-10 (d) through (i), and § 76.10-15 shall be complied with insofar as is reasonable and practicable.

Subpart 76.13—Steam Smothering System, Details

8a. Section 76.13-1 is amended by adding a new paragraph (c) reading as follows:

§ 76.13-1 Application.

(c) This does not preclude the introduction of steam into such confined spaces as boiler casings or into tanks for steaming out purposes. Such installations are not to be considered as part of any required fire extinguishing system.

Subpart 76.15—Carbon Dioxide Extinguishing Systems, Details

9. Section 76.15-5(e) is amended to read as follows:

§ 76.15-5 Quantity, pipe sizes, and discharge rate.

(e) Machinery spaces, paint lockers, tanks, and similar spaces. (1) Except as provided in subparagraph (3) of this paragraph, the number of pounds of

carbon dioxide required for each space shall be equal to the gross volume of the space divided by the appropriate factor noted in Table 76.15-5(e) (1). If fuel can drain from the compartment being protected to an adjacent compartment, or if the compartments are not entirely separate, the requirements for both compartments shall be used to determine the amount of carbon dioxide to be provided. The carbon dioxide shall be arranged to discharge into both such compartments simultaneously.

TABLE 76.15-5(e) (1)

Gross volume of compartment, cubic feet		Factor
Over	Not over	
-----	500	15
500	1,000	10
1,000	4,500	18
4,500	50,000	20
50,000	-----	22

(2) For the purpose of the above requirement of this paragraph, the volume of a machinery space shall be taken as exclusive of the normal machinery casing unless the boiler, internal combustion machinery, or fuel oil installations extend into such space in which case the volume shall be taken to the top of the casing or the next material reduction in casing area, whichever is lower. For installations contracted for on or after October 1, 1959, "normal machinery casing" and "material reduction in casing area" shall be defined as follows:

(1) By "normal machinery casing" shall be meant a casing the area of which is not more than 40 percent of the maximum area of the machinery space.

(ii) By "material reduction in casing area" shall be meant a reduction to at least 40 percent of the casing area.

(3) For vessels on an international voyage contracted for on or after May 26, 1965, the amount of carbon dioxide required for a space containing propulsion boilers or internal combustion propulsion machinery shall be as given by subparagraphs (1) and (2) of this paragraph or by dividing the entire volume, including the casing, by a factor of 25, whichever is the larger.

(4) Branch lines to the various spaces shall be as noted in Table 76.15-5(e) (4).

TABLE 76.15-5(e) (4)

Maximum quantity of carbon dioxide required, pounds	Minimum nominal pipe size, inches	Maximum quantity of carbon dioxide required, pounds	Minimum nominal pipe size, inches
100	1/2	2,500	2 1/2
225	3/4	4,450	3
300	1	7,100	3 1/2
600	1 1/2	10,450	4
1,000	1 3/4	15,000	4 1/2
2,450	2	-----	-----

(5) Distribution piping within the space shall be proportioned from the supply line to give proper distribution to the outlets without throttling.

(6) The number, type, and location of discharge outlets shall be such as to give a uniform distribution throughout the space.

(7) The total area of all discharge outlets shall not exceed 85 percent nor be less than 35 percent of the nominal cylinder outlet area or the area of the supply pipe, whichever is smaller. The nominal cylinder outlet area in square inches shall be determined by multiplying the factor 0.0022 by the number of pounds of carbon dioxide required, except that in no case shall this outlet area be less than 0.110 square inch.

(8) The discharge of at least 85 percent of the required amount of carbon dioxide shall be complete within 2 minutes.

#### Subpart 76.20—Water Spray Extinguishing System, Details [Canceled]

10. Subpart 76.20, consisting of §§ 76.20-1 to 76.20-90, inclusive, is canceled.

#### Subpart 76.25—Automatic Sprinkling System, Details

10a. Section 76.25-35(c) is amended to read as follows:

##### § 76.25-35 Operation and installation.

(c) There shall be not less than two sources of power supply for the sea water pumps, air compressors and automatic alarms. Where the sources of power are electrical, these shall be a main generator and an emergency source of power. One supply shall be taken from the main switchboard, by separate feeders reserved solely for that purpose. Such feeders shall be run to a change-over switch situated near to the sprinkler unit and the switch shall normally be kept closed to the feeder from the emergency switchboard. The change-over switch shall be clearly labeled and no other switch shall be permitted in these feeders.

#### Subpart 76.50—Hand Portable Fire Extinguishers and Semiportable Fire Extinguishing Systems, Arrangements, and Details

11. Section 76.50-10 is amended by canceling paragraph (e) and by redesignating paragraph (f) as paragraph (e), reading as follows:

##### § 76.50-10 Location.

(e) Hand portable or semiportable extinguishers, which are required on their name plates to be protected from freezing, shall not be located where freezing temperatures may be expected.

### PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority for Part 77 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 77 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 805, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended,

sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857. Additional authority cited with sections affected.

#### Subpart 77.30—Emergency Equipment

2. Section 77.30-1(a) is amended to read as follows:

##### § 77.30-1 Application.

(a) The provisions of this subpart, with the exception of § 77.30-90, shall apply to all vessels not on an international voyage contracted for on or after November 19, 1952. Such vessels contracted for prior to November 19, 1952, shall meet the requirements of § 77.30-90.

3. Section 77.30-10(a) is amended by revising Table 77.30-10(a) to read as follows:

##### § 77.30-10 Stowage.

(a) \* \* \*

TABLE 77.30-10(a)

Service	Number of passenger staterooms	Self-contained breathing apparatus	Additional gas masks or self-contained breathing apparatus	Special refrigeration gas masks <sup>1</sup>	Flame safety lamps
Ocean and coastwise, not on an international voyage.	0 to 49	1	1	1	1
	50 to 100	1	2	1	1
	Over 100	1	5	1	1
Great Lakes, and lakes, bays, and sounds.	0 to 49	1	1	1	1
	50 to 100	1	1	1	1
	Over 100	1	3	1	1
Rivers	0 to 49	1	1	1	1
	50 to 100	1	1	1	1
	Over 100	1	1	1	1

<sup>1</sup> Required only on vessels equipped with refrigeration, small unit type refrigerators of not more than 20 cubic feet capacity excluded. A gas mask suitable for protection against each refrigerant used shall be provided.

#### Subpart 77.35—Fireman's Outfit

4. Part 77 is amended by adding after § 77.30-90 a new Subpart 77.35, entitled "Fireman's Outfit," consisting of §§ 77.35-1 to 77.35-90, inclusive, reading as follows:

Sec.

77.35-1 Application.  
77.35-5 General.  
77.35-10 Fireman's outfit.  
77.35-15 Stowage.  
77.35-20 Spare charges.  
77.35-90 Vessels contracted for prior to May 26, 1965.

##### § 77.35-1 Application.

(a) The provisions of this subpart, with the exception of § 77.35-90, shall apply to all vessels on an international voyage contracted for on or after May 26, 1965. Such vessels contracted for prior to May 26, 1965, shall meet the requirements of § 77.35-90.

##### § 77.35-5 General.

(a) All flame safety lamps shall be of an approved type, constructed in accord-

ance with Subpart 160.016 of Subchapter Q (Specifications) of this chapter.

(b) All self-contained breathing apparatus shall be of an approved type, constructed in accordance with Subpart 160.011 of Subchapter Q (Specifications) of this chapter.

(c) All flashlights shall be of an approved 3-cell explosion-proof type, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter.

(d) All lifelines shall be of steel or bronze wire rope. Steel wire rope shall be either inherently corrosion resistant, or made so by galvanizing or tinning. Each end shall be fitted with a hook with keeper having throat opening which can be readily slipped over a  $\frac{3}{8}$ -inch bolt. The total length of the lifeline shall be dependent upon the size and arrangement of the vessel, and more than one line may be hooked together to achieve the necessary length. No individual length of lifeline may be less than 50 feet in length. The assembled lifeline shall have a minimum breaking strength of 1,500 pounds.

(e) All equipment shall be maintained in an operative condition, and it shall be the responsibility of the master and chief engineer to ascertain that a sufficient number of the crew are familiar with the operation of the equipment.

##### § 77.35-10 Fireman's outfit.

(a) A fireman's outfit shall consist of one self-contained breathing apparatus with lifeline attached, one flashlight, one flame safety lamp, and one fire ax.

(b) The number of fireman's outfits required are as set forth in Table 77.35-10(b).

TABLE 77.35-10(b)

Gross tonnage		Minimum number of fireman's outfits
Over—	Not over—	
10,000	10,000	2
20,000	20,000	3
	20,000	4

##### § 77.35-15 Stowage.

(a) The fireman's outfit, together with such other items of equipment as the master may deem necessary, shall be stowed in convenient, accessible locations for use in case of emergency. One outfit shall be stowed in or near the pilot-house. Where additional outfits are required by Table 77.35-10(b), one of the additional outfits shall be stowed preferably adjacent to the main entrance to the machinery space. Other additional outfits shall be stowed in convenient accessible locations remote from the pilot-house.

##### § 77.35-20 Spare charges.

(a) A complete recharge shall be carried for each self-contained breathing apparatus, and a complete set of spare batteries shall be carried for each flashlight. The spares shall be stowed in the same location as the equipment it is to reactivate.

**§ 77.35-90 Vessels contracted for prior to May 26, 1965.**

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) The requirements of §§ 77.35-5 through 77.35-20 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications set forth in § 77.35-5, may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection, but all new installations or replacements shall meet the applicable specifications or requirements.

**PART 78—OPERATIONS**

1. The authority for Part 78 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 78 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395, 363, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, CGFR 56-28, July 24, 1956, 21 F.R. 5659. Additional authority cited with sections affected.

**Subpart 78.13—Station Bills**

2. Section 78.13-10(b) is amended to read as follows:

**§ 78.13-10 Emergency signals.**

(b) *Fire alarm stations.* (1) The fire alarm signal shall be a continuous blast of the whistle for a period of not less than 10 seconds supplemented by the continuous ringing of the general alarm bells for not less than 10 seconds.

(2) For dismissal from fire alarm stations, the general alarm shall be sounded three times supplemented by three short blasts of the whistle.

**Subpart 78.17—Tests, Drills, and Inspections**

3. Section 78.17-50 is amended by revising paragraphs (a) and (b) (8) to read as follows:

**§ 78.17-50 Fire and boat drills.**

(a) The master shall be responsible for conducting a fire and boat drill at least once in every week. In the case of a vessel where the duration of the voyage exceeds 1 week, a fire and boat drill shall be held before the vessel leaves port and at least once a week thereafter. On all vessels on an international voyage other than a short international voyage, a muster of the passengers for fire and boat drill shall be held within 24 hours after leaving port.

(b) . . . . .  
(8) The person in charge of each lifeboat and liferaft shall have a list of its

crew and shall see that the men under his command are acquainted with their duties.

**Subpart 78.47—Markings for Fire and Emergency Equipment, Etc.**

4. Section 78.47-60(a) is amended to read as follows:

**§ 78.47-60 Lifeboats.**

(a) The name of the vessel shall be plainly marked or painted on each side of the bow of each lifeboat in letters not less than 3 inches high. For vessels on an international voyage, the vessel's port of registry shall be added in similar type letters.

5. Section 78.47-63(a) is amended to read as follows:

**§ 78.47-63 Liferrafts, lifefloats, and buoyant apparatus.**

(a) Rigid type liferafts, lifefloats, and buoyant apparatus, together with their oars and paddles, shall be conspicuously marked with the vessel's name. For vessels on an international voyage, the vessel's port of registry also shall be similarly marked on lifefloats and buoyant apparatus.

6. Section 78.47-65(a) is amended to read as follows:

**§ 78.47-65 Life preservers, wood floats, and ring life buoys.**

(a) All life preservers, wood floats, and ring life buoys shall be marked with the vessel's name. For vessels on an international voyage, the vessel's port of registry shall be added in similar type letters on all ring life buoys.

6a. Part 78 is amended by inserting after § 78.47-90 a new Subpart 78.49, consisting of § 78.49-1, reading as follows:

**Subpart 78.49—Posting Placards of Instructions for Launching and Inflating Inflatable Liferrafts**

**§ 78.49-1 When required.**

(a) Every vessel equipped with inflatable liferafts shall have posted in conspicuous places which are regularly accessible to the crew and/or passengers, approved placards containing instructions for launching and inflating inflatable liferafts for the information of persons on board. The number and location of such placards shall be as determined necessary by the Officer in Charge, Marine Inspection.

(b) Under the requirements contained in § 160.051-6(c)(1) of Subpart 160.051 in Subchapter Q (Specifications) of this chapter, the manufacturer of approved inflatable liferafts is required to provide approved placards containing such instructions with each liferaft.

**Subpart 78.53—Placard of Lifesaving Signals and Breeches Buoy Instructions**

7. The title for Subpart 78.53 is amended to read "Placard of Lifesaving Signals and Breeches Buoy Instructions," as set forth above.

8. Section 78.53-1(a) is amended to read as follows:

**§ 78.53-1 Application.**

(a) The provisions of this subpart shall apply to all vessels on an international voyage, and to all other vessels of 150 gross tons or over in ocean, coastwise or Great Lakes service.

9. Section 78.53-5 is amended to read as follows:

**§ 78.53-5 Availability.**

(a) On all vessels to which this subpart applies there shall be posted in the pilothouse and readily available to the deck officer of the watch a placard (Form CG-811) containing instructions for the use of breeches buoys and the lifesaving signals as set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1960. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

(b) A copy of Form CG-811 shall also be conveniently posted in the engine-room and crews quarters of all vessels to which this subpart applies.

**SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS**

**PART 90—GENERAL PROVISIONS**

1. The authority for Part 90 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 90 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4426, as amended, 4427, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 405, 366, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659. Additional authority cited with sections affected.

**Subpart 90.05—Application**

**§ 90.05-1 [Amended]**

2. Section 90.05-1 *Vessels subject to requirements of this subchapter* is amended by revising in paragraph (a) (1) and in footnote 6 in Table 90.05-1 (a) the title from "International Convention for the Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

3. Section 90.05-10 is amended to read as follows:

**§ 90.05-10 Application to vessels on an international voyage.**

(a) Where, in various places or portions of this subchapter, requirements are stipulated specifically for "vessels on an international voyage," it is intended that these requirements apply only to vessels subject to the International Convention for Safety of Life at Sea, 1960, which are mechanically propelled vessels of 500 gross tons and over on an international voyage, as defined in § 90.10-17, other than yachts and fishing vessels.

(b) In accordance with Regulation 4, Chapter I (General Provisions) of the International Convention for Safety of

Life at Sea, 1960, a vessel which is not normally engaged on an international voyage, but which in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Commandant from any of the requirements of the Regulations of the Convention: *Provided*, That it complies with safety requirements which are adequate, in his opinion, for the voyage which is to be undertaken.

(c) In accordance with Regulation 1(c), Chapter II (Construction) of the International Convention for Safety of Life at Sea, 1960, the Commandant may, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of Chapter II of this Convention unreasonable or unnecessary; exempt from those requirements individual vessels or classes of vessels which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(d) In accordance with Regulation 3(a), Chapter III (Lifesaving Appliances, Etc.) of the International Convention for Safety of Life at Sea, 1960, the Commandant, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of Chapter III of this Convention unreasonable or unnecessary, may to that extent exempt from the requirements of Chapter III individual vessels or classes of vessels which, in the course of their voyage, do not go more than 20 miles from the nearest land.

#### Subpart 90.10—Definition of Terms Used in This Subchapter

4. Section 90.10-17 is amended to read as follows:

##### § 90.10-17 International voyage.

(a) The term "international voyage" as used in this subchapter shall have the same meaning as that contained in Regulation 2(d), Chapter I of the International Convention for Safety of Life at Sea, 1960, i.e., "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such vessels shall not be considered as being on an "international voyage" for the purpose of this subchapter.

(c) For the purposes of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all

lands held by the United States under a protectorate or mandate.

(d) In addition, although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purposes of this subchapter.

5. Subpart 90.10 is amended by inserting after § 90.10-23 a new § 90.10-24 reading as follows:

##### § 90.10-24 Nuclear vessel.

(a) A nuclear vessel is a vessel provided with a nuclear powerplant for propulsion or any other purpose, or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

#### Subpart 90.15—Equivalents

6. Section 90.15-1(a) is amended to read as follows:

##### § 90.15-1 Conditions under which equivalents may be used.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement is at least as effective as that specified in this subchapter.

#### Subpart 90.20—General Marine Engineering Requirements

7. Section 90.20-5(a) is amended to read as follows:

##### § 90.20-5 Nuclear vessels.

(a) Nuclear vessels shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Dangerous Cargoes) of this chapter.

(Sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 391a, 170, 1333, 390b)

### PART 91—INSPECTION AND CERTIFICATION

1. The authority for Part 91 is amended to read as follows:

**AUTHORITY:** The provisions of Part 91 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amend-

ed, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 404, 405, 411, 435, 481, 366, 395, 363, 367, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8357. Additional authority cited with sections affected.

#### Subpart 91.01—Certificate of Inspection

2. Section 91.01-10(a) is amended to read as follows:

##### § 91.01-10 Period of validity.

(a) Certificates of inspection will be issued for periods of either 1 or 2 years. Application may be made by the master, owner, or agent for inspection and issuance of a new certificate of inspection at any time during the period of validity of the current certificate. For nuclear vessels, the period of validity shall be 1 year.

#### Subpart 91.20—Initial Inspection

3. Section 91.20-15 is amended to read as follows:

##### § 91.20-15 Scope of inspection.

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, machinery, and equipment, including the outside of the vessel's bottom, and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, materials, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and that the radio installations, including fixed and portable radios for lifeboats, are in accordance with the requirements of the Federal Communications Commission. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory, and that the vessel is provided with lights, means of making sound signals and distress signals as required by applicable regulations and the applicable "Rules of the Road."

(b) When equipment is installed which is not required by applicable regulations in this subchapter, that equipment shall be inspected and tested as required for such equipment by applicable regulations in Subchapter H (Passenger Vessels) of this chapter. For example, fire-detecting systems shall be inspected and tested as required by Subpart 71.20 of Subchapter H (Passenger Vessels) of this chapter.

(c) For nuclear vessels, the inspections required by this section shall be made except insofar as they may be limited by the presence of radiation. In addition,

the inspection shall include any special requirements of the vessel's "Safety Assessment."

**Subpart 91.25—Inspection for Certification**

4. Section 91.25-10 is amended to read as follows:

**§ 91.25-10 Scope of inspection.**

(a) The inspection for certification shall include an inspection of the structure, boilers, and other pressure vessels, machinery, and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, boilers and other pressure vessels, and their appurtenances, piping, main and auxiliary machinery, electrical installations, life-saving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the applicable regulations for such vessel, and that the radio installation is in compliance with the requirements of the Federal Communications Commission. The lights and means of making sound signals and the distress signals carried by the vessels shall also be subject to the above mentioned annual inspection for the purpose of insuring that they comply with the requirements of the applicable regulations and the applicable Rules of the Road.

(b) For nuclear vessels, the inspections required by this section shall be made except insofar as they may be limited by the presence of radiation. In addition, the inspection shall include any special requirements of the vessel's "Safety Assessment."

(c) When equipment is installed which is not required by applicable regulations in this subchapter, that equipment shall be inspected and tested as required for such equipment by applicable regulations in Subchapter H (Passenger Vessels) of this chapter. For example, fire-detecting systems shall be inspected and tested as required by Subpart 71.25 of Subchapter H (Passenger Vessels) of this chapter.

5. Subpart 91.60, consisting of § 91.60-1, is amended by revising the heading and text to read as follows:

**Subpart 91.60—Certificates Under International Convention for Safety of Life at Sea, 1960**

Sec.	
91.60-1	Application.
91.60-5	Cargo Ship Safety Construction Certificate.
91.60-10	Cargo Ship Safety Equipment Certificate.
91.60-15	Cargo Ship Safety Radiotelegraphy Certificate.
91.60-20	Cargo Ship Safety Radiotelephony Certificate.
91.60-25	Exemption Certificate.
91.60-30	Nuclear Cargo Ship Safety Certificate.
91.60-35	Posting of Convention certificates.
91.60-40	Duration of certificates.
91.60-45	American Bureau of Shipping.

**§ 91.60-1 Application.**

(a) The provisions of this subpart, with the exception of §§ 91.60-30 and 91.60-40(e), shall apply to all cargo ves-

sels on an international voyage other than nuclear vessels.

(b) The provisions of §§ 91.60-30, 91.60-35 and 91.60-40(e) shall apply to all nuclear cargo vessels on an international voyage.

**§ 91.60-5 Cargo Ship Safety Construction Certificate.**

(a) All vessels on an international voyage are required to have a Cargo Ship Safety Construction Certificate. This certificate shall be issued by the U.S. Coast Guard or the American Bureau of Shipping to certain vessels on behalf of the United States of America as provided in Regulation 12, Chapter I, of the International Convention for Safety of Life at Sea, 1960.

(b) All such vessels shall meet the applicable requirements of this chapter for vessels on an international voyage.

**§ 91.60-10 Cargo Ship Safety Equipment Certificate.**

(a) All vessels on an international voyage are required to have a Cargo Ship Safety Equipment Certificate.

(b) All such vessels shall meet the applicable requirements of this chapter for vessels on an international voyage.

**§ 91.60-15 Cargo Ship Safety Radiotelegraphy Certificate.**

(a) The application for Cargo Ship Safety Radiotelegraphy Certificate is made on FCC Form 801 to the local office of the Federal Communications Commission.

(b) Where applicable, a Cargo Ship Safety Radiotelegraphy Certificate will be issued by the Federal Communications Commission to a vessel meeting its requirements for a vessel fitted with a radiotelegraph installation.

**§ 91.60-20 Cargo Ship Safety Radiotelephony Certificate.**

(a) The application for a Cargo Ship Safety Radiotelephony Certificate is made on FCC Form 801 to the local office of the Federal Communications Commission.

(b) Where applicable, a Cargo Ship Safety Radiotelephony Certificate will be issued by the Federal Communications Commission to a vessel meeting its applicable requirements for a vessel fitted with a radiotelephone installation.

**§ 91.60-25 Exemption Certificate.**

(a) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection.

(b) When an exemption is granted to a vessel by the Commandant under and in accordance with the Convention, an Exemption Certificate describing such exemption shall be issued through the appropriate Officer in Charge, Marine Inspection, in addition to other required certificates.

**§ 91.60-30 Nuclear Cargo Ship Safety Certificate.**

(a) All nuclear cargo vessels on an international voyage are required to have a Nuclear Cargo Ship Safety Certificate.

(b) All such vessels shall meet the applicable requirements of this chapter for nuclear vessels on an international voyage.

(c) Nuclear vessels cannot be exempted from any requirements of the Convention.

**§ 91.60-35 Posting of Convention certificates.**

(a) The certificates described in this subpart, or certified copies thereof, when issued to a vessel shall be posted in a prominent and accessible place on the vessel.

(b) The certificates shall be carried in a manner similar to that described in § 91.01-5 for a certificate of inspection.

**§ 91.60-40 Duration of certificates.**

(a) A Cargo Ship Safety Equipment Certificate shall be issued for a period of not more than 24 months.

(b) A Cargo Ship Safety Construction Certificate shall be issued for a period of not more than 60 months.

(c) A Cargo Ship Safety Radiotelegraphy Certificate and a Cargo Ship Safety Radiotelephony Certificate shall be issued for a period of not more than 12 months.

(d) An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.

(e) The Nuclear Cargo Ship Safety Certificate shall be issued for a period of not more than 12 months.

(f) A Convention certificate may be withdrawn, revoked, or suspended at any time when it is determined the vessel is no longer in compliance with applicable requirements. (See § 2.01-70 of this chapter for procedures governing appeals.)

**§ 91.60-45 American Bureau of Shipping.**

(a) The American Bureau of Shipping, with its home office at 45 Broad Street, New York, N.Y., 10004, is hereby designated as an organization duly authorized to issue the "Cargo Ship Safety Construction Certificate" to certain cargo ships on behalf of the United States of America as provided in Regulation 12, Chapter I, of the International Convention for Safety of Life at Sea, 1960, and Executive Order 11239 and the certificate shall be subject to the requirements in this subpart. The American Bureau of Shipping is authorized to place the official seal of the United States of America on the certificate. This designation and delegation to the American Bureau of Shipping shall be in effect from May 26, 1965, until terminated by proper authority and notice of cancellation is published in the FEDERAL REGISTER.

(b) At the option of the owner or agent of a vessel on an international voyage and on direct application to the American Bureau of Shipping, the Bureau may issue to such vessel a Cargo Ship Safety Construction Certificate, having a period of validity of not more than 60 months after ascertaining that the vessel:

- (1) Has met the applicable requirements of the Convention; and,

(2) Is currently classed by the Bureau and classification requirements have been dealt with to the satisfaction of the Bureau.

(c) When the Bureau determines that a vessel to which it has issued a Cargo Ship Safety Construction Certificate no longer complies with the Bureau's applicable requirements for classification, the Bureau shall immediately furnish to the Coast Guard all relevant information, which will be used by the Coast Guard to determine whether or not to withdraw, revoke or suspend the Cargo Ship Safety Construction Certificate.

(Sec. 25, 41 Stat. 998, as amended, sec. 701, 62 Stat. 731, as amended; 46 U.S.C. 881, 18 U.S.C. 701)

## PART 92—CONSTRUCTION AND ARRANGEMENT

1. The authority for Part 92 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 92 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 395, 363, 367, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

## PART 93—STABILITY

1. The authority for Part 93 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 93 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1943, as amended, sec. 2, 49 Stat. 888, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 363, 85a, 88a, 307, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857. Additional authority cited with sections affected.

### Subpart 93.05—Stability Test

2. Section 93.05-1 is amended by adding a new paragraph (c) reading as follows:

#### § 93.05-1 When required.

(c) The Commandant may also allow the stability test of an individual vessel or class of vessels, especially designed for the carriage of liquid or ore in bulk, to be dispensed with when reference to existing data for similar vessels clearly indicates that due to the vessel's proportions and arrangements more than sufficient metacentric height will be available in all probable loading conditions.

### Subpart 93.15—Stability Letter

3. Section 93.15-5 is amended by adding a new paragraph (b) reading as follows:

#### § 93.15-5 Information contained in stability letter.

(b) Stability letters issued to vessels which are exempted from a stability test in accordance with § 93.05-1(c), will record this fact.

## PART 94—LIFESAVING EQUIPMENT

1. The authority for Part 94 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 94 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### Subpart 94.10—Lifeboats, Liferrafts, Lifeboats, Buoyant Apparatus, and Rescue Boats

2. Section 94.10-1 is amended to read as follows:

#### § 94.10-1 Application.

(a) Except as otherwise provided in this section, the provisions of this subpart shall apply to all vessels other than motorboats, contracted for on or after May 26, 1965.

(b) Vessels other than motorboats, contracted for prior to May 26, 1965, shall meet the requirements of § 94.10-90.

(c) Inspected motorboats carrying freight for hire shall be provided with such number and size of approved lifeboats, lifeboats, or buoyant apparatus as deemed necessary by the Officer in Charge, Marine Inspection. Workboats or skiffs may be permitted by the Officer in Charge, Marine Inspection, if considered suitable.

(d) In the case of special types of vessels subject to the International Convention for Safety of Life at Sea, 1960, which are not specifically treated in this subpart, such as whale factory ships, fish processing and canning ships, etc., the Commandant may give special consideration as to lifesaving equipment requirements to the extent permitted by the International Convention for Safety of Life at Sea, 1960.

3. Section 94.10-5 is amended by revising subparagraphs (a) (2), (a) (3), and (b) (1) and by adding a new subparagraph (b) (3), to read as follows:

#### § 94.10-5 Type of lifeboats, liferafts, lifeboats, buoyant apparatus, and rescue boats required.

##### (a) Lifeboats. . . .

(2) All lifeboats certified to carry 60 or more but not over 100 persons shall be either motor lifeboats or shall be fitted with an approved type of hand-propelling gear. Lifeboats carrying more than 100 persons shall be motor lifeboats.

(3) A Class I motor lifeboat is one that is fitted with a compression-ignition engine, is capable of being readily started

in all conditions, and has sufficient fuel for 24 hours continuous operation. The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be at least 6 knots.

(b) *Liferafts.* (1) All rigid type liferafts shall be of an approved type, constructed in accordance with Subpart 160.018 of Subchapter Q (Specifications) of this chapter. Type A liferafts shall be stowed on the standard liferaft skids required by § 94.15-10(c) (1) unless specifically noted otherwise. Rigid type liferafts shall not be used as required equipment on vessels on an international voyage.

(3) On vessels on an international voyage, each inflatable liferaft shall have a carrying capacity of not less than 6 nor more than 25 persons.

4. Section 94.10-10 is amended to read as follows:

#### § 94.10-10 Requirements for vessels in ocean or coastwise service other than barges; towing, fishing, and wrecking vessels; pilot boats; and yachts.

(a) All vessels shall be provided with sufficient lifeboats on each side of the vessel to accommodate all persons on board.

(b) Lifeboats shall be not less than 24 feet in length, except where owing to the size of the vessel, or for other reasons, the Commandant considers the carriage of such lifeboats to be unreasonable or impracticable. However, in no case shall lifeboats of less than 16 feet in length be used.

(c) All vessels of 1,600 gross tons and over on an international voyage shall carry at least one motor-propelled lifeboat of Class 1.

(d) In addition to the lifeboats required by paragraph (a) of this section, all vessels on an international voyage and all vessels in ocean service shall be provided with liferafts of such aggregate capacity to accommodate at least one-half the total number of persons on board. Those vessels having widely spaced accommodations and/or working spaces shall have at least one liferaft in each such location.

(e) Inflatable liferafts may be substituted for lifeboats on certain vessels not on an international voyage in accordance with § 94.10-55.

#### § 94.10-30 [Canceled]

5. Section 94.10-30 *Requirements for whale factory vessels in ocean or coastwise service* is canceled. (See § 94.10-1(d) for revised requirements.)

6. Section 94.10-40 is amended by revising the text of paragraph (a) (Table 94.10-40(a) remains in effect) and by adding a new paragraph (c), reading as follows:

#### § 94.10-40 Requirements for vessels in Great Lakes; lakes, bays, and sounds; or river service other than fireboats, wrecking and fishing vessels, pilot boats, and yachts.

(a) All vessels, except those on an international voyage, shall be provided

with lifeboats and liferafts as required by Table 94.10-40(a).

(c) All vessels on an international voyage shall meet the applicable requirements of § 94.10-10.

7. Section 94.10-55 is amended to read as follows:

§ 94.10-55 Inflatable liferafts as an alternate for lifeboats, other liferafts, lifeboats and buoyant apparatus on certain vessels not on an international voyage.

(a) (1) On all vessels inflatable liferafts may be permitted as substitutes for other types of liferafts, lifeboats and buoyant apparatus wherever they may be required.

(2) The capacity of inflatable liferafts carried in place of other liferafts, lifeboats, and buoyant apparatus shall be at least equivalent to that required of the equipment for which substitution is made.

(3) The substitution of inflatable liferafts shall not be made without prior approval of the Officer in Charge, Marine Inspection.

(b) On all vessels less than 3,000 gross tons the substitution of liferafts for lifeboats may be permitted as follows:

(1) (i) On all vessels under 500 gross tons, inflatable liferafts may be substituted for all required lifeboats.

(ii) The total capacity of the inflatable liferafts shall be at least equal to the total number of persons that the lifeboats would have been required to accommodate. Partial substitution is permissible provided the aggregate lifeboat and inflatable liferaft capacity is sufficient to accommodate the required number of persons, as indicated above.

(iii) Where substitution of inflatable liferafts is made, a suitable rescue boat shall be provided. In the case of partial substitution, a lifeboat may serve as the rescue boat.

(iv) In the exceptional case on a vessel under 100 gross tons, the rescue boat may be omitted when it can be shown to the satisfaction of the Commandant that it is not necessary due to the size, arrangement and maneuverability of the vessel, and its intended service.

(2) (i) On all vessels of 500 gross tons and upward to 1,600 gross tons, inflatable liferafts may be substituted for all required lifeboats provided one approved lifeboat of a size acceptable to the Officer in Charge, Marine Inspection, suitable for rescue purposes, is installed.

(ii) The aggregate lifeboat and inflatable liferaft capacity shall be at least equal to the total number of persons that the lifeboats would have been required to accommodate.

(iii) The launching arrangement and location of the lifeboat to be used as rescue boat shall be such that it can be readily launched and shall be to the satisfaction of the Officer in Charge, Marine Inspection.

(3) (i) On all vessels of 1,600 gross tons and upward to 3,000 gross tons, inflatable liferafts may be substituted for all except two of the required lifeboats. These lifeboats shall be of a size acceptable to the Officer in Charge, Marine In-

spection, and shall be suitable for rescue purposes. In all cases, two approved lifeboats, one on each side, shall be provided.

(ii) The aggregate lifeboat and inflatable liferaft capacity shall be at least equal to the total number of persons that the lifeboats, for which substitutions are made plus those remaining on board, would have been required to accommodate.

(4) The substitution of inflatable liferafts for lifeboats shall not be made without prior approval of the Officer in Charge, Marine Inspection.

(c) On all seagoing barges of 100 gross tons and over an inflatable liferaft may be substituted for the required lifeboat, the total capacity of which shall be sufficient to accommodate all persons on board.

(1) On seagoing barges employed as drilling tenders in the off-shore oil exploration industry where substitution of inflatable liferafts is made, a suitable rescue boat shall be provided. In the case of partial substitution, a lifeboat may serve as the rescue boat.

(d) The Commandant may give special consideration to the substitution of approved inflatable liferafts for required lifeboats on vessels of 3,000 gross tons and over.

8. Section 94.10-90 is amended to read as follows:

§ 94.10-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.10-5 through 94.10-55 shall be complied with insofar as the number and general type of lifesaving equipment is concerned. Existing items of lifesaving equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 94.10-5 through 94.10-55 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be permitted to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable specifications or requirements.

(2) On vessels of over 3,000 gross tons certificated for ocean, coastwise, or Great Lakes service, all replacement of disengaging apparatus shall meet the requirements of § 94.10-5(a)(4)(i). On all other vessels certificated for any service, all of the lifeboats on a particular vessel shall be fitted with the same type of disengaging apparatus.

(3) The requirements of § 94.10-10(c) shall not apply except for replacements, and then only if it can be done without change to existing davits and arrangements.

**Subpart 94.15—Stowage and Marking of Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus**

9. Section 94.15-1 is amended to read as follows:

§ 94.15-1 Application.

(a) The provisions of this subpart, with the exception of § 94.15-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.15-90.

10. Section 94.15-10(b) is amended to read as follows:

§ 94.15-10 Stowage.

(b) *Lifeboat stowage.* (1) Every lifeboat shall be attached to a separate set of davits.

(2) Suitable access to the lifeboats shall be provided to enable the crew to prepare the lifeboats for launching.

(3) Lifeboats shall be so stowed that embarkation into them may be made rapidly and in good order.

(4) Lifeboats shall not be stowed in the bows of the vessel nor as far aft as to be endangered by the propellers or overhang of the stern.

(5) Lifeboats shall be so stowed that it shall not be necessary to lift them in order to swing out the davits, except on small vessels where such requirement is unreasonable and impracticable in the opinion of the Officer in Charge, Marine Inspection.

(6) Means shall be provided for bringing the lifeboats against the ship's side and holding them there so that persons may be safely embarked.

(7) On vessels certificated for ocean or coastwise service, lifeboats shall be fitted with skates or other suitable means to facilitate launching against an adverse list of up to 15 degrees. However, skates may be dispensed with if, in the opinion of the Commandant, the arrangements are such as to insure that the lifeboats can be satisfactorily launched without such skates.

(8) On vessels in ocean and coastwise service, where applicable, means shall be provided outside the machinery space to prevent the discharge of water into the lifeboats while they are being lowered. This shall consist of baffles to deflect the water down the vessel's side, or reach rods, or other means to close the discharge openings.

11. Section 94.15-90 is amended to read as follows:

§ 94.15-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) The provisions of §§ 94.15-5 through 94.15-15 shall be met except as further set forth in this paragraph.

(2) The requirements of § 94.15-10(b)(7) shall apply unless in the opinion of the Officer in Charge, Marine Inspection, it is unreasonable or impracticable, or the arrangement or construction of the vessel make the use of skates or similar appliances unnecessary.

**Subpart 94.20—Equipment for Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus**

12. Section 94.20-1 is amended to read as follows:

## RULES AND REGULATIONS

## § 94.20-1 Application.

(a) The provisions of this subpart, with the exception of § 94.20-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.20-90.

13. Section 94.20-10(a) is amended by revising Table 94.20-10(a) to read as follows:

## § 94.20-10 Required equipment for lifeboats.

(a) \* \* \*

TABLE 94.20-10(a)

Letter Identification	Item	Ocean and coastwise		Great Lakes		Lakes, bays and sounds; and rivers
		Other than seagoing barges	Seagoing barges	Vessels carrying cargo	Other	
a	Bailer	1	None	1	None	None
b	Bilge pump	1	None	None	None	None
c	Boathooks	2	2	1	1	1
d	Bucket	2	1	1	1	1
e	Compass and mounting	1	None	None	None	None
f	Ditty bag	1	None	None	None	None
g	Drinking cups	1	1	None	None	None
h	Fire extinguishers (motor-propelled lifeboats only)	2	2	2	2	2
i	First-aid kit	1	None	None	None	None
j	Flashlight	1	None	1	None	None
k	Hatchets	2	None	2	1	1
l	Heaving line	2	None	None	None	None
m	Jackknife	1	1	None	None	None
n	Ladder, lifeboat, gunwale	1	None	None	None	None
o	Lantern	1	1	1	1	1
p	Lifeline	1	1	1	1	1
q	Life preservers	2	2	2	2	2
r	Locker	1	None	1	None	None
s	Mast and sail (oar-propelled lifeboats only)	1	None	None	None	None
t	Matches (boxes)	2	2	1	1	1
u	Milk, condensed (pounds per person)	1	None	None	None	None
v	Mirrors, signaling	2	None	None	None	None
w	Oars	1 unit	1 unit	1 unit	1 unit	1 unit
x	Oil, illuminating (quarts)	1	None	1	None	None
y	Oil, storm (gallons)	1	None	1	None	None
z	Painter	2	1	2	1	1
aa	Plugs	1	1	1	1	1
bb	Provisions (pounds per person)	2	None	None	None	None
cc	Rowlocks	1 unit	1 unit	1 unit	1 unit	1 unit
dd	Rudder and tiller	1	1	1	1	1
ee	Sea anchor	1	None	1	None	None
ff	Signals, distress, floating orange smoke	2	None	None	None	None
gg	Signals, distress, red hand flare	1 unit	None	1 1/2 unit	None	None
hh	Signals, distress, red parachute flare	1 unit	None	1 1/2 unit	None	None
ii	Tool kit (motor-propelled lifeboat only)	1 unit	1 unit	1 unit	1 unit	1 unit
jj	Water (quarts per person)	3	1	None	None	None
kk	Whistle, signaling	1	None	None	None	None
ll	Fishing kit	1	None	None	None	None
mm	Cover, protecting	1	None	None	None	None
nn	Signals, lifesaving	1	None	None	None	None
oo	Desalting kit	1	None	None	None	None

<sup>1</sup> Motor-propelled lifeboats, certified for 100 or more persons, shall be fitted with an additional hand bilge pump of an approved type or a power bilge pump.

<sup>2</sup> For description of units, see § 94.20-15.

<sup>3</sup> Vessels in coastwise service need only carry 1 unit for each 5 lifeboats or fraction thereof.

<sup>4</sup> Optional equipment. See § 94.20-15(jj) water.

14. Section 94.20-15 is amended by revising paragraphs (g), (j), (w), (text only), Table 94.20-15(w) remains in effect) and (jj), and by adding paragraphs (kk) to (oo), inclusive, reading as follows:

## § 94.20-15 Description of equipment for lifeboats.

(g) *Drinking cups.* Drinking cups shall be enamel coated or plastic, graduated in ounces, and be provided with lanyards 3 feet in length.

(j) *Flashlight.* The flashlight shall be of an approved Type I, Size No. 3, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter. Three spare cells (or one 3-cell battery) and two spare bulbs, stowed in a watertight container, shall be provided with each flashlight. Batteries shall be replaced yearly during the annual stripping, cleaning, and overhaul of the lifeboat.

(w) *Oars.* A unit, consisting of a complement of rowing oars and steering oar, shall be provided for each lifeboat in accordance with Table 94.20-15(w), except that motor-propelled and hand-propelled lifeboats need only be equipped with four rowing oars and one steering oar. In any case, the emergency lifeboats shall be provided with the full complement of oars prescribed by the table. All oars shall be buoyant.

(jj) *Water.* (1) For each person the lifeboat is certified to carry, there shall be provided 3 quarts of drinking water consisting of nine approved hermetically sealed containers per person, constructed and filled in accordance with Subpart 160.026 of Subchapter Q (Specifications) of this chapter. The service life of this equipment shall be limited to 5 years from date of packing, and replacement shall be made no later than the first annual stripping, cleaning, and overhaul of the lifeboat after the date of expiration. Approved desalting kits capable of producing an equal amount of drinking

water may be substituted for not more than one third of the drinking water required to be carried.

(2) The drinking water containers shall be stowed in drinking water tanks, lockers, or other compartments providing suitable protection.

(kk) *Whistle, signaling.* The whistle shall be of the ball-type, of corrosion-resistant construction, with a 3-foot lanyard attached, and in good working order.

(ll) *Fishing kit.* The fishing kit shall be of an approved type constructed in accordance with Subpart 160.061 of Subchapter Q (Specifications) of this chapter.

(mm) *Cover, protecting.* The protecting cover shall be of a highly visible color, and capable of protecting the occupants against injury by exposure.

(nn) *Table of lifesaving signals.* The table shall be in accordance with the provisions of Chapter V, Regulation 16, of the International Convention for Safety of Life at Sea, 1960, and shall be printed on water resistant paper.

(oo) *Desalting kit.* One or more approved desalting kits may be used as a substitute for one third of the required amount of drinking water per person, and shall be constructed in accordance with Subpart 160.058 of Subchapter Q (Specifications) of this chapter.

14a. Section 94.20-20 is amended by changing paragraph (b) to read as follows (but the note following paragraph (b) is retained without change):

## § 94.20-20 Required equipment for lifeboats.

(b) *Inflatable lifeboats* shall be equipped with ocean service equipment for vessels on ocean and coastwise routes and with limited service equipment for vessels on Great Lakes, lakes, bays, sounds, and river routes in accordance with Subpart 160.051 of Subchapter Q (Specifications) of this chapter.

15. Section 94.20-90 is amended to read as follows:

## § 94.20-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.20-5 through 94.20-35 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 94.20-5 through 94.20-35 may be continued in service so long as they are maintained in a good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements in this part.

(2) Lifeboats previously approved without automatic drain plugs shall have

two plugs or caps attached to the lifeboat by separate chains.

(3) Decked lifeboats shall have no drain holes or plugs, but shall be equipped with two bilge pumps.

(4) On vessels certificated for ocean or coastwise service and contracted for prior to November 19, 1952, unless other approved means are provided to achieve the same purpose, three ½-inch-diameter manila grablines shall be fitted extending from gunwale to gunwale under the keel to enable persons to cling to and climb upon the upturned lifeboat. The ends of each grabline shall be securely attached to the side benches or other permanent part of the lifeboat and each grabline shall be made up with figure eight knots spaced approximately 18 inches apart in order to provide hand grips. Means shall be provided for taking up any slack in the grablines.

#### Subpart 94.25—Davits for Lifeboats

16. The heading for Subpart 94.25 is amended to read "Davits for Lifeboats," as set forth above.

17. Section 94.25-1(a) is amended to read as follows:

##### § 94.25-1 Application.

(a) The provisions of this subpart, with the exception of § 94.25-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.25-90.

18. Section 94.25-5(d) is amended to read as follows:

##### § 94.25-5 General.

(d) All davits and necessary gear shall be such as to meet the requirements for the installation test set forth in Subpart 94.35. The design, arrangements, and installation shall be such as to preclude undue delay in getting lifeboats into the water, and shall be of such strength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way and with a 10-degree trim.

19. Section 94.25-90 is amended to read as follows:

##### § 94.25-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.25-5 through 94.25-15 shall be complied with insofar as the number and general type of equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 94.25-5 through 94.25-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be made to the same standards as the original installation. However, all new installations or

major replacements shall meet the applicable specifications or requirements.

(2) On vessels the keels of which were laid after September 1, 1941, all davits for lifeboats weighing in excess of 5,000 pounds when fully equipped (but without persons) shall be of the gravity type.

#### Subpart 94.33—Blocks and Falls for Lifeboats

20. The heading for Subpart 94.33 is amended to read "Blocks and Falls for Lifeboats," as set forth above.

21. Section 94.33-1(a) is amended to read as follows:

##### § 94.33-1 Application.

(a) The provisions of this subpart, with the exception of § 94.33-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.33-90.

22. Section 94.33-5(b) is amended to read as follows:

##### § 94.33-5 General.

(b) Falls shall be of such length that the lifeboat may be lowered to the water with the vessel at its lightest draft, listed 15 degrees either way.

23. Section 94.33-90 is amended to read as follows:

##### § 94.33-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.33-5 through 94.33-15, as applicable, shall be complied with insofar as the general type of equipment is concerned. Existing equipment previously approved, but not meeting the detailed requirements of §§ 94.33-5 through 94.33-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations and replacements may be made to the same standards as the original installation. However, all new installations or major replacements shall meet the applicable requirements.

#### Subpart 94.35—Installation of Lifeboats, Davits, and Winches

24. Section 94.35-5(b)(3) is amended to read as follows:

##### § 94.35-5 Tests and examinations.

(3) The falls shall be of sufficient length to lower the lifeboat as required by § 94.33-5(b).

#### Subpart 94.40—Life Preservers

25. Section 94.40-1 is amended to read as follows:

##### § 94.40-1 Application.

(a) The provisions of this subpart, with the exception of § 94.40-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted

for prior to May 26, 1965, shall meet the requirements of § 94.40-90.

26. Section 94.40-5 is amended to read as follows:

##### § 94.40-5 General.

(a) All life preservers shall be of an approved type, constructed in accordance with Subparts 160.002, 160.005, or 160.055 of Subchapter Q (Specifications) of this chapter.

(b) All life preservers on vessels on an international voyage shall be provided with a whistle of the ball-type, of corrosion-resistant construction, with a 3-foot lanyard attached, and in good working order. It shall be attached to the life preserver by the lanyard alone without hooks, snaps, clips, etc., and shall extend not less than 15 inches from the life preserver body. While stowed on the life preserver, the whistle lanyard shall be coiled and stopped-off.

27. Section 94.40-10 is amended by adding a paragraph (c) reading as follows:

##### § 94.40-10 Numbered required.

(c) In addition to the life preservers required by paragraph (a) of this section, all vessels on an international voyage shall be provided with approved type life preservers for 5 percent of the persons carried. Such vessels carrying persons in addition to the crew shall be provided with life preservers suitable for children when children are aboard.

28. Section 94.40-90 is amended to read as follows:

##### § 94.40-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.40-5 through 94.40-15 shall be complied with insofar as the number of items of equipment and the method of stowage is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 94.40-5 through 94.40-15 may be continued in service so long as they are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection, except that:

(1) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts, as required by Subparts 160.002 and 160.005 of Subchapter Q (Specifications) of this chapter, shall be removed from service.

(2) All new installations or replacements shall meet the applicable specifications or requirements, except that:

(1) Cork and balsa wood life preservers, constructed in accordance with the applicable provisions of Subpart 160.003 or 160.004 and manufactured as approved life preservers prior to July 1, 1965, may be accepted as new or replacement equipment required by this subchapter if such life preservers are serviceable and in good condition to the satisfaction of the Officer in Charge,

Marine Inspection: *Provided, however*, That such life preservers bearing basic Approval No. 160.003 or 160.004 shall not be considered as approved equipment meeting the requirements for those cargo ships on an international voyage, constructed or contracted for on or after May 26, 1965.

#### Subpart 94.43—Ring Life Buoys and Water Lights

29. Section 94.43-1(a) is amended to read as follows:

##### § 94.43-1 Application.

(a) The provisions of this subpart, with the exception of § 94.43-90, shall apply to all vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.43-90.

30. Section 94.43-5 is amended by adding a new paragraph (c) reading as follows:

##### § 94.43-5 General.

(c) All self-activating smoke signals shall be of an approved type, constructed in accordance with the requirements of Subpart 160.057 of Subchapter Q (Specifications) of this chapter which shall be capable of producing smoke of a highly visible color for at least 15 minutes.

31. Section 94.43-10 is amended by revising paragraph (b) and by adding new paragraphs (c) and (d) reading as follows:

##### § 94.43-10 Number required.

(b) One of the ring life buoys on each side of the vessel shall have secured to it a line at least 15 fathoms in length. On vessels on an international voyage, the line shall be of a buoyant type.

(c) On vessels on an international voyage, at least two of the ring life buoys with water lights attached as required by Table 94.43-10(a) shall also be provided with an approved self-activated smoke signal and shall be capable of quick release from the bridge.

(d) On vessels on an international voyage, the ring life buoys required by this section shall be orange in color.

32. Section 94.43-90 is amended to read as follows:

##### § 94.43-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.43-5 through 94.43-15 shall be complied with insofar as the number of items of equipment and the method of stowage is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements set forth in §§ 94.43-5 through 94.43-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements in this subpart.

#### Subpart 94.50—Embarkation Aids

33. Section 94.50-1(a) is amended to read as follows:

##### § 94.50-1 Application.

(a) The provisions of this subpart, with the exception of § 94.50-90, shall apply to all vessels other than yachts and fishing vessels contracted for on or after May 26, 1965. Vessels contracted for prior to May 26, 1965, shall meet the requirements of § 94.50-90.

34. Section 94.50-5(b) (2) is amended to read as follows:

##### § 94.50-5 Ladders.

(b) *Vessels certificated for ocean, coastwise, or Great Lakes service.* \* \* \*

(2) All ocean and coastwise vessels which normally employ a pilot shall have a ladder for the use of the pilot in addition to the ladders required by subparagraph (1) of this paragraph. Suitable spreaders, a man rope, and a safety line shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require. When used, the ladder shall be secured in a position so that each step rests firmly against the ship's side, and so the pilot can gain safe and convenient access to the ship after climbing not more than 30 feet. Whenever the distance from sea level is more than 30 feet, access from the pilot ladder to the ship shall be by means of an accommodation ladder or other equally safe and convenient means. Arrangements shall be such that the rigging of the ladder and the embarkation and debarkation of the pilot is supervised by a responsible officer of the ship, and handholds are provided to assist the pilot to pass safely and conveniently from the head of the ladder into the ship and onto the ship's deck. At night a light shining over the side shall be available for use, and the deck at the position where the pilot boards the ship shall be adequately lighted.

35. Subpart 94.50 is amended by inserting after § 94.50-10 a new § 94.50-15 reading as follows:

##### § 94.50-15 Illumination for liferaft stowage areas.

(a) For all vessels on an international voyage, suitable illumination shall be provided for the liferaft stowage areas.

36. Section 94.50-90 is amended to read as follows:

##### § 94.50-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 94.50-5 through 94.50-15 shall be complied with insofar as the number of items of equipment and the method of stowage is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications or requirements of §§ 94.50-5 through 94.50-15 may be continued in service so long as they are maintained in good condition

to the satisfaction of the Officer in Charge, Marine Inspection. All new installations or replacements shall meet the applicable specifications or requirements.

(2) The illumination for lifeboat launching operations need not meet the detailed requirements of Subchapter J (Electrical Engineering) of this chapter.

#### Subpart 94.55—Portable Radio Apparatus

37. Section 94.55-1 is amended to read as follows:

##### § 94.55-1 Required on international voyage.

(a) All vessels on an international voyage shall be provided with a portable radio apparatus complying with the requirements of the Federal Communications Commission unless at least one lifeboat on each side of the vessel is fitted with a fixed radio installation. Such portable radio shall be kept in the radio-room, chartroom, or other suitable location ready to be moved to one or other of the lifeboats in the event of an emergency.

### PART 95—FIRE PROTECTION EQUIPMENT

1. The authority for Part 95 is amended to read as follows:

**Authority:** The provisions of this Part 95 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

#### Subpart 95.05—Fire Detecting and Extinguishing Equipment, Where Required

2. Section 95.05-1 is amended to read as follows:

##### § 95.05-1 Fire detecting, manual alarm, and supervised patrol systems.

(a) Fire detecting, manual alarm, and supervised patrol systems are normally not required. However, if installed, whether required or not, such systems shall meet the applicable requirements of Part 76 of Subchapter H (Passenger Vessels) of this chapter.

(b) In each compartment containing explosives, and in adjacent cargo compartments, there shall be provided a smoke detecting or other suitable type fire detecting system.

3. Section 95.05-20 is amended by adding a new paragraph (b) reading as follows:

##### § 95.05-20 Sand.

(b) In lieu of the requirements in paragraph (a) of this section, one B-II fire extinguisher may be substituted.

**Subpart 95.10—Fire Main System, Details**

4. Section 95.10-1(a) is amended to read as follows:

**§ 95.10-1 Application.**

(a) The provisions of this subpart, with the exception of § 95.10-90, shall apply to all fire main installations contracted for on or after May 26, 1965. Installations contracted for prior to May 26, 1965, shall meet the requirements of § 95.10-90.

5. Section 95.10-5(b) is amended to read as follows:

**§ 95.10-5 Fire pumps.**

(b) On vessels of 1,000 gross tons and over on an international voyage, each required fire pump, while delivering water thru the fire main system at a pressure corresponding to that required by paragraph (c) of this paragraph, shall have a minimum capacity of at least two-thirds of that required for an independent bilge pump. However, in no case shall the capacity of each fire pump be less than that otherwise required by this section.

6. Section 95.10-10 is amended by changing paragraphs (c) and (j) to read as follows:

**§ 95.10-10 Fire hydrants and hose.**

(c) On vessels of 1,000 gross tons and over there shall be at least one shore connection to the fire main available to each side of the vessel in an accessible location. Suitable cut-out valves and check valves shall be provided. Suitable adapters also shall be provided for furnishing the vessel's shore connections with couplings mating those on the shore fire lines. Such vessels on an international voyage, shall be provided with at least one international shore connection. Facilities shall be available enabling such a connection to be used on either side of the vessel. The international shore connection shall be in accordance with specification Subpart 162.034 of Subchapter Q (Specifications) of this chapter.

(j) Firehose shall not be used for any other purpose than fire extinguishing, drills, and testing.

7. Section 95.10-15 is amended by adding a new paragraph (c) reading as follows:

**§ 95.10-15 Piping.**

(c) For vessels on an international voyage, the diameter of the fire main shall be sufficient for the effective distribution of the maximum required discharge from two fire pumps operating simultaneously. This requirement is in addition to § 95.10-5(c). The discharge of this quantity of water through hoses and nozzles at a sufficient number of adjacent hydrants shall be at a minimum Pitot tube pressure of approximately 50 pounds per square inch.

8. Section 95.10-90 is amended to read as follows:

**§ 95.10-90 Installations contracted for prior to May 26, 1965.**

(a) Installations contracted for prior to May 26, 1965, shall meet the following requirements:

(1) Except as specifically modified by this paragraph, the requirements of §§ 95.10-5 through 95.10-15 shall be complied with insofar as the number and general type of equipment is concerned. Existing equipment previously approved, but not meeting the applicable requirements of §§ 95.10-5 through 95.10-15 may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be permitted to the same standards as the original installations. However, all new installations or major replacements shall meet the applicable requirements in this subpart.

(2) All vessels contracted for prior to November 19, 1952, other than motor-boats, shall be fitted with fire pumps, hoses, and nozzles in accordance with Table 95.10-90(a) (2).

TABLE 95.10-90(a) (2)

Gross tons		Minimum number of pumps	Minimum hose and hydrant size, inches	Nozzle orifice size, inches	Length of hose, feet
Over	Not over				
---	100	1	1 1/2	1 3/8	150
100	1,000	1	2 1/2	2 3/8	250
1,000	---	2	2 1/2	2 3/8	250

<sup>1</sup> On vessels of 65 feet in length or less, 3/4-inch hose of good commercial grade together with a commercial garden hose nozzle may be used. The pump may be hand operated and the length of hose shall be sufficient to assure coverage of all parts of the vessel.

<sup>2</sup> May use 50 feet of 2 1/2-inch hose with 3/4-inch nozzles for exterior stations. 75 feet of 1 1/2-inch hose with 3/4-inch nozzles may be used for interior station in which case such interior stations shall have siamese connections.

(3) Vessels contracted for prior to July 1, 1935, need not meet the requirements of § 95.10-5(h), and vessels contracted for on or after July 1, 1935, but prior to November 19, 1952, may have a carbon dioxide "bilge" in lieu of "total flooding" system. However, in vessels of both categories where a conversion from coal to oil is contracted for on or after November 19, 1952, the provisions of § 95.10-5(h) shall apply.

(4) The general requirements of § 95.10-5 (c) through (g), § 95.10-10 (d) through (i), and § 95.10-15 shall be complied with insofar as is reasonable and practicable.

**Subpart 95.13—Steam Smothering System, Details**

8a. Section 95.13-1 is amended by adding a new paragraph (c) reading as follows:

**§ 95.13-1 Application.**

(c) This does not preclude the introduction of steam into such confined

spaces as boiler casings or into tanks for steaming out purposes. Such installations are not to be considered as part of any required fire extinguishing system.

**Subpart 95.15—Carbon Dioxide Extinguishing Systems, Details**

9. Section 95.15-5(e) is amended to read as follows:

**§ 95.15-5 Quantity, pipe sizes, and discharge rates.**

(e) *Machinery spaces, paint lockers, tanks, and similar spaces.* (1) Except as provided in subparagraph (3) of this paragraph, the number of pounds of carbon dioxide required for each space shall be equal to the gross volume of the space divided by the appropriate factor noted in Table 95.15-5(e) (1). If fuel can drain from the compartment being protected to an adjacent compartment, or if the compartments are not entirely separate, the requirements for both compartments shall be used to determine the amount of carbon dioxide to be provided. The carbon dioxide shall be arranged to discharge into both such compartments simultaneously.

TABLE 95.15-5(e) (1)

Gross volume of compartment, cubic feet		Factor
Over—	Not over—	
---	500	15
500	1,000	16
1,000	4,500	18
4,500	50,000	20
50,000	-----	22

(2) For the purpose of the requirements of this paragraph, the volume of the machinery space shall be taken as exclusive of the normal machinery casing unless the boiler, internal combustion machinery, or fuel oil installation extend into such space, in which case the volume shall be taken to the top of the casing or the next material reduction in casing area, whichever is lower. For installations contracted for on or after October 1, 1959, "normal machinery casing" and "material reduction in casing area" shall be defined as follows:

(i) By "normal machinery casing" shall be meant a casing the area of which is not more than 40 percent of the maximum area of the machinery space.

(ii) By "material reduction in casing area" shall be meant a reduction to at least 40 percent of the casing area.

(3) For vessels on an international voyage contracted for on or after May 26, 1965, the amount of carbon dioxide required for a space containing propulsion boilers or internal combustion propulsion machinery shall be as given by subparagraphs (1) and (2) of this paragraph or by dividing the entire volume, including the casing, by a factor of 25, whichever is the larger.

(4) Branch lines to the various spaces shall be as noted in Table 95.15-5(e) (4).

TABLE 96.15-5(e)(4)

Maximum quantity of carbon dioxide required, pounds	Minimum pipe size, inches	Maximum quantity of carbon dioxide required, pounds	Minimum pipe size, inches
100	1/4	2,500	3/4
225	5/8	4,450	3
300	1	7,100	3 1/2
600	1 1/4	10,450	4
1,000	1 1/2	15,000	4 1/2
2,450	2		

(5) Distribution piping within the space shall be proportioned from the supply line to give proper distribution to the outlets without throttling.

(6) The number, type, and location of discharge outlets shall be such as to give a uniform distribution throughout the space.

(7) The total area of all discharge outlets shall not exceed 85 percent nor be less than 35 percent of the nominal cylinder outlet area or the area of the supply pipe, whichever is smaller. The nominal cylinder outlet area in square inches shall be determined by multiplying the factor 0.0022 by the number of pounds of carbon dioxide required, except that in no case shall this outlet area be less than 0.110 square inches.

(8) The discharge of at least 85 percent of the required amount of carbon dioxide shall be complete within 2 minutes.

#### Subpart 95.20—Water Spray Extinguishing System, Details [Canceled]

10. Subpart 95.20, consisting of §§ 95.20-1 to 95.20-90, inclusive, is canceled.

#### Subpart 95.50—Hand Portable Fire Extinguishers and Semiportable Fire Extinguishing Systems; Arrangements and Details

11. Section 95.50-10 is amended by canceling paragraph (e) and by redesignating paragraph (f) as paragraph (e) so that it reads as follows:

##### § 95.50-10 Location.

(e) Hand portable or semiportable extinguishers, which are required on their name plates to be protected from freezing, shall not be located where freezing temperatures may be expected.

### PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority for Part 96 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 96 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395, 363, 367, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659. Additional authority cited with sections affected.

#### Subpart 96.30—Protection From Refrigerants

2. The heading for Subpart 96.30 is amended to read "Protection from Refrigerants," as set forth above.

3. Section 96.30-5 is amended to read as follows:

##### § 96.30-5 General.

(a) All self-contained breathing apparatus and gas masks shall be of an approved type, constructed in accordance with Subpart 160.011 of Subchapter Q (Specifications) of this chapter.

(b) All equipment shall be maintained in an operative condition, and it shall be the responsibility of the master and chief engineer to ascertain that a sufficient number of the crew are familiar with the operation of the equipment.

##### § 96.30-10 [Canceled]

4. Section 96.30-10 *Stowage* is canceled.

5. Section 96.30-15 is amended to read as follows:

##### § 96.30-15 Refrigeration masks.

(a) On all vessels equipped with refrigeration, other than small unit type refrigerations of not more than 20 cubic feet capacity, a gas mask, suitable for protection against each refrigerant used, or a self-contained breathing apparatus shall be provided. The refrigeration gas masks shall be stowed convenient to, but outside of the spaces containing the refrigeration equipment.

(b) A complete recharge shall be carried for each gas mask and self-contained breathing apparatus. The spare charge shall be stowed in the same location as the equipment it is to reactivate.

##### § 96.30-20 [Canceled]

6. Section 96.30-20 *Spare charges* is canceled. (Text transferred to § 96.30-15(b).)

7. Section 96.30-90(a) (1) is amended to read as follows:

##### § 96.30-90 Vessels contracted for prior to November 19, 1952.

(a) \* \* \*

(1) The requirements of §§ 96.30-5 through 96.30-15 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned. Existing items of equipment previously approved, but not meeting the applicable specifications set forth in § 96.30-5, may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection, but all new installations or replacements shall meet the applicable specifications or requirements in this subpart.

8. Part 96 is amended by adding after § 96.30-90 a new Subpart 96.35, consisting of § 96.35-1 to 96.35-90, reading as follows:

#### Subpart 96.35—Fireman's Outfit

Sec.	Application.
96.35-1	General.
96.35-5	Fireman's outfit.
96.35-10	Stowage.
96.35-15	Spare charges.
96.35-20	Vessels contracted for prior to May 26, 1965.

#### § 96.35-1 Application.

(a) The provisions of this subpart, with the exception of § 96.35-90, shall apply to all vessels on an international voyage contracted for on or after May 26, 1965. Such vessels contracted for prior to May 26, 1965, shall meet the requirements of § 96.35-90.

##### § 96.35-5 General.

(a) All flame safety lamps shall be of an approved type, constructed in accordance with Subpart 160.016 of Subchapter Q (Specifications) of this chapter.

(b) All self-contained breathing apparatus shall be of an approved type, constructed in accordance with Subpart 160.011 of Subchapter Q (Specifications) of this chapter.

(c) All flashlights shall be of an approved 3-cell explosion-proof type, constructed in accordance with Subpart 161.008 of Subchapter Q (Specifications) of this chapter.

(d) All lifelines shall be of steel or bronze wire rope. Steel wire rope shall be either inherently corrosion-resistant, or made so by galvanizing or tinning. Each end shall be fitted with a hook with keeper having throat opening which can be readily slipped over a 3/8-inch bolt. The total length of the lifeline shall be dependent upon the size and arrangement of the vessel, and more than one line may be hooked together to achieve the necessary length. No individual length of lifeline may be less than 50 feet in length. The assembled lifeline shall have a minimum breaking strength of 1,500 pounds.

(e) All equipment shall be maintained in an operative condition, and it shall be the responsibility of the master and chief engineer to ascertain that a sufficient number of the crew are familiar with the operation of the equipment.

##### § 96.35-10 Fireman's outfit.

(a) A fireman's outfit shall consist of one self-contained breathing apparatus with lifeline attached, one flashlight, one flame safety lamp, and one fire ax.

(b) Every vessel shall carry at least one fireman's outfit.

##### § 96.35-15 Stowage.

(a) Equipment shall be stowed in a convenient, accessible location as determined by the master, for use in case of emergency.

##### § 96.35-20 Spare charges.

(a) A complete recharge shall be carried for each self-contained breathing apparatus, and a complete set of spare batteries shall be carried for each flashlight. The spares shall be stowed in the same location as the equipment it is to reactivate.

##### § 96.35-90 Vessels contracted for prior to May 26, 1965.

(a) Vessels contracted for prior to May 26, 1965, shall meet the following requirements:

(1) The requirements of §§ 96.35-5 through 96.35-20 shall be complied with insofar as the number of items of equipment and the method of stowage of the equipment is concerned. Existing items of equipment previously approved, but

not meeting the applicable specifications set forth in § 96.35-5, may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection, but all new installations or replacements shall meet the applicable specifications or requirements.

**PART 97—OPERATIONS**

1. The authority for Part 97 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 97 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395, 363, 367, 50 U.S.C. 196; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659. Additional authority cited with sections affected.

**Subpart 97.13—Station Bills**

2. Section 97.13-15(b) (1) is amended to read as follows:

**§ 97.13-15 Emergency signals.**

(b) (1) The fire alarm signal shall be a continuous blast of the whistle for a period of not less than 10 seconds supplemented by the continuous ringing of the general alarm bells for not less than 10 seconds.

**Subpart 97.15—Tests, Drills, and Inspections**

3. Section 97.15-35(b) (8) is amended to read as follows:

**§ 97.15-35 Fire and boat drills.**

(b) (8) The person in charge of each lifeboat and liferaft shall have a list of its crew and shall see that the men under his command are acquainted with their duties.

**Subpart 97.37—Markings for Fire and Emergency Equipment, Etc.**

4. Section 97.37-37(a) is amended to read as follows:

**§ 97.37-37 Lifeboats.**

(a) The name of the vessel shall be plainly marked or painted on each side of the bow of each lifeboat in letters not less than 3 inches high. For vessels on an international voyage, the vessel's port of registry shall be added in similar type letters.

5. Section 97.37-40(a) is amended to read as follows:

**§ 97.37-40 Liferrafts, lifeboats and buoyant apparatus.**

(a) Rigid type liferafts, lifeboats, and buoyant apparatus, together with their oars and paddles, shall be conspicuously marked with the vessel's name. For vessels on an international voyage, the vessel's port of registry also shall be similarly marked on lifeboats and buoyant apparatus.

6. Section 97.37-43 is amended by adding a new paragraph (b) reading as follows:

**§ 97.37-43 Life preservers and ring life buoys.**

(b) For vessels on an international voyage, the vessel's port of registry shall be added in similar type letters on all ring life buoys.

6a. Part 97 is amended by inserting after § 97.37-90 a new Subpart 97.39, consisting of § 97.39-1, reading as follows:

**Subpart 97.39—Posting Placards of Instructions for Launching and Inflating Inflatable Liferrafts**

**§ 97.39-1 When required.**

(a) Every vessel equipped with inflatable liferafts shall have posted in conspicuous places which are regularly accessible to the crew and/or passengers, approved placards containing instructions for launching and inflating inflatable liferafts for the information of persons on board. The number and location of such placards shall be as determined necessary by the Officer in Charge, Marine Inspection.

(b) Under the requirements contained in § 160.051-6(c) (1) of Subpart 160.051 in Subchapter Q (Specifications) of this chapter, the manufacturer of approved inflatable liferafts is required to provide approved placards containing such instructions with each liferaft.

**Subpart 97.43—Placard of Lifesaving Signals and Breeches Buoy Instructions**

7. The title for Subpart 97.43 is amended to read "Placard of Lifesaving Signals and Breeches Buoy Instructions," as set forth above.

8. Section 97.43-1(a) is amended to read as follows:

**§ 97.43-1 Application.**

(a) The provisions of this subpart shall apply to all vessels on an international voyage, and to all other vessels of 150 gross tons or over certificated for ocean, coastwise or Great Lakes service.

9. Section 97.43-5 is amended to read as follows:

**§ 97.43-5 Availability.**

(a) On all vessels to which this subpart applies there shall be posted in the pilothouse and readily available to the deck officer of the watch a placard (Form CG-811) containing instructions for the use of breeches buoys and the lifesaving signals as set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1960. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

(b) A copy of Form CG-811 shall also be conveniently posted in the engine-room and crews quarters of all vessels to which this subpart applies.

**PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK**

1. The authority for Part 98 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 98 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply R.S. 4417a, as amended, 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8657. Additional authority cited with regulations affected.

**Subpart 98.03—Barges Carrying Dangerous Cargoes**

**§ 98.03-35 [Amended]**

2. Section 98.03-35 *Special operating requirements for barges carrying certain dangerous cargoes in bulk* is amended by correcting a phrase in paragraph (f) (2) (ii), first sentence, from "or equipment of machinery breakdown" to "or equipment or machinery breakdown."

**Subpart 98.05—Elemental Phosphorus in Water in Bulk**

**§ 98.05-50 [Amended]**

3. Section 98.05-50 *General requirements* is amended by changing in paragraph (f) title from "Commandant (OPL)" to "Commandant (MMT)."

**Subpart 98.10—Sulfuric Acid in Bulk**

**§ 98.10-45 [Amended]**

4. Section 98.10-45 *General requirements* is amended by changing in paragraph (f) the title from "Commandant (OPL)" to "Commandant (MMT)."

**Subpart 98.15—Hydrochloric Acid in Bulk**

**§ 98.15-45 [Amended]**

5. Section 98.15-45 *General requirements* is amended by changing in paragraphs (f) and (g) the title from "Commandant (OPL)" to "Commandant (MMT)."

**Subpart 98.20—Liquid Chlorine in Bulk**

6. Section 98.20-15(a) is amended to read as follows:

**§ 98.20-15 Markings.**

(a) Upon satisfactory completion of tests and inspection, the following markings at least three-eighths inch high shall be stamped into a noncorrodible plate permanently attached to the tank by welding.

- (Name and address of fabricator) ----- p.s.i.
- (Design pressure) ----- p.s.i.
- (Hydrostatic test pressure) ----- p.s.i.
- (Maximum allowable pressure) -----
- (Inspector's number, initials and C.G. symbol) -----
- (Manufacturer's serial number) -----
- (Date of manufacture) -----
- U.S. gallons -----
- (Water capacity) -----

## § 98.20-70 [Amended]

7. Section 98.20-70 *Special operating requirements* is amended by changing in paragraphs (e) and (f) the title from "Commandant (OPL)" to "Commandant (MMT)."

## Subpart 98.25—Anhydrous Ammonia in Bulk

8. Section 98.25-15(a) is amended to read as follows:

## § 98.25-15 Markings.

(a) Upon satisfactory completion of tests and inspection, the following marking, at least  $\frac{3}{16}$  inch high, shall be stamped into a noncorrodible nameplate permanently attached to the tank by means of welding.

----- (Name and address of fabricator)	
----- (Design pressure)	p.s.i.
----- (Hydrostatic test pressure)	p.s.i.
----- (Maximum allowable pressure)	p.s.i.
----- (CG inspector's number, initials, symbol)	
----- (Manufacturer's serial number)	
----- (Water capacity)	U.S. gallons
----- (Date of manufacture)	

## § 98.25-90 [Amended]

9. Section 98.25-90 *Special operating requirements* is amended by changing in paragraph (d) the title from "Commandant (OPL)" to "Commandant (MMT)".

## § 98.25-95 [Amended]

10. Section 98.25-95 *Tests and inspections* is amended by changing in paragraph (b), first sentence, the phrase from "allowable pressure" to "maximum allowable pressure."

SUBCHAPTER J—ELECTRICAL ENGINEERING  
PART 110—GENERAL PROVISIONS

1. The authority for Part 110 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 110 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

## Subpart 110.05—Application

## § 110.05-1 [Amended]

2. Section 110.05-1 *Vessels subject to the requirements of this subchapter* is amended by revising in paragraph (a) (1) and in footnote 6 in Table 110.05-1(a) in paragraph (a) the title from "International Convention for Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

## Subpart 110.10—Reference Specifications, Standards, and Codes

3. Section 110.10-1 is amended by adding a new subparagraph (3) to paragraph (c) and by amending paragraph (f), which reads as follows:

## § 110.10-1 General.

(c) \* \* \*  
(3) NEMA Standards Publication Motors and Generators (MG1).

(f) Specifications and Guides issued by the U.S. Navy Bureau of Ships, Washington, D.C., 20360, of issue in effect on the date the vessel is contracted for, as listed in this paragraph.

(1) MIL-C-915 Interim Specifications Cable, Cord and Wire, Electrical (shipboard use).

(2) MIL-C-2194 Military Specifications Cable, Power, Electrical, Reduced Diameter Type, Naval Shipboard.

(3) MIL-C-23206 Military Specifications Cable, Special Purpose, Electrical (Nuclear Plant).

(4) NavShips 250-660-23, Cable Comparison Guide.

4. Section 110.10-5(a) is amended to read as follows:

## § 110.10-5 Copies of specifications, standards and codes.

(a) Copies of the specifications, standards, and codes referred to in this subpart may be obtained from the issuing authority except:

(1) Military specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120.

(2) NavShips 250-660-23 may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

## Subpart 110.15—Definition of Terms Used in This Subchapter

4a. Section 110.15-105 is amended to read as follows:

## § 110.15-105 International voyage.

(a) The term "international voyage," as used in this subchapter, shall have the same meaning as that contained in Regulation 2(d), Chapter I, of the International Convention for Safety of Life at Sea, 1960; i.e., "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or

for which the United Nations are the administering authority is regarded as a separate country."

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian." Accordingly, such vessels shall not be considered as being on an "international voyage" for the purpose of this subchapter.

(c) For the purpose of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate.

(d) Although voyages between the continental United States and Hawaii or Alaska, and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purpose of this subchapter.

5. Subpart 110.15 is amended by inserting after § 110.15-125 a new § 110.15-128 reading as follows:

## § 110.15-128 Nuclear vessel.

(a) A nuclear vessel is a vessel provided with a nuclear powerplant for propulsion or any other purpose, or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

## Subpart 110.20—Equivalents

6. Section 110.20-1(a) is amended to read as follows:

## § 110.20-1 Conditions under which equivalents may be used.

(a) Where in this subchapter it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement shall be adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus, or equipment, or type thereof, or any other arrangement: *Provided*, That he shall have been satisfied by suitable trials that the fitting, material, appliance, apparatus, or equipment, or type thereof, or the provision or arrangement is at least as effective as that specified in this subchapter.

PART 111—ELECTRICAL SYSTEM;  
GENERAL REQUIREMENTS

1. The authority for Part 111 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 111 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret

or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1394, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 306, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**Subpart 111.05—General Requirements**

2. Section 111.05-15 is amended by adding a new paragraph (h) reading as follows:

**§ 111.05-15 General considerations.**

(h) *Limitations of porcelain use.* Porcelain should not be used for lamp sockets, switches, receptacles, fuse blocks, etc., where the material is rigidly fastened by machine screws or the equivalent.

3. Section 111.05-30 is amended to read as follows:

**§ 111.05-30 Insulation materials.**

(a) *Class designation.* Insulation material referred to in this subchapter is designated by class as described in this section.

(b) *Class O insulation.* Materials or combinations of materials such as cotton, silk, and paper without impregnation.<sup>1</sup>

(c) *Class A insulation.* Materials or combinations of materials consisting of (1) cotton, silk, paper, and similar organic materials when either impregnated<sup>1</sup> or immersed in a liquid dielectric; (2) molded and laminated materials with cellulose filler, phenolic resins, and sheets of cellulose acetate and other cellulose derivatives of similar properties and (3) varnishes (enamels) as applied to conductors. (ASA-C50.)

(d) *Class B insulation.* Materials or combinations of materials such as mica, asbestos, fiberglass, and similar inorganic materials in built-up form with organic binding substances. A small proportion of Class A material may be used for structural purposes only. Fiberglass or asbestos magnetic wire insulation are included in this temperature class. These may include supplementary organic materials, such as polyvinylacetal or polyamide films. (ASA-C50.)

(e) *Class C insulation.* Materials consisting entirely of mica, porcelain, glass, quartz, and similar inorganic materials. (ASA-C50.)

(f) *Class F insulation.* A Class F insulation system is one which by experience or accepted test can be shown to have suitable thermal endurance when operating at the limiting Class F temperature specified in the temperature rise standard for the machine under consideration. Typical materials used in a Class F system include mica, glass fiber, asbestos and other materials, not necessarily inorganic, with compatible bonding substances having suitable thermal stability. (NEMA Publication No. MG1.)

(g) *Class H insulation.* Materials or combinations of materials consisting of (1) mica, asbestos, fiberglass, and similar inorganic materials in built-up

form with binding substance composed of silicone compounds, or materials with equivalent properties; (2) silicone compounds in rubbery or resinous forms, or materials with equivalent properties. A minute proportion of Class A material may be used only where essential for structural purposes during manufacture. (ASA-C50.)

**Subpart 111.10—Generators**

4. Section 111.10-30 is amended by revising Tables 111.10-30(a1) and 111.10-30(a2) to read as follows:

**§ 111.10-30 Temperature limitations.**

(a) \* \* \*

TABLE 111.10-30 (a1)—LIMITS OF TEMPERATURE RISES FOR DIRECT-CURRENT GENERATORS BASED ON 50° C. AMBIENT TEMPERATURE<sup>1</sup>

Part of generator	Limits of temperature rises—degrees centigrade (measured by thermometer) <sup>2,3</sup>					
	Class A insulation		Class B insulation		Class H insulation	
	Continuous	At end of 2-hour overload	Continuous	At end of 2-hour overload	Continuous	At end of 2-hour overload
All insulated windings other than items next following.....	40	55	60	75	80	105
Single-layer field windings with exposed un-insulated surfaces and bare copper windings.....	50	65	70	85	100	125
Cores and mechanical parts in contact with or adjacent to insulation.....	40	55	60	75	80	105
Commutator and collector rings.....	55	65	75	85	95	115
German silver or grid shunts on series field windings.....	175	-----	175	-----	(1)	-----
Bearings.....	35	-----	40	-----	(1)	-----

<sup>1</sup> Special consideration shall be given to other parts of the machine such as bearings, etc.  
<sup>2</sup> Where other methods are used refer to ASA-C-50 for temperature rise limits.  
<sup>3</sup> For Class F insulation refer to NEMA-MG1.

TABLE 111.10-30(a2)—LIMITS OF TEMPERATURE RISES FOR ALTERNATING-CURRENT GENERATORS BASED ON 50° C. AMBIENT TEMPERATURE<sup>1</sup>

Item	Determined by—	Limits of temperature rises, degrees centigrade <sup>2</sup>					
		Salient pole generators			Turbine type generators		
		Class A insulation	Class B insulation	Class H insulation	Class A insulation	Class B insulation	Class H insulation
Armature windings of machines of 1,500 kva. and less.....	Thermometer.....	40	60	100	-----	-----	-----
Armature windings of machines of 750 kva. and less.....	do.....	-----	-----	-----	40	60	100
Armature windings with 2 coil sides per slot in stators of machines above 1,500 kva.....	Imbedded detector.....	50	70	110	-----	-----	-----
Armature windings with 2 coil sides per slot in stators of machines above 750 kva.....	do.....	-----	-----	-----	50	70	110
Insulated field windings.....	Resistance.....	50	70	110	-----	80	120
Collector rings.....	Thermometer.....	55	75	115	55	75	115
Cores and mechanical parts in contact with or adjacent to insulation.....	do.....	40	60	100	40	60	100
Bearings.....	do.....	35	40	(3)	35	40	(3)

<sup>1</sup> For generators having 25 percent overload rating for 2 hours, the temperature at the end of the overload run when conducted immediately following the continuous run shall not exceed the figures in the table by more than 15° C. except for collector rings which shall be in accordance with the table.  
<sup>2</sup> Special consideration shall be given to other parts of the machine such as bearings, etc.  
<sup>3</sup> For Class F insulation, refer to NEMA-MG1.

**Subpart 111.15—Storage Batteries**

5. Section 111.15-1 is amended to read as follows:

**§ 111.15-1 General requirements.**

(a) *Power and light batteries.* Power and lighting batteries may be of the lead acid or alkaline type, or any other approved type, due consideration being given to suitability for any specific application. The cells shall be constructed so as to prevent spilling of electrolyte due to an inclination of 40° from the normal.

(b) *Emergency and general alarm storage batteries.* When batteries are used for emergency lighting and power loads or for general alarm system loads, the requirements of Part 112 of this subchapter are also applicable.

(c) *Categories.* Batteries shall be classified into three types depending upon power output of the battery charger.

(1) *Large.* Large batteries shall be considered those connected to a battery charger whose output is more than 2 kw. (calculated from the maximum ob-

<sup>1</sup> Insulation is considered to be "impregnated" when a suitable substance provides a bond between components of the structure and also a degree of filling and surface coverage sufficient to give adequate performance under the extremes of temperature, surface contamination (moisture, dirt, etc.), and mechanical stress expected in service. The impregnant must not flow or deteriorate enough at operating temperature so as to seriously affect performance in service.

tainable charging current and the normal voltage of the battery).

(2) *Moderate*. Moderate batteries shall be considered those connected to a battery charger whose output is between 0.2 kw. and 2 kw. (calculated from the maximum obtainable charging current and the normal voltage of the battery).

(3) *Small*. Small size batteries shall be considered those connected to a battery charger whose output is less than 0.2 kw. (calculated from the maximum obtainable charging current and the normal voltage of the battery).

(d) *Nameplates*. Each tray shall be provided with a durable nameplate securely attached, bearing the manufacturer's name or trade mark and type designation, the ampere-hour rating at a specific rate of discharge, and the specific gravity of the electrolyte (for a lead acid battery when fully charged). Data molded on the tray case will be acceptable in lieu of a nameplate.

6. Section 111.15-5 is amended to read as follows:

§ 111.15-5 Battery installation.

(a) *Large storage batteries*. Large batteries should be installed in a room assigned to batteries only, but may be installed in a box on deck if a room is not available. Lighting equipment installed in a battery room shall be explosion proof suitable for Class I, Group D, locations. Devices liable to arc, such as switches, battery chargers, etc., shall not be installed in battery rooms. The overload protective device required by § 111.15-25 should be placed in each conductor adjacent to but outside the room. Electric cables other than those serving the battery or battery room lighting should be routed around rather than through the battery room.

(1) A "danger notice" shall be permanently secured to the doors of the battery room or to the covers of battery deck boxes indicating that a naked light or smoking in these rooms or in this vicinity is prohibited.

(b) *Batteries of moderate size*. Batteries of moderate size as described in § 111.15-1(c) (2) should preferably be installed in a battery room or in a box on deck, but may also be installed in a box or locker in some suitable space such as an engineroom, storeroom, etc., or may be installed open if protected from above from falling objects in the engineroom or in a similar well-ventilated compartment. Batteries should not be installed in sleeping spaces. Engine cranking batteries should be located as closely as possible to the engine or engines served.

(c) *Batteries of small size*. Batteries of small size as described in § 111.15-1(c) (3) may be installed in such places as open working spaces and boat engine compartments provided that the space is ventilated.

7. Subpart 111.15 is amended by inserting after § 111.15-5 a new § 111.15-6 reading as follows:

§ 111.15-6 Arrangement.

(a) *Battery trays*. Battery trays should be chocked with wood strips or equivalent to prevent movement and each tray should be fitted with nonabsorbent insulating supports on the bottom and with similar spacer blocks at

the sides or with equivalent provisions to secure air circulation space all around each tray. Battery trays should be so arranged that the trays are accessible and with not less than 10 inches head room.

(b) *Tiers*. When batteries are arranged in two or more tiers, all shelves should have not less than 2 inches space front and back for circulation of air.

8. Section 111.15-10 is amended to read as follows:

§ 111.15-10 Ventilation.

(a) *General*. All rooms, lockers, and boxes for storage batteries should be arranged or ventilated to avoid accumulation of flammable gas.

(b) *Battery rooms*. Natural ventilation may be employed if ducts can be run directly from the top of the room to the open air above with no part of the duct more than 45° from the vertical. These ducts should not contain appliances (e.g., flame arrestors) which may impede the free passage of air or gas mixtures. Rooms containing large battery banks as defined in § 111.15-1(c) (1) shall be ventilated by mechanical exhaust. When mechanical exhaust is required, the system shall be separate from ventilation systems for other spaces, and, if electric, the motor shall be located outside the battery room. Mechanical ventilation systems shall be interlocked with the battery charger so that the battery cannot be charged without ventilation. Adequate openings, whether connected to ducts or not, for air inlet shall be provided near the floor or the bottom of lockers or boxes. In every case the quantity of the air expelled should be at least equal to:

$$(q = 3.89in) \quad (1)$$

where:

$q$  = quantity of expelled air in cubic feet per hour.

$i$  = maximum charging current during gas formation, however at least one-fourth of the maximum obtainable charging current of the charging facility.

$n$  = number of cells.

(c) *Battery lockers*. Battery lockers should be ventilated, if practicable, similarly to battery rooms by a duct led

from the top of the locker to the open air or to an exhaust ventilation duct, but the duct may terminate not less than 3 feet above the top of the locker in machinery spaces and similar well-ventilated compartments. Louvers or equivalent should be provided near the bottom for entrance of air.

(d) *Deck boxes*. Deck boxes should be provided with a duct from the top of the box terminating at least 4 feet above in a gooseneck, mushroom head, or equivalent to prevent entrance of water. Holes for air inlet should be provided on at least two opposite sides of the box. The entire deck box, including openings for ventilation, should be weathertight to prevent entrance of spray or rain.

(e) *Boxes for small batteries*. Boxes for small batteries require no ventilation other than openings near the top to permit escape of gas.

9. Section 111.15-15 is amended to read as follows:

§ 111.15-15 Protection from corrosion.

(a) Shelves in battery rooms or lockers for acid batteries should have a watertight lining of sheet lead of 1/16-inch thickness carried up not less than 3 inches on all sides. For alkaline batteries the shelves should be similarly lined with steel not less than 1/32-inch thick. Alternatively, a battery room may be fitted with a watertight lead pan for acid batteries, steel for alkaline batteries, over the entire deck, carried up not less than 6 inches on all sides. Deck boxes should be lined in accordance with the above alternative method. Boxes for small batteries should be lined to a depth of 3 inches consistent with the methods described above.

(b) Alternate lining materials may be used in lieu of lead or steel if it can be established that the material is corrosion-resistant to the specified electrolyte used in the batteries.

Subpart 111.25—Motors

10. Section 111.25-10(a) is amended by revising Tables 111.25-10(a1) and 111.25-10(a2) to read as follows:

§ 111.25-10 Temperature limitations.

(a) \* \* \*

TABLE 111.25-10(a1)—LIMITS OF TEMPERATURE RISES FOR DIRECT-CURRENT MOTORS<sup>1</sup>

Part of motor and type of enclosure	Limits of temperature rises; degrees centigrade (thermometer method) <sup>2,3</sup>					
	Class A insulation		Class B insulation		Class H insulation	
	40° C. ambient temperature	50° C. ambient temperature	40° C. ambient temperature	50° C. ambient temperature	40° C. ambient temperature	50° C. ambient temperature
All insulated windings other than item next following:						
Open and semienclosed.....	50	40	70	60	110	100
Totally enclosed.....	55	45	75	65	115	105
Single-layer field windings with exposed uninsulated surfaces and bare copper windings:						
Open and semienclosed.....	60	50	80	70	120	120
Totally enclosed.....	65	55	85	75	135	125
Cores and mechanical parts in contact with or adjacent to insulation:						
Open and semienclosed.....	50	40	70	60	110	100
Totally enclosed.....	55	45	75	65		
Commutators and collector rings:						
All types.....	65	55	85	75	125	115
Bearings:						
Open and semienclosed.....	40	35	45	40	(7)	(7)
Totally enclosed.....	45	40	50	45	(7)	(7)

<sup>1</sup> Special consideration shall be given to other parts of the machine, such as bearings, etc.

<sup>2</sup> Where other methods are used refer to ASA-G-50 for temperature rise limits.

<sup>3</sup> For Class F insulation refer to NEMA-MGL.

TABLE 111.25-10(a2)—LIMITS OF TEMPERATURE RISES FOR ALTERNATING-CURRENT MOTORS<sup>1,2</sup>

Part of motor and type of enclosure	Limits of temperature rises; degrees centigrade (thermometer method) <sup>3,4</sup>					
	Class A insulation		Class B insulation		Class H insulation	
	40° C. ambient temperature	50° C. ambient temperature	40° C. ambient temperature	50° C. ambient temperature	40° C. ambient temperature	50° C. ambient temperature
Coil windings, cores and mechanical parts in contact with, or adjacent to insulation: All except totally enclosed.....	50	48	70	60	110	100
Totally enclosed.....	55	45	75	65	115	105
Collector rings, commutators (the class of insulation refers to insulation affected by the heat from the commutator or collector rings, which insulation is employed in the construction of the commutator or collector rings or is adjacent thereto); All types.....	65	55	85	75	125	115
Bearings: Open and semiclosed.....	40	35	45	40	(7)	(7)
Totally enclosed.....	45	40	50	45	(7)	(7)

<sup>1</sup> Squirrel-cage windings and mechanical parts not in contact with or adjacent to insulation may reach such temperatures as will not be injurious in any respect.  
<sup>2</sup> Special consideration shall be given to other parts of the machine, such as bearings, etc.  
<sup>3</sup> Where other methods are used refer to ASA-C-50 for temperature rise limits.  
<sup>4</sup> For Class F insulation refer to NEMA-MGL.

**Subpart 111.55—Overcurrent Protection**

11. Section 111.55-1(g) is amended to read as follows:

**§ 111.55-1 Installation of overcurrent devices.**

(g) *Protection of ship's service generators*—(1) *General*. Each generator of 25 kw. and over, and each generator regardless of size if arranged for parallel operation shall be protected by an individual trip-free air circuit breaker having inverse time overcurrent trips. The pickup setting of the long time overcurrent trip of the circuit breaker shall not exceed 115 percent of the generator rating for continuous rated machines and shall not exceed 15 percent above the overload rating for special rated machines. Each generator of less than 25 kw. not arranged for parallel operation may be protected by individual fuses in lieu of an individual circuit breaker.

(2) *Alternating current generators*. Where three or more generators are arranged for parallel operation, the circuit breakers shall have, in addition to inverse time trips, instantaneous trips set at a value in excess of the maximum asymmetrical short circuit current available from the associated generator. In order to provide the optimum degree of protection for generators, the short time trips shall be set at the lowest values of current and time which will coordinate with the trip settings of feeder circuit breakers supplied by the generator to provide the continuity of service and high speed clearance specified in § 111.55-25.

(3) *Direct current generators*. In addition to the inverse time overcurrent trips, direct current generator circuit breakers shall be provided with an instantaneous trip set at the lowest value of current which will coordinate with the trip settings of feeder circuit breakers supplied by the generator to provide the continuity of service and high speed clearance specified in § 111.55-25.

(4) *Generator circuits for parallel operation*. Each direct-current generator arranged for parallel operation shall be provided with a reverse current device. Each alternating-current generator arranged for parallel operation shall be provided with a reverse power relay.

12. Section 111.55-15(d) is amended to read as follows:

**§ 111.55-15 Construction and use of overcurrent devices.**

(d) *Construction and marking of fuses*. Fuses shall be constructed in accordance with Underwriters' Laboratories, Inc., Standard for Fuses. Standard cartridge fuses shall be marked with the label of Underwriters' Laboratories, Inc. Special cartridge fuses shall be inspected under Underwriters' Laboratories, Inc., reexamination service.

**Subpart 111.60—Wiring Methods and Materials**

13. Section 111.60-1 is amended by adding new paragraphs (h) and (i) reading as follows:

**§ 111.60-1 Electric cable.**

(h) *Substitute cable*. Electric cable constructed in accordance with Military Specifications MIL-C-915 or MIL-C-2194 may be substituted for the equivalent AIEE type cable specified in this section. The maximum current for any conductor shall not exceed the current-carrying capacities specified in the publication "Cable Comparison Guide," NavShips 250-660-23.

(i) *Special purpose cable*—(1) *Instrumentation cable*. Electric cable constructed in accordance with Military Specifications MIL-C-915, MIL-C-2194 or MIL-C-23206 of the types TTHFWA, TTRSA, PI, ISWA, 2SWA, 3SWA, may be used for instrumentation circuits to connect such items as indicator lights, sensors, selector switches, and pushbuttons where the voltage of the circuit does not exceed 100 volts. The

maximum current for any conductor shall not exceed the current-carrying capacities specified in the publication "Cable Comparison Guide," NavShips 250-660-23.

(2) *Thermocouple cable*. Electric cable constructed in accordance with Military Specification MIL-C-915 of the types PBJX, PBTM and PBTX may be used as conductors between thermocouple sensors and their registering equipment.

(3) *Other types of cable*. Other types of cable will be given special consideration by the Commandant where the cable does not penetrate a watertight bulkhead and is suitably protected from mechanical damage.

14. Section 111.60-30 is amended by revising paragraphs (a) and (h) to read as follows:

**§ 111.60-30 Receptacle outlets and attachment plugs.**

(a) Receptacle outlets and attachment plugs for the attachment of portable lamps, tools, and similar apparatus supplied as ship's equipment and operating at 100 volts or more, shall provide a grounding pole and a grounding conductor in the portable cord to ground the dead metal parts of the portable apparatus. For portable devices made entirely of non-conducting material or so constructed that dead metal parts will not become energized under any conditions, the grounding conductor in the portable cord and the grounding pole of the attachment plug need not be furnished. Portable apparatus shall be deemed to be any apparatus served by means of a flexible extension cord, whether the apparatus is permanently mounted or not.

(h) When it is necessary to transmit current in one direction between two receptacle outlets by means of a portable cable with a plug on each end (such as a battery charging lead between a receptacle outlet on a ship and a receptacle outlet in a lifeboat), the plug which may be energized when not inserted in the receptacle outlet, shall be of the female type. When receptacle outlets may be used as a source of power as well as to receive power (such as the receptacles on barges that may have to supply power to adjoining barges in some make-ups and receive power from the towboat or adjoining barge in other make-ups) the receptacles shall be of the male, reverse service type. Plugs of associated portable cable shall be of the female type and shall be provided at both ends of the portable lead. The female type plug specified in this paragraph shall comply with the requirements of paragraph (g) of this section.

15. Section 111.60-35 is amended to read as follows:

**§ 111.60-35 Lighting fixtures.**

(a) *General requirements*. (1) Construction details shall be in accordance with Underwriters' Laboratories, Inc., Standard for Marine Type Electric Lighting Fixtures Subject 595.

(2) Open arc lamps shall not be used for applications other than for search-

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lights and for motion picture projectors.

(3) Fixture globes shall be protected by guards except in living quarters, wheelhouse, gyro room, radio room, galley, and similar spaces where not subject to mechanical damage.

(4) Fixtures shall be of such construction, or so installed, that the conductors in outlet boxes will not be subjected to temperatures greater than that for which the conductors are approved (75° C. for rubber insulated conductors, 85° C. for varnished-cambric insulated and mineral-insulated conductors, 95° C. for asbestos-varnished-cambric insulated conductors, and 105° C. for MIL-C-2194 type SGA cable). For the purpose of this section, an ambient temperature of 25° C. will be assumed for passenger and crew quarters, public spaces, cargo spaces, and open deck areas, an ambient temperature of 40° C. will be assumed for auxiliary machinery and work spaces, and an ambient temperature of 50° C. will be assumed for the engine and boiler rooms.

(5) Fixtures shall be so constructed, or installed, or equipped with shades and/or guards that combustible material will not be subjected to temperatures in excess of 90° C.

(6) Fixtures shall not be used as connection boxes for circuits other than the branch circuit supplying the fixture except that two or more circuits may supply the fixture when:

(i) One or more lamps of a multilamp fixture are supplied from an emergency lighting circuit; or

(ii) When the number of lamps of a fixture exceeds the capacity of a single circuit. When more than one circuit is employed in a fixture, the circuits shall be as widely separated as possible and the different circuits clearly identified at terminal points. Also see § 111.50-20 (c) (5).

(7) For wiring of explosion-proof equipment see § 111.60-40.

(b) **Lighting fixture installations.** (1) Fixtures installed in locations exposed to the weather and in other locations occasionally exposed to splashing water shall be of watertight construction. Fixtures installed in other wet or damp locations shall be of at least dripproof construction as installed.

(2) Any combustible bulkhead or ceiling finish exposed between the edge of a fixture canopy or pan and the outlet box shall be covered with noncombustible material.

(3) In a completed installation, each outlet box shall be provided with a cover unless it is covered by means of a fixture canopy, lampholder, or similar device.

(4) Fixtures, lampholders, and receptacle outlets shall be securely supported. Fixtures shall not be supported by the screw shell of a lampholder.

(5) Pendent fixtures shall be suspended by, and supplied through threaded rigid conduit stems.

(6) Table lamps, desk lamps, floor lamps, and similar equipment shall be secured in place to prevent displacement by the roll or pitch of the vessel.

(c) **Grounding of lighting equipment.**

(1) Lighting equipment (including fixtures) shall be grounded.

(2) Equipment shall be considered as grounded when mechanically connected in a permanent and effective manner to the metal structure of the ship, the armor of armored cable, or a grounding connector.

### PART 112—EMERGENCY LIGHTING AND POWER SYSTEM

1. The authority for Part 112 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 112 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended,

sec. 10, 35 Stat. 423, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1394, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 186, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

#### Subpart 112.05—General Requirements

2. Section 112.05-5 is amended by revising Table 112.05-5(a) to read as follows:

§ 112.05-5 Emergency source of supply.

(a) \* \* \*

TABLE 112.05-5(a)

Size of vessel and service	Type or types of emergency source of power	Period of operation and minimum capacity of emergency source of power
<i>Passenger vessels over 65 feet in length</i>		
Ocean and Coastwise, 1,600 g.t. and over, and any passenger vessel, regardless of tonnage or service, where electric power-operated watertight doors are required.	Storage battery with automatic transfer gear for temporary source, and supplemented by diesel generator with automatic starting and transfer gear for final source.	½ hour. 36 hours.
Ocean and Coastwise, over 15 g.t. but less than 1,600 g.t. <sup>1</sup>	Storage battery with automatic transfer gear or diesel generator with automatic starting and transfer gear.	36 hours or twice the time of run, whichever is the smaller.
Other than Ocean and Coastwise, 100 g.t. and over. <sup>1</sup>	Storage battery with automatic transfer gear or diesel generator with automatic starting and transfer gear.	8 hours or twice the time of run, whichever is the smaller.
Other than Ocean and Coastwise, over 15 g.t. but less than 100 g.t. <sup>1</sup>	Storage battery or diesel generator with automatic or manual operation. <sup>2</sup>	8 hours or twice the time of run, whichever is the smaller.
<i>Cargo and miscellaneous self-propelled vessels and tank ships; barges with sleeping accommodations for more than 6 persons.<sup>2</sup></i>		
All waters, 1,600 g.t. and over.	Storage battery or diesel generator automatic or manual operation.	12 hours.
All waters, 300 g.t. and over, but less than 1,600 g.t.	Storage battery or diesel generator, automatic or manual operation, or approved relay-controlled battery-operated lanterns. <sup>3</sup>	12 hours or twice the time of run, whichever is the smaller. <sup>4</sup>

<sup>1</sup> See also § 112.05-15.

<sup>2</sup> See also §§ 112.35-1 and 112.35-5.

<sup>3</sup> Applicable to barges contracted for on or after November 19, 1958.

<sup>4</sup> Minimum period of operation of relay-controlled, battery-operated lanterns may be less than 12 hours but not less than 6 hours.

<sup>5</sup> Battery-operated lanterns shall have rechargeable batteries, shall incorporate an automatic battery charger that will maintain the battery in a fully charged condition, and shall not be readily portable.

3. Section 112.05-10(a) is amended to read as follows:

§ 112.05-10 Emergency lights.

(a) Emergency lights supplied by an automatic emergency lighting system shall form a part of the regular lighting system, and shall be continuously lighted at all times passengers or crew are aboard, except as provided by paragraph (b) of this section and § 112.05-15(c), and except when the emergency lights consist of relay-controlled battery-operated lanterns. (See footnote 5 in Table 112.05-5(a).)

### PART 113—COMMUNICATION AND ALARM SYSTEMS AND EQUIPMENT

1. The authority for Part 113 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 113 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as

amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 423, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1394, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 186, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

#### Subpart 113.30—Sound Powered Telephone and Voice Tube Systems

2. Section 113.30-5 is amended by adding a new paragraph (g) reading as follows:

§ 113.30-5 General requirements.

(g) An efficient means of communication shall be provided between the wheelhouse and the bow or forward lookout station. This communication need not be by means of sound powered telephone

or voice tube if other suitable means is provided or if the vessel configuration is such that direct voice communication between the wheelhouse and bow or forward lookout station is effective. When a sound powered telephone is installed, the requirements of § 113.30-20(b) are applicable.

3. Section 113.30-20 is amended by revising paragraph (b) and by adding new paragraphs (d) and (e) reading as follows:

**§ 113.30-20 Sound powered telephone system, general requirements.**

(b) The telephone stations listed in § 113.30-5 (a) through (d), (f), and (g) may be installed on the same circuit. However, when included on the same circuit with other required stations, the bow or forward lookout telephone must be provided with a wheelhouse cut-out switch if the telephone is located in the weather. Other stations which are desirable for the operation of the vessel, such as captain's and chief engineer's office and stateroom, emergency power room, CO<sub>2</sub> control room, fire pump room, etc., will be considered for inclusion on this circuit.

(d) Except as provided in paragraph (b) of this section, telephone stations not specifically required by this subpart which are located in the weather shall not be included on a telephone circuit which includes any of the required telephone stations.

(e) Jack boxes or headsets shall not be utilized on a telephone installation that includes any of the stations required by this subpart.

4. Section 113.30-25 is amended by revising paragraphs (a) and (i) to read as follows:

**§ 113.30-25 Sound powered telephone system, detail requirements.**

(a) Sound powered telephone equipment used on a telephone circuit that includes any of the stations required by this subpart shall be of a type approved by the Commandant.

(i) Telephone cables shall be run as close to the fore and aft centerline of the vessel as is practicable and through runs of cable should avoid such spaces as machinery room and galleys.

**SUBCHAPTER M—BULK GRAIN CARGOES**

**PART 144—LOADING AND STOWAGE OF GRAIN CARGOES**

1. The authority for Part 144 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 144 issued under R.S. 4405, as amended, 4462, as amended, sec. 632, 63 Stat. 545; 46 U.S.C. 375, 416, 14 U.S.C. 632. Interpret or apply R.S. 4417, as amended, 4426, as amended, sec. 1, 49 Stat. 1544, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 404, 367, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**SUBCHAPTER N—DANGEROUS CARGOES**

**PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OF SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS**

The authority for Part 146 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 146 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 375, 416, 170; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026. Additional authority cited with sections affected.

**PART 147—REGULATIONS GOVERNING USE OF DANGEROUS ARTICLES AS SHIPS' STORES AND SUPPLIES ON BOARD VESSELS**

The authority for Part 147 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 147 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170; sec. 3, 68 Stat. 675, as amended; 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

**SUBCHAPTER P—MANNING OF VESSELS**

**PART 157—MANNING REQUIREMENTS**

The authority for Part 157 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 157 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521. Additional authority is cited in parentheses following the sections affected.

**SUBCHAPTER Q—SPECIFICATIONS**

**PART 160—LIFESAVING EQUIPMENT**

1. The authority for Part 160 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 160 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521. Additional authority cited with sections affected.

**Subpart 160.001—Life Preservers, General**

2. The authority note for Subpart 160.001 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.001 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 490, 395, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.002—Life Preservers, Kapok, Adult and Child (Jacket Type), Models 3 and 5**

3. The authority note for Subpart 160.002 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.002 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 490, 395, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.003—Life Preservers, Cork (Jacket Type), Models 32 and 36 [Canceled]**

4. Subpart 160.003, consisting of §§ 160.003-1 to 160.003-7, inclusive, is canceled effective July 1, 1965.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

**Subpart 160.004—Life Preservers, Balsa Wood (Jacket Type), Models 42 and 46 [Canceled]**

5. Subpart 160.004, consisting of §§ 160.004-1 to 160.004-7, inclusive, is canceled effective July 1, 1965.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

**Subpart 160.005—Life Preservers, Fibrous Glass, Adult and Child (Jacket Type), Models 52 and 56**

6. The authority note for Subpart 160.005 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.005 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 490, 395, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.006—Life Preservers; Repairing and Cleaning**

7. The authority note for Subpart 160.006 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.006 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 526e, 526p, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### Subpart 160.009—Buoys, Life, Ring, Cork or Balsa Wood, for Merchant Vessels and Motorboats

8. The authority note for Subpart 160.009 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.009 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

9. Section 160.009-1 is amended to read as follows:

#### § 160.009-1 Applicable specifications and plan.

(a) *Specifications and standards.* The following specifications and standards, of the issue in effect on the date ring life buoys are manufactured, form a part of this subpart:

(1) Military specification:

MIL-T-7807—Thread, Nylon.

(2) Federal specifications:

MMM-A-188—Adhesive; urea, resin-type (liquid and powder).  
V-T-276—Thread, cotton.  
V-T-291—Thread, linen.  
CCC-C-443—Cloth, cotton, duck; (single and plied filling) yarns, flat.  
CCC-T-191—Textile test methods.  
T-R-601—Rope, manila.

(3) Federal standards:

No. 595—Colors.  
No. 751—Stitches, seams, and stitchings.

(4) Coast Guard specifications:

164.001—Cork, sheet.  
164.002—Balsa wood.

(b) *Plan.* The following plan, of the issue in effect on the date ring life buoys are manufactured, forms a part of this specification:

Dwg. No. 160.009—Cork and balsa wood ring life buoy; arrangement and construction details.

(c) *Copies on file.* Copies of the specifications, standards and plans referred to in this section shall be kept on file by the manufacturer, together with the certificate of approval. The Coast Guard plan and specifications may be obtained upon request from the Commandant, U.S. Coast Guard, Washington, D.C., 20226. The Federal Specifications and Standard may be purchased from the Business Service Center, General Services Administration, Washington, D.C., 20407. The Military Specification may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120.

10. Section 160.009-3 is amended by revising paragraphs (b), (c), (d), (e), and (f) to read as follows:

#### § 160.009-3 Materials.

(b) *Cover.* The cover shall be cotton duck of a weight not less than 9.68

ounces per square yard, complying with Federal Specification CCC-C-443 for Type I and Type II material, except that the marine inspector may accept other cotton fabrics having not less weight and strength or weather-resistant synthetic fabrics having not less strength. Ring life buoys shall be either international orange (Color No. 12197 of Federal Standard 595) or natural greige in color and the colorfastness shall be rated as "good" when tested in accordance with Federal Specification CCC-T-191, Methods 5610, 5630, 5650, and 5660.

(NOTE: On vessels on an international voyage, all ring life buoys shall be international orange in color.)

(c) *Grabline.* The grabline may be  $\frac{3}{8}$ -inch, three-strand (twelve yarns) manila, complying with Federal Specification T-R-601, or  $\frac{3}{8}$ -inch polyethylene, polypropylene or other suitable buoyant type synthetic material having a minimum breaking strength of 1,350 pounds.

(d) *Beckets.* The beackets for securing the grabline shall be 2-inch polyethylene, polypropylene, nylon, saran, materials permitted for the cover, or other suitable webbing material having a minimum breaking strength of 585 pounds. In addition, polyethylene and polypropylene shall be a weather-resistant type which is stabilized as to heat, oxidation, and ultraviolet light degradation.

(e) *Thread.* The thread for securing the straps, cover and the grabline, shall be either nylon, Type II, Size 4, Class 2, of Specification MIL-T-7807; No. 16, three-cord linen thread, complying with Federal Specification V-T-291, Table I; or No. 10, 6-ply, glazed finish, heavy cotton thread, complying with Federal Specification V-T-276, Table IV, Type IIIA. Alternate threads will be given special consideration.

(f) *Glue.* The adhesive shall be of a waterproof resin type glue, complying with Federal Specification MMM-A-188.

11. Section 160.009-4 is amended by revising paragraphs (d), (e), and (f) to read as follows:

#### § 160.009-4 Construction, workmanship, and performance requirements.

(d) *Beackets.* Each ring buoy shall be fitted with four beackets located at equidistant points about the body of the buoy. The beackets shall be 2 inches wide and shall be attached to the cover by stitching and seams as set forth in paragraph (f) of this section. Beackets made of materials permitted for the cover shall be made of double thickness with raw edges turned under. Beackets shall be so arranged to cover the cross section seams where the cover is joined.

(e) *Grabline.* The finished length of the grabline shall be four times the outside diameter of the buoy. The ends of the grabline shall be securely and neatly spliced together, or shall be hand whipped with a needle and both ends securely and smoothly seized together. It shall be festooned in bights around the buoy and pass through the beackets. The beackets shall be sewn tightly and securely

to the grabline by a stitching as described in paragraph (f) of this section.

(f) *Stitching.* All machine stitching shall be a lock stitch conforming to stitch 301 of Federal Standard No. 751, and there shall be not less than 5 stitches to the inch. All hand stitching shall be made with double threads. The stitching around the inside perimeter of the buoy to close the cover shall be a hand rope stitch not less than 2 stitches to the inch. The beackets and grabline shall be attached as follows: The ends of the beackets shall be turned back at least 1 inch, one end to go around the grabline and the other to be laid against the first end. The beackets shall then be stitched to the grabline with not less than 5 hand stitches or machine stitched with not less than 3 stitches per inch. Both edges of the beackets shall be fastened to the inside perimeter of the buoy with a hand cross stitch. Alternate methods of rigging the beackets and grabline will be given special consideration.

#### § 160.009-7 [Amended]

12. Section 160.009-7 *Procedure for approval* is amended to show the ZIP Code in the address in paragraph (a) by changing the address from "Washington 25, D.C." to "Washington, D.C., 20226."

### Subpart 160.010—Buoyant Apparatus for Merchant Vessels

13. The authority note for Subpart 160.010 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.010 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### Subpart 160.011—Gas Masks, Self-Contained Breathing Apparatus, and Supplied-Air Respirators, for Merchant Vessels

14. The authority note for Subpart 160.011 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.011 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### Subpart 160.012—Lights, Water: Self-Igniting (Calcium Carbide-Calcium Phosphide Type), for Merchant Vessels

15. The authority note for Subpart 160.012 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.012 interpret or apply R.S. 4426, as amended, 4488, as amended, 4491, as

amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.013—Hatchets (Lifeboat and Liferaft) for Merchant Vessels**

16. The authority note for Subpart 160.013 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.013 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.015—Lifeboat Winches for Merchant Vessels**

17. The authority note for Subpart 160.015 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.015 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

18. Section 160.015-3(a) is amended to read as follows:

**§ 160.015-3 Construction of lifeboat winches.**

(a) Lifeboat winches shall be of such strength that the lifeboat may be lowered safely with its full complement of persons and equipment. Additionally, a lifeboat winch used in hoisting an emergency lifeboat of a passenger vessel shall be capable of meeting the test specified in § 160.015-5(b) (9). A minimum factor of safety of six on the ultimate strength of the material shall be maintained at all times based on the approved working load.

19. Section 160.015-5(b) is amended by redesignating subparagraph (9) as (10) and by adding a new subparagraph (9), so that subparagraphs (9) and (10) read as follows:

**§ 160.015-5 Inspection and testing of lifeboat winches.**

(b) *Factory test for initial approval.*

(9) The following test applies to a lifeboat winch used for hoisting an emergency lifeboat of a passenger vessel. With a weight equal to the weight of the emergency lifeboat and its full complement of persons and equipment, it shall be demonstrated that the weight can be hoisted through the regular reev-

ing of the falls at a rate of not less than 20 feet per minute, to the embarkation position.

(10) After the tests noted in subparagraphs (2) to (9) of this paragraph have been conducted, the winch shall be completely disassembled and the marine inspector shall ascertain that no undue stress or wear has been incurred.

**Subpart 160.016—Lamps, Safety, Flame, for Merchant Vessels**

20. The authority note for Subpart 160.016 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.016 interpret or apply R.S. 4417a, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 489, 367; 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.017—Ladders, Embarkation-Debarcation (Flexible), for Merchant Vessels**

21. The authority note for Subpart 160.017 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.017 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**§ 160.017-5 [Amended]**

22. Section 160.017-5 *Construction of Type I ladders* is amended by changing a phrase in the last sentence of paragraph (a) from "from 15 to 18 inches" to "not less than 19 inches".

**§ 160.017-6 [Amended]**

23. Section 160.017-6 *Construction of Type II ladders* is amended by changing a phrase in the last sentence of paragraph (a) from "from 15 to 18 inches" to "not less than 19 inches".

**Subpart 160.018—Liferafts for Merchant Vessels**

24. The authority note for Subpart 160.018 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.018 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.021—Signals, Distress, Hand Red Flare, for Merchant Vessels**

25. The authority note for Subpart 160.021 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.021 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.022—Signals, Distress, Floating Orange Smoke, for Merchant Vessels**

26. The authority note for Subpart 160.022 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.022 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.023—Signals, Distress, Combination Flare and Smoke, Hand, for Merchant Vessels**

27. The authority note for Subpart 160.023 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.023 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.024—Signals, Distress, Pistol-Projected Parachute Red Flare, for Merchant Vessels**

28. The authority note for Subpart 160.024 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.024 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.026—Water, Emergency Drinking (In Hermetically Sealed Containers), for Merchant Vessels**

29. The authority note for Subpart 160.026 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.026 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481,

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489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

30. Section 160.026-1 is amended to read as follows:

§ 160.026-1 Applicable specifications and standard.

(a) *General.* The following specifications and standard, of the issue in effect on the date emergency drinking water is packed, form a part of this subpart:

(1) Military specifications:

MIL-L-7178—Lacquer; cellulose nitrate, gloss for aircraft use.

MIL-E-15090—Enamel, equipment, light-gray (Formula No. 111).

MIL-W-15117—Water, drinking, canned, emergency.

(2) U.S. Public Health Service:

Drinking Water Standards (Publication No. 956).

(b) *Copies on file.* Copies of the specifications referred to in this section shall be kept on file by the packer, together with the approved plans and certificate of approval issued by the Coast Guard. The military specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120. The "Drinking Water Standards" may be obtained from the U.S. Department of Health, Education, and Welfare, Public Health Service, Washington, D.C., 20201.

31. Section 160.026-4 is amended to read as follows (Table 160.026-4(a) is deleted):

§ 160.026-4 Water.

(a) Only water meeting the U.S. Public Health Service "Drinking Water Standards" which has been suitably inhibited to protect the container against corrosion shall be used. After treatment and packing the water shall be free from organic matter, sediment and odor. It shall have a pH between 7.0 and 9.0 as determined by means of a standard pH meter using glass electrodes.

32. Section 160.026-6 is amended by revising paragraph (a) and Table 160.026-6(d2) in paragraph (d) to read as follows:

§ 160.026-6 Sampling, inspection, and tests of production lots.

(a) *General.* When packing of approved emergency drinking water for lifeboats and liferafts is to commence, the packer shall notify the Commander of the Coast Guard District in which the plant is located in sufficient time for him to assign a marine inspector to the plant to observe production methods, select samples from production, and conduct the inspections and tests required by this subpart.

(d) *Laboratory tests of containers and water.* . . .

TABLE 160.026-6(d2)—DESCRIPTION OF LABORATORY TESTS

Number of containers per set of samples to be tested	Type of test	Reference specification for test procedure to be followed
2	Internal corrosion and vacuum. Bacteriological limits and salt content.	MIL-W-15117.
0		MIL-W-15117 and U.S. Public Health "Drinking Water Standards."

33. Section 160.026-7(a) is amended to read as follows:

§ 160.026-7 Procedure for approval.

(a) *General.* Emergency drinking water for lifeboats and liferafts on merchant vessels is approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Correspondence pertaining to the subject matter of this Specification shall be addressed to the Commander of the Coast Guard District in which the plant is located.

Subpart 160.027—Liferafts for Merchant Vessels

34. The authority note for Subpart 160.027 is amended to read as follows:

*Authority Note:* The provisions of this Subpart 160.027 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 160.028—Signal Pistols for Parachute Red Flare Distress Signals for Merchant Vessels

35. The authority note for Subpart 160.028 is amended to read as follows:

*Authority Note:* The provisions of this Subpart 160.028 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8357.

Subpart 160.031—Line-Throwing Appliance, Shoulder Gun Type (and Equipment), for Merchant Vessels

36. The authority note for Subpart 160.031 is amended to read as follows:

*Authority Note:* The provisions of this Subpart 160.031 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 160.032—Davits for Merchant Vessels

37. The authority note for Subpart 160.032 is amended to read as follows:

*Authority Note:* The provisions of this Subpart 160.032 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

38. Section 160.032-1 is amended to read as follows:

§ 160.032-1 Applicable specifications.

(a) *Specifications.* The following specifications of the issue in effect on the date the davits are manufactured form a part of this subpart:

(1) A.S.T.M. standards:

A7, Specification for Steel for Bridges and Buildings.

A27, Specification for Mild to Medium Strength Carbon Steel Castings for General Application.

A216, Specification for Carbon-Steel Castings Suitable for Fusion Welding for High Temperature Service.

(b) *Copies on file.* Copies of the specification standards referred to in this section shall be kept on file by the manufacturer, together with the approved plans and certificate of approval. The A.S.T.M. Standards may be purchased from the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pa., 19103.

39. Section 160.032-3 is amended by revising paragraphs (a) and (b) to read as follows:

§ 160.032-3 Construction of davits.

(a) *Strength required.* Davits shall be of such strength that the lifeboat may be lowered safely with its full complement of persons and equipment, it being assumed that the vessel is heeled 15 degrees in either direction and with a 10-degree trim. A minimum factor of safety of 6 on the ultimate strength of the materials shall be maintained at all times based on the approved working load.

(b) *Turning out.* (1) Mechanical davits shall be designed so that they may be operated from the full inboard to the full outboard position when the lifeboat is fully equipped, but not loaded with persons, it being assumed that the vessel is heeled 15 degrees in either direction and with a 10-degree trim.

(2) Gravity davits shall be designed so that they may be operated automatically from the full inboard to the full outboard position when the lifeboat is fully equipped, but not loaded with persons, it being assumed that the vessel is heeled 15 degrees in either direction and with a 10-degree trim. This operation shall be accomplished by merely releasing the brake of the lifeboat winch.

40. Section 160.032-5(b) is amended by revising subparagraphs (2), (3), (7), and (8) to read as follows:

§ 160.032-5 Inspection and testing of davits.

(b) *Factory tests for initial approval.*

(2) A weight equal to 2.2 times the working load shall be suspended from the eye or end of the davit arm. With this load suspended from the davit it shall be operated from the full inboard to the full outboard position using the same operating crank or device used in actual practice aboard ship. The load shall then be swung in a fore and aft direction through an arc of approximately 10 degrees, each side of the vertical. The davit arm and frame shall show no permanent set or undue stress from this test. While this test is being conducted, the frame and arm, if of cast material, shall be subject to a test by being hammered to satisfy the inspector that the castings are sound and without flaws.

(3) A weight equal to 0.5 times the normal working load shall be suspended from the eye or end of the davit arm. This load shall be moved from the full inboard to the full outboard position using the actual handles supplied with the davit. The time required for this operation shall not exceed 90 seconds. The above test shall also be conducted with the davits set up to simulate a 15-degree inboard list with a 10-degree trim to determine that the davits may be satisfactorily operated in that condition. The above test shall also be conducted with the davits set up to simulate a 15-degree outboard list with a 10-degree trim. This test shall determine that the davit arms will not run out under the weight of the light boat.

(7) A weight equal to 2.2 times the working load shall be attached to the falls and suspended from the davit arm when in the full outboard position. The load shall be swung in a fore and aft direction through an arc of approximately 10 degrees each side of the vertical. The davit arm and trackways shall show no permanent set or undue stress from this test.

(8) The entire davit assembly shall then be heeled inboard 15 degrees and with a 10-degree trim. In this condition a weight equal to 0.5 times the working load shall be suspended from the falls and shall be operated from the full inboard to the full outboard position. This test shall demonstrate that the load is sufficient to turn out the davit by merely releasing the brake on the winch. Stops shall be made at intervals between the inboard and outboard positions to assure that the davit will start from any position.

**Subpart 160.033—Mechanical Disengaging Apparatus, Lifeboat, for Merchant Vessels**

41. The authority note for Subpart 160.033 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.033 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as

amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

42. Section 160.033-4(d) is amended to read as follows:

**§ 160.033-4 Inspection and testing of mechanical disengaging apparatus.**

(d) *Factory testing after approval.*

(1) In general, no factory tests after approval are required. However, each lifeboat in which mechanical disengaging apparatus is fitted shall be tested in accordance with § 160.035-13(a) of Subpart 160.035.

**Subpart 160.034—Hand Propelling Gear, Lifeboats, for Merchant Vessels**

43. The authority note for Subpart 160.034 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.034 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.035—Lifeboats for Merchant Vessels**

44. Subpart 160.035, consisting of §§ 160.035-1 to 160.035-11, inclusive, is amended to read as follows:

- Sec.
- 160.035-1 Applicable specifications.
- 160.035-2 General requirements for lifeboats.
- 160.035-3 Construction of steel oar-propelled lifeboats.
- 160.035-4 Construction of steel hand-propelled lifeboats.
- 160.035-5 Construction of steel motor-propelled lifeboats with and without radio cabin.
- 160.035-6 Construction of aluminum oar-, hand-, and motor-propelled lifeboats.
- 160.035-7 Construction of wood oar-, hand-, and motor-propelled lifeboats.
- 160.035-8 Construction of fibrous glass reinforced plastic (F.R.P.) oar-, hand-, and motor-propelled lifeboats.
- 160.035-9 Cubic capacity of lifeboats.
- 160.035-10 Number of persons allowed in lifeboats.
- 160.035-11 Inspection and testing of lifeboats.
- 160.035-12 Additional pre-approval tests required for F.R.P. lifeboats.
- 160.035-13 Testing and inspection after approval.
- 160.035-14 Procedure for approval of lifeboats.

**AUTHORITY NOTE:** The provisions of this Subpart 160.035 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481,

489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; OGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**§ 160.035-1 Applicable specifications.**

(a) *Specifications.* The following specifications, of the issue in effect on the date lifeboats are manufactured, form a part of this subpart.

(1) A.S.T.M. Standards:

A93—Standard Specification for Zinc Coated Iron or Steel Sheets.

A7—Standard Specification for Steel for Bridges and Buildings.

(2) Military specifications:

MIL-P-18066—Plywood, Ship and Boat Construction.

MIL-Y-1140—Yarn, Cord, Sleeving, Cloth and Tape—Glass.

MIL-M-15617—Mats, Fibrous Glass, For Reinforcing Plastics.

MIL-R-7575—Resin, Polyester, Low-Pressure Laminating.

MIL-P-40619—Plastic Material, Cellular, Polystyrene.

MIL-P-17549—Plastic Laminates, Fibrous Glass Reinforced, Marine Structural.

MIL-P-19044—Plastic Foam, Molded Polystyrene (Expanded Bead Type).

MIL-C-19863—Cloth, Glass, Woven Roving, For Plastic Laminate.

MIL-R-21607—Resins, Polyester, Low Pressure Laminating, Fire Retardant.

MIL-P-21929—Plastic Material, Cellular, Polyurethane, Rigid, Foam-In-Place, Low Density.

(3) Federal specifications:

TT-P-59—Paint, Ready-Mixed, International Orange.

(4) Federal test method standard:

406—Plastics: Method of Testing.

(5) Federal Communications Commission:

47 CFR Part 83, Rules Governing Stations on Shipboard in the Maritime Service.

(6) Coast Guard specifications:

160.033—Mechanical Disengaging Apparatus (For Lifeboats).

160.034—Hand Propelling Gear (For Lifeboats).

161.006—Searchlights, Motor Lifeboat.

(b) *Copies on file.* Copies of the specifications and rules referred to in this section shall be kept on file by the manufacturer, together with the approved plans and certificate of approval. The Coast Guard Specifications may be obtained upon request from the Commandant, United States Coast Guard Headquarters, Washington, D.C., 20226. The A.S.T.M. Standards may be purchased from the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pa., 19103. The Military Specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120. The Federal Communications Commission's Rules and Regulations may be obtained from the Federal Communications Commission, Washington, D.C., 20554. Federal Specifications and Standards may be obtained from the General Services Administration, Business Service Center, Washington, D.C., 20405.

### § 160.035-2 General requirements for lifeboats.

(a) The requirements of this subpart apply to all new construction. Lifeboats approved and in use prior to the regulations in this subpart may be continued in service if in satisfactory condition.

(b) All lifeboats must be properly constructed and shall be of such form and proportions that they shall be readily maneuverable, have ample stability in a seaway, and sufficient freeboard when fully loaded with their full complement of persons and equipment. All lifeboats shall be capable of maintaining positive stability when open to the sea and loaded with their full complement of persons and equipment. All lifeboats must be open boats with rigid sides having internal buoyancy only. Lifeboats with a rigid shelter may be approved, provided that it may be readily opened from both inside and outside, and does not impede rapid embarkation and disembarkation or the launching and handling of the lifeboat.

(c) Lifeboats may be constructed of steel, aluminum, fibrous glass reinforced plastic (FRP), or other materials receiving specific approval: *Provided*, That, the weight of the fully equipped and loaded lifeboat shall not exceed 44,800 pounds, and the carrying capacity calculated in accordance with § 160.035-9 of this specification shall not exceed 150 persons.

(1) The thwarts, side benches and footings of lifeboats shall be painted or otherwise colored international orange in accordance with Federal Specification TT-P-59. The area in way of the red mechanical disengaging gear control lever, from the keel to the side bench, shall be painted or otherwise colored white, to provide a contrasting background for the lever. This band of white should be approximately 12 inches wide depending on the internal arrangements of the lifeboat.

(d) For the purpose of calculations and conducting tests, the weight of the persons shall be taken at 165 pounds each.

(e) Motor lifeboats are classified as follows:

(1) A Class 1 motor lifeboat is one that is fitted with a compression ignition engine, is capable of being readily started in all conditions, and has sufficient fuel for 24 hours continuous operation. The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be at least 6 knots.

(2) A Class 2 motor lifeboat shall meet the Class 1 requirements, and in addition, shall be fitted with a searchlight constructed in accordance with Subpart 161.006 of Subchapter Q (Specifications) of this chapter.

(3) A Class 3 motor lifeboat shall meet the Class 2 requirements, and in addition, shall be fitted with a radio cabin and a radio installation complying with requirements of the Federal Communications Commission.

### § 160.035-3 Construction of steel oar-propelled lifeboats.

(a) *Type*. Lifeboats shall have rigid sides and be fitted with internal buoyancy so arranged that the boats will float in the flooded condition when fully

loaded with persons and equipment. The capacity of an oar-propelled lifeboat is limited to a maximum of 59 persons. Lifeboats designed to carry 60 but not more than 100 persons shall be either hand-propelled or motor-propelled. Lifeboats designed to carry more than 100 persons shall be motor-propelled, except that a lifeboat designed to carry more than 100 persons may be hand-propelled if it is a replacement for a previously approved hand-propelled lifeboat.

(b) *Specifications*. The following specifications and schedule of lifeboat materials, including Table 160.035-3 shall be complied with unless other arrangements in matters of construction details, design, and strength, equivalent in safety and efficiency are approved by the Commandant.

(c) *Materials*. (1) Plating for shell, floors, air tanks, etc., shall be made by the open-hearth or electric furnace process in accordance with A.S.T.M. Standards A93 Class 125 Commercial. The bend tests required by these specifications shall be made after the galvanizing or other anticorrosive treatment has been applied.

(2) Rolled or extruded shapes such as keel, stem, sternpost, gunwales, etc., and rivets shall be made by the open-hearth or electric furnace process in accordance with A.S.T.M. Standard Specification A7. Consideration will be given to the use of other steels having equivalent strength where longitudinal cold forming is necessary.

(d) *Riveting*. (1) Where riveting is employed in the construction of the shell, double riveting shall be used. The centers of the rivets in the row nearest the edge of the sheet shall be not less than  $\frac{3}{8}$  inch nor more than  $\frac{1}{2}$  inch from the edge. Rivets shall be staggered with not less than 18 rivets to the foot and shall be countersunk head or button head rivets. The diameter of the rivets shall be not less than that shown in Table 160.035-3(d)(1).

TABLE 160.035-3(d)(1)

Plating thickness	Rivet diameter (inch)
18 USSG	$\frac{3}{8}$
16 USSG	$\frac{1}{2}$
14 USSG	$\frac{5}{16}$
13 USSG	$\frac{9}{16}$
12 USSG	$\frac{7}{16}$

(2) Riveting of the shell plating to the keel, stem, and sternpost shall be button head rivets, staggered with not less than 12 rivets to the foot. The distance from the edge of the plate to the centers of the rivets in the nearest row shall be not less than  $\frac{1}{2}$  inch nor more than  $\frac{3}{4}$  inch. Rivets connecting the shell to the gunwale shall be spaced not more than 3 inches on centers. The size of the rivets for connecting the shell plating to the keel, stem, sternpost, and gunwale shall be  $\frac{1}{4}$ -inch diameter for boats 28 feet and under, and  $\frac{5}{16}$ -inch diameter for boats over 28 feet.

(3) The connection of the floors to the shell shall be by a single row of rivets not less than  $\frac{5}{16}$  inch in diameter and spaced not more than 3 inches on centers.

(e) *Welding*. (1) Welding may be substituted for riveting in any location. It shall be performed by welders qualified

by the U.S. Coast Guard, American Bureau of Shipping, or U.S. Navy Department, and only approved electrodes shall be used. Details of the joints shall be indicated on the construction drawings submitted for approval.

(f) *Keel, stem and sternpost*. (1) Dimensions shall be not less than those shown in Table 160.035-3.

(2) The keel, stem, and sternpost shall be in not more than two lengths except in the case of a lifeboat of stern frame construction where three lengths may be used. The scarf shall have a length of nine times the thickness of the keel and shall be strapped and riveted. A double Vee butt weld may be used without straps.

(g) *Shell plating*. (1) The gage of the shell plating shall be not less than that shown in Table 160.035-3.

(2) Where increased thickness of bottom plating is called for by Table 160.035-3, the thicker plating shall be fitted to approximately the turn of the bilge.

(3) Doubling plates of suitable size shall be fitted on all lifeboats where the shell is liable to damage, wear, or corrosion from contact with chocks. Doublers shall be not less than the thickness of the bottom plating.

(4) All seam and butt laps shall be at least  $1\frac{1}{4}$  inches.

(5) The laps of joints on keel, stem, and sternpost shall be at least 2 inches.

(6) All seam and butt laps, laps of plating on keel, stem, and sternpost, shall be made over felt laid in wet red lead. Other methods will be given separate consideration.

(h) *Floors*. (1) Floors shall be fitted in lifeboats 24 feet in length and over.

(2) Floors shall be of a thickness not less than that of the bottom plating and shall be at least 6 inches deep at the centerline of the lifeboat, and shall be flanged  $1\frac{1}{2}$  inches top and bottom. The floors shall extend to approximately the turn of the bilge.

(3) The maximum floor spacing for boats 28 feet and under shall be 36 inches, and for boats over 28 feet but not exceeding 36 feet shall be 30 inches.

(4) Limber holes shall be cut in the floors and so located as to provide efficient drainage. The limber holes shall be so arranged that the load on the floors is taken by the keel as well as by the shell plating.

(i) *Gunwales*. (1) Dimensions of angular gunwales shall be not less than that shown in Table 160.035-3.

(2) The gunwales on each side of the lifeboat shall be in not more than two pieces. If the gunwales are fitted in two lengths, the joint shall be placed at approximately one-third of the length from the stem or stern of the boat and at opposite ends of the boat. The joint may be riveted or welded, and if riveted, the backing-up piece shall be angular in section of the thickness of the gunwale, and the length shall be not less than eight times the depth of the gunwale. A suitable butt weld may be used without backing-up bar.

(3) Flanged plates made from flat bars, dimensions of which shall be not less than that shown in Table 160.035-3, may be substituted for angle gunwales. The legs of the angles shall be approximately equal and the inside radius of the

bend shall be not less than 1/2 inch nor more than 3/4 inch. The vertical leg shall be outside of the sheer strake.

(4) Wood gunwales when installed in metal lifeboats shall be of clear grained oak or teak. They shall be of a size as listed in the table below. When in two lengths the scarp shall be located as outlined in subparagraph (2) of this paragraph. Scarps shall be of a good long bevel type stiffened on the under side by a piece of the same size and material as the gunwale and at least 2 feet in length. The lap of the wooden gunwale to the sheer strake shall be made over felt laid in wet red lead and the gunwale shall be secured to the sheer strake with fastenings placed on 3-inch centers.

TABLE 160.035-3(l)(4)

Length of lifeboat	Depth of gunwale	
	Inches	Inches
12 feet and not over 18 feet.....	1 1/4	2 1/4
Over 18 and not over 20 feet.....	1 1/2	2 3/4
Over 20 and not over 22 feet.....	2	2 3/4
Over 22 and not over 24 feet.....	2 1/4	2 3/4
Over 24 and not over 26 feet.....	2 3/4	2 3/4
Over 26 and not over 28 feet.....	2 3/4	2 3/4

(j) *Nosings.* (1) The outside of the gunwale angle shall have a nosing fitted to the gunwale of hollow steel, half round, 2 inches by 1/4 inch. If a flanged plate gunwale is used, a nosing will not be required.

(2) The outside of a wooden gunwale shall have a nosing of clear grain oak or teak, secured to the sheer strake and the gunwale by fastenings spaced on 6-inch centers which fastenings may be substituted for alternate fastenings between the gunwale and sheer strake. On boats not over 20 feet long, the flat side of the nosing shall be not less than 1 1/2 inches wide and 5/8 inch thick, on boats not over 24 feet in length it shall be not less than 1 3/8 inches wide by 1 inch thick, on all boats over 24 feet in length it shall be not less than 2 1/4 inches wide by 1 inch thick.

(k) *Gunwale braces.* (1) The brace shall be bent outboard at the thwart so that the bolts and nuts do not obstruct the seating space. The gunwales shall be secured to the thwarts by steel braces, bolts, and rivets as follows:

TABLE 160.035-3(k)(1)

Length of lifeboat	Brace size	Bolts and rivets	
		Diameter (inch)	
22 feet and under.....	3 x 1 1/4	3/4	
Over 22 feet and not over 28 feet.....	3 x 1 1/2	3/8	
Over 28 feet.....	3 x 3/4	3/4	

(2) The gunwale braces shall be bolted to the thwarts with at least two carriage bolts of a size not less than that noted in Table 160.035-3(k)(1) and riveted or welded to the gunwales. Where riveted to the gunwale, at least two rivets of a

size not less than that noted in the table above shall be used.

(3) Bracket type gunwale braces will be given special consideration.

(l) *Breast plates.* (1) Breast plates shall be fitted to the stem and stern post. The thickness of the breast plates shall not be less than the thickness of the leg of the gunwale and the depth of the throat of the plate shall not be less than twice the depth of the gunwale. The breast plates of the boats that have mechanical disengaging apparatus shall be extended to connect and reinforce the hoisting plates of the disengaging apparatus.

(2) Breast hooks for wooden gunwales shall be of the strap type, not less than 1 1/2 inches wide, nor less than 1/4 inch thick. The length of each leg of the breast hook shall be not less than 5 times the width of the gunwale. The inside strap shall be continuous and the outside strap may be in two pieces provided they are through riveted to the stem or stern post. The inner and outer straps shall be through riveted or bolted to each other through the gunwale and sheer strake by not less than three rivets or bolts on each side.

(m) *Seats.* (1) The thwarts, side benches, and end benches shall be of fir, yellow pine, or approved equivalent.

(2) The dimensions of the thwarts shall be not less than that shown in Table 160.035-3. The mast thwart, if cut out in way of the mast, shall be suitably increased in width so that the width in way of the mast is not less than that required for other thwarts.

(3) The number of thwarts shall not be less than that set forth in Table 160.035-3.

(4) The distance from the top of the thwarts to the top of the gunwale shall be not less than that shown in Table 160.035-3.

(5) The thwart ends shall be fitted between flanges, or may be installed on top of both flanges, of a thickness not less than the bottom shell plating and secured to the thwart by two bolts in addition to the bolts through the gunwale braces. Each flange shall be riveted to the shell with rivets of the same size as used to connect the side and bottom plating and spaced not less than ten to the foot. The flanges shall extend inboard to take the brace bolts and shall be 1 inch in width less than the thwart. The ends of the thwart shall be not less than 3/8 inch and not more than 3/4 inch from the shell.

(6) The edges of all thwarts, side, and end benches shall be well rounded.

(7) Suitable foot rests shall be furnished at a distance of between 17 to 20 inches below the thwarts and side benches. This may be accomplished by raising the footings from the bottom of the boat.

(8) Side and end benches shall be solid or close planked, not less than the following thicknesses:

TABLE 160.035-3(m)(8)

Length of lifeboat	Fir or pine		Plywood <sup>1</sup>
	Inch	Inch	
Up to 24 feet.....	3/4	3/4	
24 feet to and including 36 feet.....	1	3/4	

<sup>1</sup> Plywood, if used, shall be at least equal to Military Specification MIL-P-18066, Plywood, Ship and Boat Construction, Class 1, or Commercial Standard C8-45 for Douglas-Fir Plywoods Exterior Grades A-A, A-B, A-C, or B-B, "Marine Exterior".

(n) *Stretchers.* (1) Stretchers of sufficient size and strength shall be fitted in suitable positions for rowing.

(o) *Stanchions.* (1) Fir or yellow pine stanchions of a size not less than that shown in Table 160.035-3 shall be fitted in all lifeboats where the unsupported length of the thwarts exceeds 4 feet.

(p) *Footings.* (1) Fir, pine, or plywood footings, of a thickness not less than that shown in paragraph (m) (8) of this section, shall cover the bottom of the lifeboat between the side tanks. If fir or pine footings are used, they shall be not less than 7 1/2 inches wide or more than 9 1/2 inches wide and they shall be spaced not more than 2 inches apart.

(2) The footings shall be made readily detachable and so arranged that the drain plugs are at all times directly accessible without removing the footings.

(q) *Disengaging apparatus.* (1) Connections for the disengaging apparatus shall have a minimum factor of safety of six.

(2) For construction and capacity of disengaging apparatus, see Subpart 160.033.

(r) *Plugs.* (1) Each lifeboat shall be fitted with an automatic plug so designed and installed as to insure complete drainage at all times when the boat is out of the water. The automatic plug shall be provided with a cap attached to the lifeboat by a suitable chain.

(s) *Protection against corrosion.* (1) All steel or iron entering into the construction of lifeboats shall be galvanized by the hot dipped process. All fabricated pieces or sections are to be galvanized after fabrication. Other methods of corrosion prevention will be given special consideration.

(2) Where welded construction is employed, the material shall be galvanized after welding unless impractical to do so in which case consideration will be given to equivalent protection.

(3) Provisions shall be made to obtain a satisfactory bond between the metal and the paint.

(t) *Rudders.* (1) Each lifeboat for vessels in ocean, coastwise, and Great Lakes service shall be fitted with a rudder and tiller. The rudder shall be constructed of clear straight grained oak, properly strengthened with drifts or straps or plywood properly strengthened with straps of a thickness not less than that shown in Table 160.035-3.

## RULES AND REGULATIONS

The thickness may be reduced  $\frac{1}{8}$  inch if check pieces are fitted extending beyond the lower pintle connection. The oak rudder shall be stiffened across the bottom edge by a piece of wood of the same character or by a metal shoe. Plywood rudders shall be stiffened across the bottom edge by a metal shoe of a "U" type construction, with the fasteners located on the sides of the rudder in lieu of the bottom. Consideration will be given to the use of hollow metal rudders provided they are designed to float. Plywood, if used, shall be at least equal to Military Specification MIL-P-18066, Plywood, Ship and Boat Construction, Class 1, or Commercial Standard CS-45 for Douglas-Fir Plywoods Exterior Grades A-A, A-B, A-C, or B-B, "Marine Exterior". The rudders shall be fitted with a  $\frac{1}{2}$ -inch diameter manila lanyard of such length as to permit the rudder to be shipped without untying the lanyard.

(2) The lower attachment of the rudder to the sternpost shall be by a gudgeon and pintle. The upper attachment shall be of the triple or double gudgeon drop pin type. Where the double gudgeon type is used, the pin shall be attached to the rudder by a chain.

(3) A suitable hinged or pivoted tiller shall be provided.

(4) Rudder stops shall be provided to limit the rudder angle to approximately 45 degrees each side of the centerline.

(u) **Buoyancy tanks.** (1) All lifeboats shall have inherent buoyancy, or shall be fitted with buoyancy tanks or other equivalent noncorrodible buoyancy units, which shall not be adversely affected by oil or oil products, sufficient to float the boat and its equipment when the boat is flooded and open to the sea. An additional volume of buoyancy, or buoyancy units, equal to at least one-tenth the cubic capacity of the lifeboat shall be provided.

(2) At least 50 percent of the buoyancy shall be located along the sides of the boat and it shall be so located that the boat will be on even keel when flooded.

(3) The tops of the buoyancy tanks or buoyancy units shall be protected by the side benches or other suitable means. The construction shall be such that water will not collect on the tops of the tanks.

(4) The buoyancy tanks shall have a name plate attached in such a location as to be visible from within the boat. The name plate shall be in accordance with subparagraph (7) (iv) of this paragraph.

(5) Buoyancy tanks shall be double riveted and caulked, hook jointed and soldered, or welded.

(6) **Independent buoyancy tanks.**

(i) Independent buoyancy tanks shall be securely fastened in such a manner that they may be temporarily removed for inspection purposes. Fastenings shall not pierce the buoyancy tanks.

(ii) The material for the buoyancy tanks shall be of a thickness not less than that noted below:

Capacity (cubic feet)	USSG
Not over 6.....	22
Over 6, not over 15.....	20
Over 15.....	18

(iii) A bolted inspection plate shall be provided in such a location that the tank will be accessible for inspection and repair.

(iv) Each independent buoyancy tank shall be filled with buoyancy material. The amount of material required shall be determined by the flooding test in accordance with § 160.035-11(b) (2). The buoyancy materials used shall meet the requirements set forth for core material in subparagraph (7) (ii) of this paragraph.

(7) **Independent buoyancy units.** (i) Buoyancy units shall be securely fastened in such a manner that they may be temporarily removed for inspection purpose. Fastenings shall not pierce the buoyancy units.

(ii) The materials for the buoyancy units shall be as follows:

TABLE 160.035-3(a)(7)

Core.....	Polystyrene.....	MIL-P-40619.
		MIL-P-19644.
		MIL-P-21929.
Density.....	Polyurethane.....	Nominal. <sup>1</sup>
Cover, FRP <sup>2</sup> .....	2.0 lbs./cu. ft.....	MIL-C-10663.
	Woven roving.....	MIL-M-18617.
	Mst.....	MIL-Y-1140.
	Cloth and tape.....	

<sup>1</sup> The density required shall be a nominal 2.01 lbs./cu. ft. This contemplates a range of 1.5 to 2.5 lbs./cu. ft. density provided all of the requirements of a 2.0-lb. pour are met.

<sup>2</sup> The cover is to be reinforced with a polyester, or epoxy resin, having a minimum thickness of 0.06. The resin shall be fire retardant in accordance with Military Specification MIL-R-21607.

(iii) The buoyancy units shall have a nameplate attached in such a location as to be visible from within the boat.

(iv) The nameplate shall be made of a noncorrosive metal or of suitable plastic, attached in a permanent manner and contain the following information:

## Lifeboat buoyancy unit or tank

Type (or model) .....

Cubic feet .....

Weight .....

Date .....

Name and address of the manufacturer .....

(v) The volume of buoyancy units required shall be determined in accordance with the method set forth for buoyancy tanks in § 160.035-11(b) (2).

(8) **Built-in buoyancy tanks.** (i) A bolted inspection plate shall be provided in such a location that the tank will be accessible for inspection and repair.

(ii) The tops and sides of all built-in buoyancy tanks shall not be less than 14 USSG, except that 16 USSG may be used at the ends if severe forming is necessary. All bulkheads of built-in buoyancy tanks shall be not less than 16 USSG.

(iii) Each built-in buoyancy tank shall be filled with buoyancy material. The amount of material required shall be determined by the flooding test in accordance with § 160.035-11(b) (2). The buoyancy materials used shall meet the requirements set forth for core materials

in subparagraph (7) (ii) of this paragraph.

(v) **Equipment stowage.** (1) Provision lockers, water tanks, and special equipment lockers shall be watertight and so designed and located as to fit under the side benches, end benches, or footings without projecting into the accommodation spaces of the lifeboat. In special cases, stowage under the thwarts will be permitted. Standard  $\frac{1}{4}$ -inch pipe size testing nipples shall be fitted to all such lockers or tanks.

(2) Water tanks shall be constructed of at least 18 USSG material. An opening with a dogged type cover shall be provided for removal of water cans. This opening shall be at least 7 inches in diameter, but in any case shall be of sufficient size that all water cans can be removed. In addition, built-in water tanks shall have an opening at least 13 inches in diameter with a bolted cover for the purpose of inspection and maintenance. A 2-inch diameter fill cap shall be installed for the purpose of storing rain water. A standard  $\frac{1}{4}$ -inch pipe size drainage nipple with hexagonal cap shall be fitted in the bottom of the tank in an accessible location and may be used for air testing the water tank.

(w) **Grab rails.** (1) Grab rails shall be substantially attached to each lifeboat below the turn of the bilge and extend approximately one-half of the length of the lifeboat on each side. The ends of the grab rails shall be faired to prevent fouling and all connections of the rails to the lifeboat shall be made by riveting the palms of the brackets to a small plate and riveting the plate to the shell. To prevent rupture of the shell if the grab rail is carried away, more rivets shall be used in attaching the plate to the shell than in fastening the bracket to the plate. The clearance between the grab rail pipe and the hull shall be at least  $1\frac{1}{2}$  inches. The connections of the rails to a fibrous glass reinforced plastic lifeboat hull, will be given special consideration.

(x) **Hand rails.** (1) All lifeboats intended for use in ocean and coastwise service shall be fitted with hand rails approximately 18 inches in length, constructed and attached to the lifeboat in the same manner as the grab rails required by paragraph (w) of this section. The clearance between the hand rail pipe and the hull shall be at least  $1\frac{1}{2}$  inches. The hand rails shall be located approximately parallel to and at both ends of the grab rails and spaced midway between the grab rail and the gunwale and midway between the grab rail and the keel on both sides of the lifeboat, provided that, when the distance from grab rail to gunwale or to the keel exceeds 4 feet, two hand rails shall be fitted so as to provide equal spacing. In no case shall the hand rails project beyond the widest part of the boat. Recessed hand rails or other alternate arrangements will be given consideration.

TABLE 160.035-3

Length of boat not over (feet)	Bar keel, stem, and sternpost (inches)	Gunwales		Shell plating		Thwarts			Stanchions (inches)	Painter shackles (nominal size)	Rudder thickness (inches)
		Angle bar (inches)	Flanged flat bar (inches)	Side (USSG)	Bottom (USSG)	Number required	Distance from top of thwart to top of gunwale (inches)	Size (inches)			
12.0	2 1/2 x 3/4	2 x 1 1/2 x 3/4	3 1/2 x 3/4	18	18	4	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1
14.0	2 1/2 x 1 1/2	2 x 1 1/2 x 3/4	3 1/2 x 3/4	18	18	4	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1
16.0	2 1/2 x 1 1/2	2 x 1 1/2 x 3/4	3 1/2 x 3/4	18	18	4	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1
18.0	2 1/2 x 1 1/2	2 x 2 x 3/4	4 x 3/4	18	18	4	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1
20.0	2 1/2 x 1 1/2	2 x 2 x 3/4	4 x 3/4	16	16	5	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1
22.0	2 1/2 x 1 1/2	2 x 2 x 3/4	4 x 3/4	16	14	5	9	1 1/2 x 7 1/2	1 1/2 x 3 1/2	3/4	1 1/4
24.0	3 x 3/4	2 1/2 x 2 x 3/4	4 1/2 x 3/4	16	14	5	10	1 1/2 x 9 1/2	1 1/2 x 5 1/2	3/4	1 1/4
26.0	3 x 3/4	2 1/2 x 2 x 3/4	4 1/2 x 3/4	14	13	6	10	1 1/2 x 9 1/2	1 1/2 x 5 1/2	3/4	1 1/4
28.0	3 1/2 x 3/4	2 1/2 x 2 1/2 x 3/4	5 x 3/4	13	12	6	10	1 1/2 x 9 1/2	1 1/2 x 5 1/2	3/4	1 1/4
30.0	3 1/2 x 3/4	2 1/2 x 2 1/2 x 3/4	5 x 3/4	13	12	7	11	1 1/2 x 9 1/2	1 1/2 x 5 1/2	3/4	1 1/4
32.0	4 x 3/4	2 1/2 x 2 1/2 x 3/4	5 x 3/4	13	12	7	11	1 1/2 x 11 1/2	1 1/2 x 5 1/2	3/4	1 1/4
34.0	4 x 3/4	2 1/2 x 2 1/2 x 3/4	5 x 3/4	12	12	8	11	1 1/2 x 11 1/2	1 1/2 x 5 1/2	3/4	1 1/4
36.0	4 x 1	2 1/2 x 2 1/2 x 3/4	5 x 3/4	12	12	8	11	1 1/2 x 11 1/2	1 1/2 x 5 1/2	3/4	1 1/4

Note: Hoisting shackles, if provided, shall have a factor of safety of 6 based on the lowering weight of the fully loaded lifeboat.

§ 160.035-4 Construction of steel hand-propelled lifeboats.

(a) A hand-propelled lifeboat shall comply with all the requirements for an oar-propelled lifeboat, and in addition, shall have sufficient additional buoyancy to compensate for the weight of the hand-propelling gear.

(b) The hand-propelling gear shall be of an approved type and shall be substantially constructed and securely fitted in the lifeboat. The design shall be such that the lifeboat may be readily maneuvered from the ship's side after being launched and steering way maintained under adverse weather conditions. Provisions shall be made for going astern. The hand-propelling gear shall propel the lifeboat with only a normal amount of effort while maintaining an average speed of not less than 3 knots over a measured course of not less than 1,000 feet.

(c) The hand-propelling gear shall be so designed that it may be operated by persons untrained in its use, and shall be operable when the boat is flooded.

(d) For construction of Hand-Propelling Gear, See Subpart 160.034.

§ 160.035-5 Construction of steel motor-propelled lifeboats with and without radio cabin.

(a) General provisions applicable to all motor-propelled lifeboats. (1) A motor-propelled lifeboat, carried as part of the lifesaving equipment of a vessel, whether required or not, shall comply with all the requirements for an oar-propelled lifeboat, and in addition, shall have sufficient additional buoyancy to compensate for the weight of the engine and other equipment.

(2) The engine shall be enclosed in a suitable engine box which shall be watertight with the exception of the top which may be weathertight. If the engine box is made of material other than steel or aluminum, such as fibrous glass reinforced plastic, it shall be made of fire retardant material. The top of the engine box shall be fitted with a screw-

down mushroom vent. The engine box shall be fitted with a suitable drain. There shall be ample space between the engine and the engine box to permit proper maintenance and removal of engine accessories when necessary. If the internal arrangements of the engine in the engine box does not permit this, then suitable watertight hand-hole plates shall be installed in the vicinity of these accessories. The location of these plates and the accessibility to the accessories shall be to the satisfaction of the marine inspector. The marine inspector may require the removal of any accessory through these hand-hole plates that he may deem necessary to establish that it is of proper size and location.

(3) Fuel tanks shall be constructed of steel, fibrous glass reinforced plastic or other approved equivalent. Fuel tanks shall be adequately supported and securely fastened inside the lifeboat to prevent any movement. Fuel tanks shall have no openings in the bottom, sides or ends. Openings for fill, vent and feed pipes shall be on the top surface of the tanks. The access openings in the thwarts for the fill tank cap shall have a flush cover or the top of the cap shall be flush with the top of the thwart. Fuel tanks shall be provided with a shut off valve at the tank, where it is readily accessible and the location marked. Tanks shall be designed with a factor of safety of not less than 4, and shall be tested by a static head above the tank top of 10 feet of water without showing leakage or permanent deformation. A graduated measurement stick or other means shall be provided to determine the amount of fuel in the tank.

(i) Steel diesel oil fuel tanks shall have a thickness of not less than 12 USSG and shall not be galvanized on the inside; however, the outside of such tanks shall be so treated as to obtain a corrosion resistance approximately equivalent to hot-dip galvanizing. Swash plates shall be fitted in tanks over 30 inches in length.

(ii) Fibrous glass reinforced plastic diesel oil fuel tanks shall have a thickness

of not less than 0.187 inch. The resins used shall be of a fire retardant type and shall qualify under military specification MIL-R-21607. The mechanical properties of the tank shall not be less than Grade No. 4 of military specification MIL-P-17549. Mat, woven roving and 1000th cloth shall be used. Tank laminates shall not be constructed exclusively with fibrous glass fabrics. An increment of random oriented, chopped fibrous glass reinforcement is deemed necessary to prevent porosity. An ounce and a half per square foot is considered minimum. Inclusion of fabrics in low pressure laminates are recommended to impart satisfactory containment, strength, and rigidity. For maximum strength, tank surfaces should be cambered and curved where practical. Fittings shall be made of nonferrous metal and securely bonded to the tank with epoxy resin. A fibrous glass reinforced plate or boss of the same thickness as the tank proper and 1 1/2 times the outside dimensions of the fitting shall be used to strengthen the openings for fuel, fill and vent lines. Tanks shall be constructed of a minimum possible number of sections. Where two parts are joined there shall be a minimum of 2-inch overlap. Tanks exceeding 18 inches in any horizontal dimension shall be fitted with vertical baffle plates at intervals not exceeding 18 inches. Baffle plate flanges shall be integral and shall be of the same strength and stiffness as the tank wall. Flanges shall be bonded in place with mat and fabric. A suitable striking plate shall be installed at the bottom of the fuel measurement and fill pipe line. The laminate may be increased in thickness, in the way of the fill pipe. The cover of the fuel tank shall be through bolted as well as bonded. All fuel tanks shall bear legible, permanent labels, conveniently located for visual inspection, signifying full compliance with these specifications and including the following:

- (a) Manufacturer's name and address.
- (b) Date of construction and the inspector's initials.

(c) Wall thickness (in decimals of one inch) and capacity U.S. gallons.

(d) Material of construction: Polyester—Glass.

(4) Propeller shafting shall be of bronze or other suitable corrosion resistant materials. Fittings, pipes, connections, etc., shall be of high standard and good workmanship, and installed in accordance with good marine practice. The exhaust manifold shall be suitably insulated.

(5) All engines shall be permanently installed and shall be equipped with an efficient cranking system. This system shall be one that can be operated by hand, such as a hand cranking, hydraulic cranking, or inertia cranking system, acceptable to the Commandant. If an electric cranking system consisting of an electric starter motor, generator and batteries are fitted, it shall be in addition to the required acceptable cranking system, the battery or batteries shall be installed within the watertight engine box. The battery box shall be so constructed as to retain the battery in position when the lifeboat is in a seaway. The battery box shall be 1 inch longer and 1 inch wider than the battery and shall be lined with 4-pound lead flashed up 3 inches on the sides and ends. The battery box may be made of fibrous glass reinforced plastic using a fire-retardant epoxy resin. This type of battery box will not be required to be lead lined.

(i) *Engines.* The engine shall be a reliable, marine, compression-ignition type and shall be capable of propelling the fully equipped and loaded lifeboat at a sustained speed of not less than 6 knots through smooth water over a measured course. Provision shall be made for going astern. Sufficient fuel for 24 hours continuous operation at 6 knots shall be provided. The engine used in approved lifeboats shall be capable of being started without the use of starting aids at a temperature of 20° F., by the use of an acceptable cranking system. If water cooled, the engine shall be equipped with a closed fresh water cooling system. This system shall be cooled by a secondary medium, such as a water cooled heat exchanger.

(ii) The hydraulic cranking system shall be a self-contained system which will provide the required cranking forces and engine r.p.m. as recommended by the engine manufacturer. The capacity of the hydraulic cranking system shall provide not less than six cranking cycles. Each cranking cycle shall provide the necessary number of revolutions at the required r.p.m. to the engine to meet the requirements of carrying its full rated

load within twenty seconds after cranking is initiated with intake air and hydraulic cranking system at 20° F. Capacity of the hydraulic cranking system sufficient for three cranking cycles under the above conditions, shall be held in reserve and arranged so that the operation of a single control by one person will isolate the discharged or initially used part of the system and permit the reserve capacity to be employed. The hydraulic cranking system shall consist of a hydraulic cranking motor, control valve, high pressure filter, 3-gallon reservoir (minimum), hand pump, and two accumulators (with protective relief valves) of a minimum capacity of 1½ gallons each. Each accumulator shall be fitted with an adequate pressure gauge (5,000 p.s.i.), located in such a position that it can readily be seen by the engine operator. The hand operated recharging pump shall be located to provide easy attachment and unobstructed operation of the portable handle. The installation of an engine-driven pump is recommended but is not required. The hydraulic cranking system shall meet the requirements outlined in §§ 54.01-1(e), 54.01-1(e)(3), 55.17, 57.05-1, 61.25-5(c),<sup>1</sup> 61.25-20, 61.30-5(d),<sup>1</sup> 61.30-10(c),<sup>1</sup> and 61.40-5 of this chapter.

(6) The following tools to perform emergency repairs and ordinary servicing shall be provided:

- One 12 oz. ball peen hammer.
- One screwdriver with 6-inch blade.
- One pair of 8-inch slip joint pliers.
- One 8-inch adjustable end wrench.
- One Phillips or cross head screwdriver with a 6-inch blade.

(b) *Steel motor-propelled lifeboats without radio cabin or searchlight (Class 1).* (1) The engine shall be a reliable marine type and shall be in accordance with paragraph (a)(5)(i) of this section. If a starting battery is supplied, the engine shall be fitted with a marine type generator or alternator insulated as required by AIEE rules for marine service capable of charging the starting batteries. The battery box shall be in accordance with paragraph (a)(5) of this section.

(c) *Steel motor-propelled lifeboats without radio cabin but with searchlight (Class 2).* (1) The engine shall be of a reliable marine type and shall be in accordance with paragraph (a)(5)(i) of this section. The lifeboat shall be equipped with a searchlight constructed

<sup>1</sup> The hydraulic system when used in lifeboats as engine cranking systems shall be leak-tested at the specified operating pressure after installation.

in accordance with Subpart 161.006 of this Subchapter Q (Specifications). The engine shall be fitted with a marine type generator or alternator insulated as required by AIEE rules for marine service capable of charging the batteries used for the searchlight as well as the starting batteries, if fitted. The battery box shall be in accordance with paragraph (a)(5) of this section.

(d) *Steel motor-propelled lifeboats with radio cabin and searchlight (Class 3).* (1) The engine shall be a reliable, marine type and shall be in accordance with paragraph (a)(5)(i) of this section. The engine shall be fitted with a marine type generator or alternator insulated as required by AIEE rules for marine service, capable of charging the batteries used for the radio and searchlight as well as the starting battery, if fitted.

(2) The radio and source of power for the radio and the searchlight shall be housed and protected from the elements by a suitable radio cabin. The entire installation shall comply with the requirements of the Federal Communications Commission, Rules Governing Stations on Shipboard in the Maritime Services. The radio cabin shall be of a size to contain the radio and source of power for the radio and searchlight, and the operator of the equipment. The top and sides of the radio cabin shall be watertight with the exception of the door which need not be watertight but shall be at least weathertight. The installation of the radio cabin shall take into consideration the concentration of weight in this area.

(3) The searchlight shall be of an approved type constructed in accordance with specification Subpart 161.006 of this subchapter and shall be securely mounted on top of the radio cabin.

(4) The batteries shall be installed in a box securely fastened inside the radio cabin. The battery box shall be in accordance with paragraph (a)(5) of this section.

#### § 160.035-6 Construction of aluminum oar-, hand-, and motor-propelled lifeboats.

(a) *General.* Aluminum lifeboats shall comply with the general requirements for the construction and arrangement of steel lifeboats unless otherwise specified.

(b) *Specifications.* The following specifications and schedules of lifeboat material, including Tables 160.035-6, and 160.035-6(d)(1) shall be complied with unless other arrangements in matters of construction details, design, and strength equivalent in safety and efficiency are approved by the Commandant.

TABLE 160.035-6—ALUMINUM LIFEBOATS

Length of boat not over—	Bar keel, stem and sternpost	Gunwales <sup>1</sup>		Shell plating (Brown and Sharpe gage) <sup>2</sup>											
		Angle bar	Flanged flat bar	Independent air tanks				Built-in-air tanks							
				5086-H112		6061-T6		5082-H32		6061-T6					
Feet	Inches	Inches	Inches	Side	Bottom	Side	Bottom	Side	Bottom	Inner shell	Bulk-heads	Side	Bottom	Inner shell	Bulk-heads
12.0	2 1/4 x 3/4	2 1/4 x 2 x 3/4	4 x 3/4	14	14	14	14	14	14	14	14	14	14	15	15
14.0	2 1/4 x 3/4	2 1/4 x 2 x 3/4	4 x 3/4	14	14	14	14	14	14	14	14	14	14	15	15
16.0	2 1/4 x 3/4	2 1/4 x 2 1/4 x 3/4	4 1/2 x 3/4	14	14	14	14	14	14	14	14	14	14	15	15
18.0	3 x 3/4	2 1/4 x 2 1/4 x 3/4	4 1/2 x 3/4	14	14	14	14	14	14	14	14	14	14	15	15
20.0	3 x 1	2 1/4 x 2 1/4 x 3/4	5 x 3/4	13	13	13	13	13	13	13	13	13	13	14	14
22.0	3 x 1	2 1/4 x 2 1/4 x 3/4	5 x 3/4	12	12	12	12	12	12	12	12	12	12	13	13
24.0	3 1/4 x 1	2 1/4 x 2 1/4 x 3/4	5 x 3/4	11	11	11	11	11	11	11	11	11	11	12	12
26.0	3 1/4 x 1	2 1/4 x 2 1/4 x 3/4	5 x 3/4	10	9	11	10	11	10	12	12	11	11	13	13
28.0	3 1/4 x 1	2 1/4 x 2 1/4 x 3/4	5 x 3/4	9	8	10	9	10	9	12	12	11	10	13	13
30.0	4 x 1	3 x 2 1/4 x 3/4	5 1/2 x 3/4	9	8	9	8	9	8	11	11	10	9	12	12
32.0	4 x 1	3 x 2 1/4 x 3/4	5 1/2 x 3/4	8	7	9	8	9	8	11	11	10	9	12	12
34.0	4 x 1	3 x 2 1/4 x 3/4	5 1/2 x 3/4	8	7	8	7	8	7	10	10	9	8	11	11
36.0	4 x 1	3 x 2 1/4 x 3/4	5 1/2 x 3/4	7	6	8	7	8	7	10	10	9	8	11	11

<sup>1</sup> Extruded shapes having substantially the scantlings of the angle bar gunwale are permitted. Where extruded shapes are used, a nosing as per 160.035-3(j) is not required provided the extruded shape has at its heel a generously rounded curve.  
<sup>2</sup> Brown and Sharpe gage decimal values: 15 gage equals 0.05707; 14 gage equals 0.06408; 13 gage equals 0.07106; 12 gage equals 0.08081; 11 gage equals 0.09074; 10 gage equals 0.1019; 9 gage equals 0.1144; 8 gage equals 0.1285; 7 gage equals 0.1443; and 6 gage equals 0.1620.

(c) **Materials.** (1) Plating for shell, air tanks, etc., shall be as shown in Table 160.035-6.

(d) **Riveting.** (1) Where riveting is employed in the construction of the shell, double riveting shall be used. The double riveting shall be used. The centers of the rivets in the row nearest the edge of the sheet shall not be less than 3/8 inch nor more than 1/2 inch from the edge. Rivets shall be staggered with not less than 18 rivets to the foot and shall be countersunk head or button head rivets. The diameter of the rivets shall be not less than that shown in Table 160.035-6(d) (1).

(2) The rivet alloy shall be 6053-T61 for all applications.

(3) Riveting of the shell plating to the keel, stem and sternpost shall be button head rivets, staggered with not less than 12 rivets to the foot. The distance from the edge of the plate to the center of the rivets in the nearest row shall be not less than 1/2 inch nor more than 3/4 inch. Rivets connecting the shell to the gunwale shall be spaced not more than 3 inches on centers. The size of the rivets for connecting the shell plating to the keel, stem, and sternpost and gunwale shall be not less than that shown in Table 160.035-6(d) (1).

(4) The connection of the floors to the shell shall be made by a single row of rivets of a size not less than that shown in Table 160.035-6(d) (1).

the bottom plating. When the doublers are installed, they shall not be less than 6 inches in width.

(ii) The doublers shall be fastened to the shell plating with the same rivets as required for the shell plating and they shall be staggered with no less than 18 rivets per foot around all edges of the doubler plate.

(iii) Prior to riveting, the complete surface between the shell plating and the doublers shall be treated with suitable insulating compounds. After riveting the faying joints shall be caulked.

(iv) All riveted seams and butt laps, laps of plating on the keel, gunwale, stem and sternpost, shall be made over boundary bar tape such as: P.A.W. tape, Tran-tex V-20 vinyl tape, EC-1202 Butyl rubber tape, Alumilastic or suitable equivalent nonabsorbing materials. In general the insulating tape should be 1/4 to 1 1/2 inches in width. Under no circumstances should red lead be applied nor should an absorbent felt be used as tape in the riveted joint whether or not it is saturated with red lead.

(h) **Gunwales.** (1) Dimensions of angular gunwales shall be not less than that shown in Table 160.035-6.

(2) Flanged plates made from flat bars, dimensions of which shall not be less than that shown in Table 160.035-6, may be substituted for angular gunwales.

(i) **Dissimilar metals.** (1) Where in the construction of aluminum lifeboats the use of dissimilar metals are employed such as, the installation of the mechanical disengaging gear, hand propelling gear, or engine, suitable insulation between the aluminum and these metals shall be used. Porous or absorbent materials shall not be used as insulating materials. Only non-porous materials such as plastics, rubber or neoprene base compounds, or micarta shall be used. Other suitable material will be given separate consideration. Fasteners used in joining dissimilar metals together shall be of the type that will minimize corrosion.

TABLE 160.035-6(d) (1)—RIVETING

Length of boats, not over—(feet)	Shell (Inch No./ft.)	Shell to keel (Inch No./ft.)	Floors	Gunwales (Inch No./ft.)
12.0	5/8 @ 18	3/4 @ 12	3/4" @ 4 per foot or 5/8" @ 6 per foot.	5/8 @ 4
14.0	5/8 @ 18	3/4 @ 12		5/8 @ 4
16.0	5/8 @ 18	3/4 @ 12		5/8 @ 4
18.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
20.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
22.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
24.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
26.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
28.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
30.0	5/8 @ 24	3/4 @ 12		5/8 @ 4
32.0	5/8 @ 24	3/4 @ 12	5/8 @ 4	
34.0	5/8 @ 24	3/4 @ 12	5/8 @ 4	
36.0	5/8 @ 24	3/4 @ 12	5/8 @ 4	

(e) **Welding.** (1) Welding may be substituted for riveting in the following locations: Holst plate to keel, disengaging gear grace plate to stem and sternpost, rudder attachment fitting to the sternpost, and the propeller shaft stern tube to the sternpost. When using 6061-T6 aluminum, the welded area is to be heat-treated and checked by X-ray to assure a satisfactory weld. When using 5086-H 112 aluminum, the welded area is to be checked by a nondestructive test method such as X-ray, ultrasonic waves or fluorescent materials, to assure a satisfactory weld. Other methods of checking aluminum welds will be given separate consideration. The welding shall be performed by a welder qualified

by the U.S. Coast Guard, American Bureau of Shipping, or U.S. Navy Department, and only suitable electrodes shall be used. Details of the joints shall be indicated on the construction drawings submitted for approval.

(f) **Keel, stem and sternpost.** (1) Dimensions shall be not less than those shown in Table 160.035-6.

(g) **Shell plating.** (1) The thickness of the shell plating shall be not less than that shown in Table 160.035-6.

(2) **Doubler plates.** (i) The doubler plates shall be fitted on all lifeboats where the shell is liable to damage, wear, or corrosion from contact with chocks, gripes, etc. Doublers shall be of the same alloy and not less in thickness than

§ 160.035-7 Construction of wood oar-, hand-, and motor-propelled lifeboats.

(a) Wooden lifeboats are prohibited on tank vessels. No specification requirements for new construction are in effect at this time.

§ 160.035-8 Construction of fibrous glass reinforced plastic (F.R.P.), oar-, hand-, and motor-propelled lifeboats.

(a) *General requirements.* (1) Plastic lifeboats shall comply with the general requirements for the construction and arrangement of steel lifeboats, except that unless otherwise specified, materials, scantlings, methods of construction, fastenings, methods of attachment of component parts, and other specific construction details may be varied by the builder in order to produce a structurally sound boat meeting in every respect recognized standards of first class construction and one which will satisfactorily meet the performance requirements set forth in this subpart.

(2) Fibrous glass reinforced plastic lifeboats may be of the following categories of hull construction:

- A—Single piece, outer hull construction.
- B—Two piece, outer hull construction.
- C—Single piece, inner hull construction.
- D—Two piece, inner hull construction.
- E—Multi-piece, inner hull construction.

(b) *Specific requirements.* (1) *Resin.* The resin shall be qualified under the requirements of Military Specification MIL-R-21607. Class A resin shall be fire retardant without additives. Class B resin shall be fire retardant with additives. When Class B resin is used for the prototype lifeboat, additives for fire retardancy shall not be used in order to obtain a translucent laminate for inspection purposes. This prototype test lifeboat will not be stamped approved, nor will it be acceptable for merchant vessels. Whichever class of resin the manufacturer decides to use for his prototype lifeboat, shall be used in his production lifeboats. A note to this effect shall be included in his specifications and drawings for this particular size and type lifeboat.

(2) *Glass reinforcement.* All glass, cloth, mat, or woven roving shall be of a type having good laminated wet strength retention.

(3) *Laminate.* All exposed surfaces of the finished laminate shall present a smooth finish, and there shall be no protruding surface fibers, open voids, pits, cracks, bubbles or blisters. The laminate shall be essentially free from resin starved or over impregnated areas, and no metal staples, paper tape or other foreign matter shall remain in the finished laminate. The entire laminate shall be fully cured and free of tackiness, and shall show no tendency to delaminate, peel, or craze in any overlay. For the prototype boat of each design made by each individual manufacturer, the lay up shall be made with unpigmented clear resins so that all details of construction will be visible for inspection.

(4) *Weights of F.R.P. lifeboats.* (1) The variations in weight between the

fibrous glass reinforced plastic in the prototype F.R.P. lifeboat and the fibrous glass reinforced plastic in the production F.R.P. lifeboat shall be within 5 percent. This weight shall be for the F.R.P. sections only and shall not include the weight of any hardware or equipment.

(ii) When assembling two similar sections as indicated by categories B and D of paragraph (a) (2) of this section, the weights of the matching F.R.P. pieces shall be within 5 percent of each other.

(iii) The recorded weights of the items indicated in subdivisions (i) and (ii) of this subparagraph shall be kept by the manufacturer, with each boat listed by size, type, and serial number.

§ 160.035-9 Cubic capacity of lifeboats.

(a) *Definitions.* The following definitions apply to the measurement of a lifeboat to determine its cubic capacity.

(1) *Length (L).* The length is the distance in feet from the inside of the plating or planking at the stem to the corresponding position at the stern. In the case of a boat with a square stern, the after terminus is the inside of the transom.

(2) *Breadth (B).* The breadth is the distance in feet over the plating or planking at the point where the breadth of the boat is greatest.

(3) *Depth (D).* The depth is the distance in feet amidships inside the plating from the top of the keel to the level of the gunwale. The depth used for calculating purposes shall not exceed 45 percent of the breadth.

(4) *Sheer.* Lifeboats shall have a sheer at each end at least equal to 4 percent of the length, and a sheer at the quarter points of at least 1 percent of the length. If less sheer is provided, the depth used to determine the cubic capacity shall be assumed to be reduced so as to achieve this minimum sheer.

(b) *Formula.* The cubic capacity shall be determined by the following formula:

$$L \times B \times D \times 0.64$$

In the case of lifeboats with unusual proportions, the Commandant may require that the cubic capacity be calculated by

exact measurements from which the exact seating capacity may be determined.

(c) *Hand-propelled lifeboat.* The cubic capacity of a hand-propelled lifeboat shall be determined in the same manner as an oar-propelled lifeboat and then deducting from the gross volume, a volume equal to that occupied by the hand-propelling gear.

(d) *Motor-propelled lifeboat.* The cubic capacity of a motor-propelled lifeboat shall be determined in the same manner as an oar-propelled lifeboat and then deducting from the gross volume, a volume equal to the engine box and accessories, and when carried, the radio cabin, searchlight, and their accessories. The volume of such equipment extending above the sheer line need not be deducted.

§ 160.035-10 Number of persons allowed in lifeboats.

(a) The maximum number of persons for which the lifeboat may be rated is determined as noted in subparagraphs (1), (2), and (3) of this paragraph. The smallest number obtained is the number to be used.

(1) The number of persons which a lifeboat shall be permitted to accommodate shall be equal to the greatest whole number obtained by dividing the capacity in cubic feet by the factor shown in Table 160.035-10(a). The net cubic capacity shall be determined by § 160.035-9 (b).

TABLE 160.035-10(a)

Length in feet—		Factor
Of—	But less than—	
18	18.....	14
20	20.....	13
22	22.....	12
24	24.....	11
24	Or over.....	10

(2) The number of persons permitted in the lifeboat shall not exceed the number for which seating space is provided as determined by drawing figures to scale of a size as noted in Figure 160.035-10(a) (2) on an arrangement plan of the lifeboat.

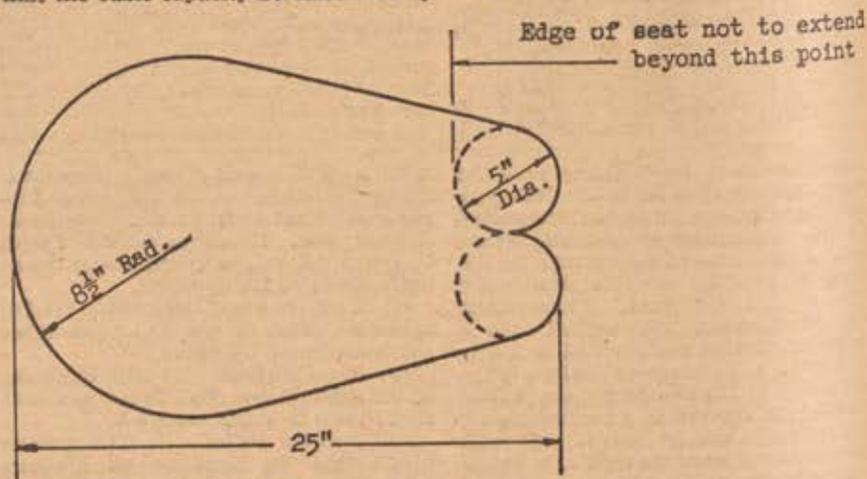


FIGURE 160.035-10(a) (2)

(3) The number of persons permitted in the lifeboat shall not exceed the number of persons wearing life preservers which can be seated in the lifeboat without interfering with the use of the oars or the operation of other propulsion equipment.

§ 160.035-11 Inspection and testing of lifeboats.

(a) *General.* Coast Guard marine inspectors shall be admitted to any place in the builder's factory where work is done on these lifeboats or component materials or parts. Lifeboats shall be inspected during the course of construction to determine that the arrangements and materials entering into the construction are in accordance with approved plans, and to insure that the workmanship is of good quality. Samples of materials entering into construction may be taken by the marine inspectors for such tests as may be deemed necessary at any time there is any question as to suitability or adequacy of any material or arrangement.

(b) *Preapproval tests.* Before approval is granted to any design of lifeboat, the following tests shall be made by a marine inspector:

(1) *Strength test.* The light lifeboat shall be suspended by shackles at the bow and stern, or by means of the releasing gear, and the length, beam, and depth shall be measured. Weights shall then be added to equal the weight of the equipment, food, water, etc., and persons for which the boat is to be approved, and the length, beam, and depth measured. Additional weight shall then be added so that the suspended load is 25 percent greater than the weight of the fully equipped and loaded lifeboat and the measurements repeated. All weights shall then be removed and the measurements rechecked. There shall be no appreciable set as a result of this test.

(2) *Flooding test.* Lifeboats shall be flooded while open to the sea to determine the amount of buoyancy necessary to float the complete boat including releasing gear but with no equipment, provision lockers, water tanks, or fuel tanks aboard. If provision lockers, water tanks, and fuel tanks cannot be removed, they should be flooded or filled to the final waterline. Lifeboats fitted with watertight stowage compartments to accommodate individual drinking water containers shall have these individual containers aboard and placed in the stowage compartments which shall be sealed watertight during the flooding test. Ballast of equivalent weight and density should be substituted for the motor, shaft, propeller, radio, battery, searchlight, etc., if they are to be installed.

(3) *Boats with independent buoyancy tanks or buoyancy units.* The estimated amount of buoyancy to just float the boat in this condition should be fitted symmetrically aboard the lifeboat, and then the boat flooded. If the tops of the gunwales at their lowest point do not clear the surface of the water, the buoyancy shall be increased as necessary. An additional volume of buoyancy, or buoyancy units, equal to at least one-tenth the

cubic capacity of the lifeboat shall be provided.

(ii) *Boats with built-in buoyancy compartments.* When flood testing lifeboats with built-in buoyancy compartments, weights shall be placed in the bottom of the lifeboat to counteract the buoyancy provided for the persons to be carried. The amount of weight required per person carried shall be as follows:

Materials	Weight per person (pounds)
Iron or steel	72
Lead	69
Concrete	110

Other impervious material may be used if more convenient. The weight per person required is determined from the formula  $W = \frac{63d}{d-63}$  where  $d$  is the density of material in pounds per cubic foot. (Sandbags should not be used for this purpose inasmuch as their weight under water is not readily predictable.) If the lifeboat weighted as above does not float with the gunwale at the lowest point just clear of the surface of the water, unit air tanks should be slipped beneath the thwarts until the gunwales do clear the surface of the water. The additional air tankage required shall be incorporated in the design of the lifeboat.

(3) *Seating capacity test.* The lifeboat shall be fully loaded with equipment, and in this condition the number of persons for which the lifeboat is to be approved shall be seated, in accordance with the seating plan required in § 160.035-14(a). All persons shall wear an approved life preserver and it shall be demonstrated by actual test that there is sufficient room to row the boat without interference.

(4) *Freeboard test.* Freeboards shall be measured to the low point of the sheer with the lifeboat in light condition with neither equipment nor persons aboard, and in the loaded condition with full equipment and persons aboard.

(5) *Stability test.* Upon the conclusion of the seating test, all persons on one side of the centerline shall disembark. The remaining people should sit upright and not move from their original positions. (Not less than one-half in total number of persons should remain in the lifeboat.) Freeboard to the low point of sheer shall then be measured. This freeboard should, in general, be not less than 10 percent of the depth of the lifeboat.

(c) *Motor-propelled lifeboats* shall be subjected to the same tests as required for an oar-propelled lifeboat. In addition, speed tests over a measured course and fuel consumption tests on a time basis shall be made to determine that the fully loaded lifeboat can maintain a speed of 6 knots for all classes of motor-propelled lifeboats, and that there is sufficient fuel for at least 24 hours for each class of motor-propelled lifeboat at its respective speed. A 4-hour endurance trial shall be conducted with the fully loaded lifeboat at the RPM attained in the speed test in order to insure that there is no overheating, undue vibration, or other condition which would warrant

the belief that the lifeboat could not maintain its proper speed for 24 hours. The time consumed in conducting the speed and fuel consumption tests may be counted toward the 4-hour endurance test. It shall be demonstrated that all engines installed in motor lifeboats can be started by the acceptable cranking system installed with no previous warming up period.

(d) *Hand-propelled lifeboats* shall be subjected to the same tests as required for an oar-propelled lifeboat. In addition, a test shall be made to assure that the lifeboat can be satisfactorily maneuvered with the hand-propelling gear. A speed of at least three knots shall be achieved in both light and load condition over a measured course of not less than 1,000 feet.

§ 160.035-12 Additional preapproval tests required for F.R.P. lifeboats.

(a) *General.* These tests are required in addition to the preapproval tests required for steel lifeboats in § 160.035-11. The prototype boat of each size or design submitted will be required to perform satisfactorily in the following tests which will be made in the presence of a marine inspector.

(b) *Strength test.* The following tests described in this paragraph are in lieu of the strength test in § 160.035-11(b) (1):

(1) *Suspension tests.* The light lifeboat shall be suspended freely from the releasing gear and the length, beam, and depth measured. Weights shall then be added to equal the weight of the equipment, food, water, and persons to be carried (see § 160.035-11(b) (2) (ii)), and the length, beam, and depth measured. Additional weights shall then be added so that the suspended load is 25, 50, 75, and 100 percent greater than the weight of the fully equipped and loaded lifeboat and the measurements taken at each 25 percent increments. (Water may be used for all or any portion of the weight if desired.) All weights shall then be removed and final measurements taken. There shall be no fractures or other signs of excessive stress and no appreciable set as a result of this test.

(2) *Chock test.* The light lifeboat shall be placed on blocks located under the keel at the quarter points and measurements of length, beam, and depth taken. The boat shall be flooded with water equal to the weight of all equipment, food, water, and persons to be carried and measurements of length, beam, and depth taken again. Additional measurements of 25, 50, 75, and 100 percent of the weight of the fully equipped and loaded lifeboat shall be added and the measurements taken at 25 percent increments. If the boat becomes full of water before 100 percent overload is reached, no additional weight need be added, and the last deflection measurements with the boat under load shall be taken at this point. The boat shall be drained and final measurements taken. There shall be no fractures or other signs of excessive stress and no appreciable set as a result of this test.

(3) *Swing test.* The boat shall be loaded with weights equal to the weight

of all equipment, food, water and persons to be carried. It shall then be suspended by the releasing gear with falls 20 feet in length so arranged that when hanging freely the gunwale on one side of the boat is approximately 2 inches from a stationary concrete or steel wall or other structure of similar construction and rigidity. The boat shall then be hauled outboard a horizontal distance of 8 feet from its original position. From this point, the boat shall be allowed to freely swing inboard and strike the wall along one side. There shall be no damage which would render the boat unseaworthy.

(4) *Drop test.* The boat shall be loaded with weights equal to the full weight of all equipment, food, water and persons to be carried. The boat shall then be suspended freely from the releasing gear and shall be dropped in a free fall into the water from a height of 10 feet. There shall be no damage which would render the boat unseaworthy.

(5) *Thwart test.* A 200-pound sand bag shall be dropped from a height of 6 feet on the center of each thwart span. The thwarts shall not fracture or otherwise be rendered unseaworthy.

(6) *Towing test.* With a towline rigged around the forward thwart in the same manner as the sea painter is normally rigged, the fully loaded lifeboat shall be towed at least 1,000 yards at a speed of not less than 5 knots. The boat shall exhibit satisfactory towing characteristics and there shall be no appreciable damage to the thwart.

(7) *Tanks and lockers.* Equipment tanks and watertight lockers shall be tested with not less than 1.0 p.s.i. of air pressure both before and after the tests described in subparagraphs (1) through (6) of this paragraph.

#### § 160.035-13 Testing and inspection after approval.

(a) *General.* After the design of a lifeboat has been approved subsequent lifeboats of the same design shall be individually inspected and tested as noted in § 160.035-11(a) for metal lifeboats and § 160.035-12(a) for F.R.P. lifeboats. In addition, motors and hand-propelling gear when installed shall be operated in the "ahead", "neutral", and "astern" positions. If mechanical disengaging apparatus is fitted, it shall be tested by suspending the lifeboat loaded with deadweight equivalent to the number of persons allowed in the lifeboat (165 pounds per person) together with the weight of the equipment, plus 10 percent of the total load, including the weight of the lifeboat. The release lever shall then be thrown over with this load suspended until the lifeboat is released. The apparatus shall be capable of being operated freely by one man, without the use of aids or undue force to the satisfaction of the marine inspector. (This test may be conducted ashore by suspending the lifeboat just clear of the ground.)

(b) *Additional production inspection and tests for F.R.P. lifeboats—(1) Inspection requirements.* Each production model fibrous glass reinforced plastic

lifeboat shall as a condition to its being accepted as Coast Guard approved equipment, be examined by a marine inspector at the following stages in its manufacture:

(i) When the major, individual components of the shell and inner hull or buoyancy casing are completed but before they are assembled together. At this stage the marine inspector shall satisfy himself that these components comply with the approved plans and specifications by visual inspection, thickness measurements and comparison of the weights of the components with the weights recorded for the same components in the prototype.

(ii) At the time the internal buoyancy is installed. If block plastic foam is used, it shall be inspected after it has been cut to size and shaped but before it is inserted and covered. The installation shall be completed in the presence of the marine inspector and he shall verify that the required amount is used by weighing the material. If foamed-in-place plastic foam is used, the marine inspector shall be present during the foaming operation. A sample of the foam shall be retained outside the boat and when it sets it shall be used to make a density determination of the material.

(iii) When the boat is completed. At this stage the marine inspector shall check the scantlings of the minor components and the overall compliance with the plans. The manufacturer shall certify that the materials used are in accordance with the approved bill of materials.

(2) *Test requirements.* After the inspections listed in subparagraph (1) of this paragraph are completed, the following tests are to be carried out to the satisfaction of the marine inspector:

(i) The boat shall be suspended freely from the releasing gear and the length, breadth and depth measured. The boat shall then be flooded with water equal to 1½ times the weight of the boat, persons, equipment, and provisions and fuel (if motor driven) less the weight of the boat. This is represented by the following formula:

$$\text{Water added} = 1.5 \times (\text{empty boat} + \text{equipment} + \text{provisions} + \text{fuel} + \text{people}) - \text{empty boat}$$

The length, breadth and depth shall be measured in this loaded condition and, again, after the load has been removed. The loaded deflections and the permanent deformations shall not significantly exceed those recorded for the prototype in the pre-approval tests. Also, while flooded, the exterior of the hull shall be examined for leaks or other defects. After the boat is drained, the attachment of the release gear shall be carefully examined.

(ii) All provision tanks shall be tested by a static head above the tank top of 2 feet of water without showing leakage or permanent deformation.

(iii) The plastic fuel tanks shall be tested by a static head above the tank top of 10 feet of water without showing leakage or permanent deformation.

(c) *Marking.* (1) A corrosion resistant nameplate shall be affixed at the bow of each lifeboat on which is stamped the name of the manufacturer, serial number, approval number, dimensions of the lifeboat, cubic capacity, buoyancy capacity, net weight of the boat in Condition A and Condition B, the number of persons for which the lifeboat is approved, together with the marine inspector's initials, the date, and the letters U.S.C.G. Condition A includes buoyancy and water tanks and provision stowage compartments but no equipment, provisions, water or persons. Condition B includes full required provisions and equipment, persons allowed at 10 cubic feet or by seating test whichever is less at 165 pounds and 3 quarts of water (6.25 pounds)—per person.

#### § 160.035-14 Procedure for approval of lifeboats.

(a) Before action is taken on any design of lifeboat, plans covering fully the arrangement and construction of the lifeboat, material specifications, together with a lines drawing, stowage arrangement, seating arrangement, and other details shall be submitted to the Commandant through the Commander of the Coast Guard District in which the lifeboat is built. The plans for approval must be detailed to a degree that the lifeboat can be constructed from the plans submitted.

(b) If the drawings required in paragraph (a) of this section are satisfactory, the manufacturer shall notify the Commander of the Coast Guard District in which the lifeboat is built in writing when fabrication is to commence. A marine inspector will be assigned to witness the construction procedure in accordance with the plans, verify the tests required by § 160.035-11 for metal lifeboats and § 160.035-12 for additional tests required for F.R.P. lifeboats. Also, the manufacturer shall provide the necessary tools and facilities required to conduct the tests. The Coast Guard shall have the right to require such other additional tests as reasonably may be deemed necessary, either with the completed boat or component parts, depending upon the particular construction methods and materials used by the builder, or any unusual conditions or circumstances which may arise during the construction or testing.

(c) At the time that the tests are successfully completed, the manufacturer shall present to the marine inspector four corrected copies of the plans noted in paragraph (a) of this section, including any corrections, changes, or additions which may have been found necessary during construction or testing. If the manufacturer desires more than one set of approved plans, additional copies shall be submitted at that time.

(d) Upon receipt of corrected drawings and satisfactory test reports, the Commandant will issue a certificate of approval. No change shall be made in the design or construction without first receiving permission of the Commandant via the Commander of the Coast Guard District in which the lifeboat is built.

**Subpart 160.036—Signals, Distress, Hand-Held Rocket-Propelled Parachute Red Flare, for Merchant Vessels**

45. The authority note for Subpart 160.036 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.036 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.037—Signals, Distress, Hand, Orange Smoke, for Merchant Vessels**

46. The authority note for Subpart 160.037 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.037 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.038—Magazine Chests, Portable, for Merchant Vessels**

47. The authority note for Subpart 160.038 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.038 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, Sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.040—Line-Throwing Appliance, Impulse-Projected Rocket Type (and Equipment), for Merchant Vessels**

48. The authority note for Subpart 160.040 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.040 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.041—Kits, First-Aid, for Merchant Vessels**

49. The authority note for Subpart 160.041 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.041 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O.

11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.042—Skids, Liferaft, for Merchant Vessels**

50. The authority note for Subpart 160.042 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.042 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.043—Jackknife (With Can Opener) for Merchant Vessels**

51. The authority note for Subpart 160.043 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.043 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.044—Pumps, Bilge, Lifeboat, for Merchant Vessels**

52. The authority note for Subpart 160.044 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.044 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**Subpart 160.050—Buoys, Life, Ring, Unicellular Plastic**

53. The authority note for Subpart 160.050 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.050 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 840; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

54. Section 160.050-1 is amended by adding subparagraphs (2) and (3) to paragraph (a) and by revising paragraph (b) to read as follows:

**§ 160.050-1 Applicable specifications.**

- (a) Specifications. \* \* \*
- (2) Federal Standard:

No. 595—Colors.

- (3) Coast Guard specification: 164.015—Plastic foam, unicellular, buoyant, sheet and molded shapes.

(b) Copies on file. Copies of the specifications referred to in this section shall be kept on file by the manufacturer, together with the certificate of approval. The Military Specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120. The Federal Standard may be obtained from the Business Service Center, General Services Administration, Washington, D.C., 20407. The Coast Guard specification may be obtained from the Commandant, U.S. Coast Guard, Washington, D.C., 20226.

55. Section 160.050-3 is amended to read as follows:

**§ 160.050-3 Materials.**

(a) General. All exposed materials shall be resistant to oil or oil products, salt water and anticipated weather conditions encountered at sea.

(b) Unicellular plastic. The unicellular plastic material used in fabrication of the buoy body shall meet the requirements of Subpart 164.015 of this subchapter for Type C material. The buoy's body shall be finished with two coats of vinyl base paint. The ring life buoys shall be either international orange (Color No. 12197 of Federal Standard 595) or white in color and the colorfastness shall be rated "good" when tested in accordance with Federal Specification CCC-T-191 Methods 5610, 5630, 5650, and 5660.

(NOTE: On vessels on an international voyage, all ring life buoys shall be international orange in color.)

(c) Grab line. The grab line shall be 3/8-inch diameter polyethylene, polypropylene, or other suitable buoyant type synthetic material having a minimum breaking strength of 1,350 pounds.

(d) Beackets. The beackets for securing the grab line shall be 2-inch polyethylene, polypropylene, nylon, saran or other suitable synthetic material having a minimum breaking strength of 585 pounds. In addition, polyethylene and polypropylene shall be weather-resistant type which is stabilized as to heat, oxidation, and ultraviolet light degradation.

(e) Thread. The thread shall be nylon conforming to Type II, Size 4, Class 2, of Specification MIL-T-7807. Alternate threads will be given special consideration.

56. Section 160.050-4 is amended by revising paragraphs (c) and (d) to read as follows:

**§ 160.050-4 Construction and workmanship.**

(c) Grab line. The finished length of the grab line shall be four times the outside diameter of the buoy. The ends of the grab line shall be securely and neatly spliced together, or shall be hand whipped with a needle and both ends securely and smoothly seized together. The grab line shall encircle the buoy and shall be held in place by the beackets.

The spliced or seized ends of the grab line shall be placed in the center of the width of one of the beckets.

(d) *Beckets.* Each ring buoy shall be fitted with four beckets located at equidistant points about the body of the buoy. The beckets shall be passed around the body of the buoy with the free ends to the outside, and shall be securely cemented to the buoy with a suitable waterproof adhesive which is compatible with the unicellular plastic used in the buoy body. The ends of the beckets shall be turned under at least 1 inch, one end to go around the grab line, and the other to be laid flat against the first end. The beckets shall then be stitched to the grabline with not less than five hand stitches made with two parts of thread or machined stitched with not less than three stitches per inch. Alternate methods for rigging beckets and grab line will be given special consideration.

57. Section 160.050-5 is amended to read as follows:

§ 160.050-5 Sampling, tests, and inspection.

(a) *General.* A marine inspector shall examine all ring life buoys at the place of manufacture for compliance with this specification. Ring life buoys on a lot basis shall be tested for strength, resistance to damage, and buoyancy in accordance with the methods set forth in paragraphs (c), (d), and (e) respectively of this section with the exception that the test for resistance to damage may be omitted at the discretion of the marine inspector. If the marine inspector has any doubt regarding compliance with this specification, he may make such other examinations and tests as he may deem necessary. The manufacturer shall provide a suitable place and necessary apparatus for the use of the marine inspector in conducting tests at the place of manufacture, and shall provide labor for all handling of ring buoys requisite to inspection.

(b) *Lot size and sampling.* A lot shall consist of not more than 500 ring life buoys. A new lot shall be started with any change or modification in material used or manufacturing methods employed. When a lot of ring buoys is ready for inspection, the manufacturer shall notify the Commander of the Coast Guard District in which the factory is located, who will assign a marine inspector to the plant for the purpose of making the necessary tests and inspections. From each lot of ring life buoys the marine inspector shall select samples in accordance with the following Table 160.050-5(b) to be tested for strength and buoyancy in accordance with paragraphs (c) and (e) respectively of this section:

TABLE 160.050-5(b)—SAMPLING FOR TESTS

Lot size	Number of ring buoys in sample
100 and under	1
101 to 200	2
201 to 300	3
301 to 500	4

(c) *Strength test.* The buoy body shall be suspended by a 2-inch-wide strap. A similar strap shall be passed around the opposite side of the buoy and a 200-pound weight suspended by it from the buoy. After 30 minutes, the buoy body shall be examined, and there shall be no breaks, cracks or permanent deformation.

(d) *Resistance to damage test.* The buoy body shall be dropped three times from a height of 6 feet onto concrete, and there shall be no breaks or cracks in the body.

(e) *Buoyancy—(1) Buoyancy test method.* To obtain the buoyancy of the buoy, proceed as follows:

(i) Weigh iron or other weight under water. The weight shall be more than sufficient to submerge the buoy.

(ii) Attach the iron or other weight to the buoy and submerge with the top of the buoy at least 2 inches below the surface for 48 hours.

(iii) After the 48-hour submergence period, weigh the buoy with the weight attached while both are still under water.

(iv) The buoyancy is computed as subdivision (i) minus subdivision (iii) of this subparagraph.

(2) *Buoyancy required.* The buoys shall provide a buoyancy of not less than 16½ pounds for the 20- and 24-inch sizes, and not less than 32 pounds for the 30-inch size.

(f) *Lot acceptance and rejection.* When the marine inspector has satisfied himself that the ring life buoys in the lot are of a type officially approved in the name of the company, and that such ring life buoys meet the requirements of this specification, he may complete the name plate described in § 160.050-6 with the necessary information. If any ring life buoys are found unsatisfactory, they or the entire lot may be rejected at the discretion of the marine inspector. Rejected individual ring life buoys or the entire lot may be re-worked and re-submitted for inspection at the discretion of the District Commander.

§ 160.050-6 [Amended]

58. Section 160.050-6 *Marking* is amended by changing in the first sentence of paragraph (a) the word "straps" to "beckets".

§ 160.050-7 [Amended]

59. Section 160.050-7 *Procedure for approval* is amended by correcting the address in the first sentence of paragraph (a) by changing from "Washington, D.C." to "Washington, D.C., 20226", and by changing the reference in paragraph (b) from "§ 160.050-5 (b), (c), and (d)" to "§ 160.050-5 (c), (d), and (e)".

Subpart 160.051—Inflatable Liferrafts

60. The authority note for Subpart 160.051 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 160.051 interpret or apply R.S. 4488, as amended, R.S. 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 489, 367, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1959, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19

F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

61. Section 160.051-1 is amended to read as follows:

§ 160.051-1 Applicable specifications.

(a) *Specifications.* The following specifications, of the issue in effect on the date inflatable liferafts are manufactured, form a part of this subpart for guidance purposes only:

(1) *Military specifications:*

MIL-L-19496 (Ships)—Lifeboat, CO, inflatable Mark 5, 15-person capacity.

MIL-C-17415 (Ships)—Cloth, coated, and webbing, inflatable boat and miscellaneous use.

(b) *Copies on file.* Copies of the specifications referred to in this section, as well as the various reference specifications forming a part thereof, shall be kept on file by the manufacturer, together with the approved plans, specifications, and certificate of approval. They shall be kept for a period consisting of the duration of approval and 5 years after termination of approval, except that the approval certificate shall be returned for cancellation immediately following the termination date. The Military Specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120.

62. Section 160.051-3 (b) is amended to read as follows:

§ 160.051-3 Types and sizes.

(b) *Sizes.* Inflatable liferafts shall be not less than 4 (6 for vessels on international voyages) nor more than 25-person sizes. An inflatable liferaft, complete with case and required emergency equipment, shall not weigh more than 400 pounds.

63. Section 160.051-4 is amended by revising paragraphs (f), (g) and (i), and by adding a new paragraph (j), which read as follows:

§ 160.051-4 Design.

(f) *Containment.* For each type of raft, manufacturers shall design and provide suitable containment constructed so as to be capable of withstanding hard wear under conditions encountered at sea. A liferaft in its container shall be inherently buoyant and shall be arranged so as to display evidence of use or tampering, such as by the use of a suitable seal, or equivalent. The arrangement shall be such that if the vessel sinks, the raft will float free and inflation will take place automatically. The "Instructions for Inflation" requirement of § 160.051-8(b) shall consist of brief instructions for manually launching and inflating a raft. These instructions shall be legibly printed on material that is durable, water and wear resistant. These instructions shall be permanently attached to the exterior of each raft container in two locations, one on each side of the container.

(1) *Rigid container.* The container shall be constructed of metal, wood, or plastic, and shall be capable of being

securely fastened aboard ship and arranged for quick release of the liferaft. The container shall be weathertight, except that provision shall be made for drainage and the circulation of air. Rigid containers shall be the normal means of containing inflatable liferafts except for the installations provided for in subparagraph (2) of this paragraph.

(2) *Fabric container.* A fabric container shall be made of coated fabric in accordance with Military Specification MIL-C-17415. All fasteners and hardware shall be made of noncorrosive metal. Fabric containers shall be provided with carrying handles, nameplates and markings in accordance with § 160.051-8. Fabric containers may be used with liferafts that are reinforced for suspension as described in paragraph (j) of this section to operate in conjunction with certain approved launching devices.

(g) *Inflation.* Inflation shall take place upon the pulling of a lanyard or by some equally simple means which may be accomplished manually both from the deck of a vessel and by a swimmer in the water. In addition, inflation connections shall be provided for use with the hand pump of § 160.051-7(b) (9).

(i) *Capacity.* The maximum number of persons for which an inflatable liferaft may be rated shall be the overall horizontal clear area inside the raft in square feet (including thwarts if fitted) divided by 4, or the volume of the principal buoyancy compartments in cubic feet (which for this purpose shall not include the arches, canopy supports, or thwarts) divided by 3.4, whichever is the lesser.

(j) *Launching reinforcement.* Any liferaft which is to be suspended from or operated in conjunction with an approved launching device such that any of the raft's components are subjected to loads and stresses in addition to those of its inflation system or normal waterborne loading, shall be suitably reinforced with load carrying lines, slings, netting or their equivalents. These reinforcements shall be designed with a minimum factor of safety of 6 on the ultimate strength of the reinforcement based on the raft's normal carrying capacity.

64. Section 160.051-5 is amended by revising paragraphs (c) (4) and (d) and by revising in paragraph (e) the introductory paragraph and subparagraph (11) and by adding a new subparagraph (12), which read as follows:

#### § 160.051-5 Inspection and tests.

##### (c) Routine inspections and tests.

(4) *Inflation test.* For lots of less than 30, one specimen shall be tested. For lots of at least 30, but not more than 50, two specimens shall be tested. The specimens shall be selected at random from the lot after the rafts have been folded and packed in their containers with equipment. When the directions on the container are followed, the specimens shall break free from its container and inflate each principle buoyancy compartment on the periphery of the raft to

the designed shape and approximate dimensions in not more than 30 seconds at 70° F. At the end of this 30 seconds interval, the canopy support tubes are not required to be fully erect. The specimens shall reach its designed working pressure with the canopy fully erect in not more than 3 minutes after the first carbon dioxide inflation valve is operated. The specimen shall be allowed to stand for 1 hour to allow the gases inside to come to room temperature. The pressure in all the principal buoyancy compartments shall be approximately the designed working pressure. If the specimen(s) fails this test the entire lot shall be subjected to the inflation test.

(d) *Lot acceptance or rejection.* When the inspections and tests prescribed by paragraphs (a), (b), and (c) of this section, above have been completed satisfactorily and all nonconforming units eliminated, and the inflatable liferafts comprising the lot are considered suitable, the lot shall be accepted, and the containers shall be marked in accordance with § 160.051-8(a).

(e) *Preapproval inspection and tests.* The prototype raft shall be inspected and tested at the plant of the manufacturer in the presence of a marine inspector in accordance with paragraph (c) (1) through (4) of this section. If the inspections and tests are satisfactory, the raft shall be repacked together with its equipment in the container with the cylinder(s) charged and the raft in all respects ready for use. The container shall be shipped prepaid to the Field Testing and Development Center, Coast Guard Yard, Baltimore, Md., 21226, for testing in accordance with subparagraphs (1) through (12) of this paragraph. The following additional material shall be forwarded at that time: Completely charged cylinder(s) (one or two depending on the number used in the raft design), 2 yards of all coated cloth used, and two seams 7 inches wide by 12 inches long made in exact accordance with the manufacturer's plans and specifications.

(11) *Temperature exposure.* The packed raft shall be exposed to a temperature of minus 22° F. or lower and to a temperature of 165° F. or higher. The raft shall remain at each temperature for not less than 24 hours and shall be inflated within 5 minutes after removal from each temperature chamber. The raft shall be allowed to return to a temperature of approximately 70° F. before being subjected to the second exposure. For the high temperature test, if carbon dioxide is used for inflation, the raft may be inflated by means of carbon dioxide cylinders which have not been exposed to the test temperatures. It shall be demonstrated that the raft will assume its designed shape with canopy erected, that there is no seam slippage, that the fabric has shown no tendency to crack or become tacky, and that the raft is in all respects ready for use.

(12) *Launching load test.* The following applies to a liferaft subject to the provisions of § 160.051-4(j) that is to operate in conjunction with a launching device approved in accordance with

Coast Guard specification 160.063. It shall be demonstrated that the raft while suspended or loaded by its launching connection(s) can sustain a distributed deadweight load of 2.2 times its normal carrying capacity for a period of one-half hour. The normal carrying capacity shall be equivalent to the number of persons allowed (165 pounds per person) together with the weight of equipment carried, plus 10 percent of the total load including the weight of the raft. The distributed deadweight load on the raft together with the raft's attachment(s) and rigging to a test fixture shall so interact as to simulate the loads and stresses that the raft will undergo when operated with an approved launching device.

65. Section 160.051-6 is amended by adding a subparagraph (1) to paragraph (c) and by revising the introductory paragraph of paragraph (e) (but not the subparagraphs thereunder) to read as follows:

#### § 160.051-6 Servicing.

##### (c) Service manual.

(1) *Instruction placard.* Each manufacturer of inflatable liferafts shall provide the appropriate number of instruction placards to the master or operator of the vessel on which his particular inflatable liferafts are carried. The instruction placard shall include simple instructions and illustrations showing the operations of launching and inflating the inflatable liferaft, which shall be submitted for approval to the Commandant with the other items required by § 160.051-9(a). In size, such placard shall not be greater than 14 inches by 20 inches.

(e) *Inspection.* The assignment of a marine inspector to witness the inspections and testing shall be scheduled with the Officer in Charge, Marine Inspection, at least 24 hours in advance. The marine inspector shall witness the servicing of each inflatable liferaft and conduct a working pressure leakage test as outlined in § 160.051-5(c)(3), except that the waiting period may be 2 hours in lieu of 6 hours. Each inflatable liferaft, subject to § 160.051-4(j), having a suspension system which is integral with the liferaft and is intended to be used in launching operations shall be proof tested by a suspension test of 1.1 times the normal carrying capacity as specified in § 160.051-5(e)(12). All equipment shall be inspected for condition and outdated water, signals, etc., shall be replaced. Inflation cylinders shall be weighed and recharged if the weight loss exceeds 5 percent of the weight of the charge. After the raft has been satisfactorily serviced and repacked the container shall be sealed as required by § 160.051-4(f) and with waterproof ink the container will be stamped "Passed" together with the date, the port, and the marine inspector's initials. The following additional conditions apply:

66. Section 160.051-7 is amended by revising in paragraph (b) subparagraphs (2), (3), and (6); by revising in para-

graph (c) subparagraphs (1), (3), (4), (5), (8), and (10) and by adding new subparagraphs (11) through (15); and by revising in paragraph (d) subparagraphs (2) and (4), which read as follows:

§ 160.051-7 Equipment.

(b) *Items required for all rafts.* . . .

(2) *Heaving line.* A buoyant heaving line not less than 100 feet in length and having a breaking strength of not less than 250 pounds fitted with a buoyant quoit at one end with the other end attached to the raft near the after entrance.

(3) *Instruction manual.* An instruction manual printed on water resistant paper and stowed in a pocket inside the raft shall describe the raft and its equipment, use of the inflation pump, repair kit, sea anchor, etc., and contain survival information, and an illustrated table of lifesaving signals from form CG-811 (Rev.).

(6) *Lifelines.* Two lifelines of not less than  $\frac{3}{16}$  inch nylon tubular webbing, or equivalent, shall be fitted: one around the outside periphery and the other around the inside of the raft. The outside lifeline shall be festooned in bights, not more than 24 inches long and fastened at intervals not exceeding 18 inches, which shall hang within 3 inches of the waterline when the raft is fully loaded.

(c) *Ocean service equipment.* . . .

(1) *Bailer(s).* Bailer(s) shall be of flexible material not less than 6 inches in diameter, one of which shall be provided on rafts accommodating 12 persons or less, and two on rafts accommodating 13 persons or more.

(3) *First-aid kit.* An approved first-aid kit in accordance with Subpart 160.054 of this Subchapter Q (Specifications).

(4) *Flashlight.* An approved type I, size No. 3 flashlight constructed in accordance with Subpart 161.008 of this Subchapter Q (Specifications). Three spare cells (or one 3-cell battery) and two spare bulbs in a waterproof container shall be provided with each flashlight. Batteries shall be replaced at each servicing of the liferaft.

(5) *Mirror, signaling.* One signaling mirror of an approved type.

(8) *Signals.* Two hand-held rocket-propelled parachute red flare distress signals constructed in accordance with Subpart 160.036 of this Subchapter Q (Specifications), and six hand red flare distress signals constructed in accordance with Subpart 160.021 or Subpart 160.023 of this Subchapter Q (Specifications).

(10) *Water.* One and one-half quarts of drinking water per person in approved hermetically sealed containers constructed and filled in accordance with Subpart 160.026 of this Subchapter Q (Specifications). Service life of this equipment shall be limited to 5 years

from date of packing. One pint of this requirement per person may be replaced by desalting kit(s) approved in accordance with Subpart 160.058 of this Subchapter Q (Specifications), that shall be capable of producing an equal amount of fresh water.

(11) *Jackknife.* On rafts accommodating 13 persons or more, an approved jackknife shall be provided in addition to that required by paragraph (b) (4) of this section.

(12) *Signal whistle.* One signal whistle of the ball type, made of corrosion-resistant construction, with a 36-inch lanyard attached, and in good working order.

(13) *Can openers.* Three means of opening hermetically sealed containers shall be provided. Special blade(s) on the approved jackknives are accepted in this accounting in addition to any can opener(s) the blades or cutting edges of which shall be sheathed to prevent damage to the raft and its equipment.

(14) *Fishing tackle.* One emergency fishing tackle kit in accordance with Subpart 160.061 of this Subchapter Q (Specifications).

(15) *Antiseasickness tablets.* Six antiseasickness medicinal tablets for each person the raft is rated to carry.

(d) *Limited service equipment.* . . .

(2) *Flashlight.* An approved type I, size 3 flashlight constructed in accordance with Subpart 161.008 of this Subchapter Q (Specifications). Three spare cells (or one 3-cell battery) and two spare bulbs in a waterproof container shall be provided with each flashlight. Batteries shall be replaced at each servicing of the liferaft.

(4) *Signals.* One hand-held rocket-propelled parachute red flare distress signal constructed in accordance with Subpart 160.036 of this Subchapter Q (Specifications), and two hand red flare distress signals or two hand combination flare and smoke distress signals constructed in accordance with Subpart 160.021 or Subpart 160.023 of this Subchapter Q (Specifications).

67. Section 160.051-8(a) is amended to read as follows:

§ 160.051-8 Nameplate and marking.

(a) *Nameplate.* Each inflatable liferaft container shall have permanently attached a substantial nameplate of compatible material on which is embossed or imprinted the name of the manufacturer's model number and serial number, the number of persons for which the inflatable liferaft is approved, and the lot number. In addition, the container shall be marked "Ocean Service Equipment" or "Limited Service Equipment" as applicable, together with the marine inspector's initials, the date, and the letters "USCG".

Subpart 160.053—Work Vests, Unicellular Plastic Foam

68. The authority note for Subpart 160.053 is amended to read as follows:

Authority Note: The provisions of this Subpart 160.053 interpret or apply R.S. 4417,

as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 435, 481, 489, 367, 526p, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 820; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 160.054—Kits, First-Aid, for Inflatable Liferafts

69. The authority note for Subpart 160.054 is amended to read as follows:

Authority Note: The provisions of this Subpart 160.054 interpret or apply R.S. 4417a, as amended, 4488, as amended, 4491, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 489, 367, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 160.055—Life Preservers, Unicellular Plastic Foam, Adult and Child, for Merchant Vessels

70. The authority note for Subpart 160.055 is amended to read as follows:

Authority Note: The provisions of this Subpart 160.055 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 1, 2, 49 Stat. 1544, as amended, sec. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 820; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 160.056—Rescue Boat

71. The authority note for Subpart 160.056 is amended to read as follows:

Authority Note: The provisions of this Subpart 160.056 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

72. Section 160.056-7 is amended by adding a new paragraph (f) reading as follows:

§ 160.056-7 Procedure for approval.

(f) If a rescue boat is required on short notice, a boat may be approved on an individual basis: *Provided*, That the requirements in this subpart are met to the satisfaction of the Officer in Charge, Marine Inspection. Sketches of the boat showing alterations may be submitted in lieu of the manufacturer's general arrangement and construction plan. Un-

der these circumstances, the letter indicating that approval of the rescue boat has been granted shall be issued to the vessel using the boat.

73. Part 160 is amended by inserting after § 160.056-7 a new Subpart 160.057, consisting of §§ 160.057-1 to 160.057-6, inclusive, reading as follows:

**Subpart 160.057—Signals, Distress, Floating Orange Smoke (15 Minutes), for Merchant Vessels**

- Sec. 160.057-1 Applicable specifications.
- 160.057-2 Type.
- 160.057-3 Materials, workmanship, construction and performance requirements.
- 160.057-4 Sampling, inspections, conditioning, and tests.
- 160.057-5 Marking.
- 160.057-6 Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 160.057 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1844, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 875; 46 U.S.C. 391a, 404, 481, 489, 367, 1393, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**§ 160.057-1 Applicable specifications.**

(a) *Specifications.* There are no other specifications applicable to this subpart.

(b) *Copies on file.* Copies of the approved plans and certificate of approval shall be kept on file by the manufacturer.

**§ 160.057-2 Type.**

(a) Floating orange smoke distress signals specified by this subpart shall be of one type which shall consist essentially of an outer container, ballast, an air chamber, an inner container, the smoke producing composition, and an igniter mechanism. Alternate arrangements which conform to the performance requirements of this specification will be given special consideration.

**§ 160.057-3 Materials, workmanship, construction, and performance requirements.**

(a) *Materials.* The materials shall conform strictly to the specifications and drawings submitted by the manufacturer and approved by the Commandant. Metal for containers shall be not less than 0.020 inch in thickness. Igniter pull wires shall be of corrosion-resistant metal. The combustible material shall be of such nature that it will not deteriorate during long storage, nor when subjected to frigid or tropical climates, or both.

(b) *Workmanship.* Floating orange smoke distress signals shall be of first class workmanship and shall be free from imperfections of manufacture affecting their appearance or that may affect their serviceability.

(c) *Construction.* The outer container shall be cylindrical and not more than 15 inches in length by 11 inches diameter. All sheet metal seams should be hook jointed and soldered. The whole container shall be covered with two coats of gray waterproof paint. The igniter

mechanism shall operate and provide ignition of the signal automatically when the ring life buoy to which it is attached is thrown overboard.

(d) *Performance.* Signals shall meet all the inspection and test requirements contained in § 160.057-4.

**§ 160.057-4 Sampling, inspections, conditioning, and tests.**

(a) *Classification of tests.* The methods of sampling, inspections and tests conducted upon floating orange smoke distress signals shall be considered as falling within one of the following general classifications:

- (1) Qualification (type or brand approval) tests;
- (2) Production check tests (at the place of manufacture); and,
- (3) Production check tests (at a Government laboratory).

(b) *Qualification (type or brand approval) tests.* Pre-approval samples, selected in accordance with § 160.057-6(c), shall be tested in accordance with the testing schedules indicated by subparagraphs (1) and (2) of this paragraph to determine qualification for type or brand approval. The cost of the tests shall be borne by the manufacturer.

(1) *Operational tests.* (i) Subject 4 specimens to water resistance conditioning, paragraph (d) of this section, following which subject them to tests as indicated by Table 160.057-4(b)(1)(i).

TABLE 160.057-4(b)(1)(i)

Letter identification	Number of specimens	Kind of tests	Paragraph references
a.....	3	Ignition and smoke emitting time.	160.057-4 (e) and (f).
b.....	1	Underwater smoke emission.	160.057-4(g).

(ii) The magnitude of the failures in these tests shall be determined as indicated by Table 160.057-4(b)(1)(ii). In the case of concurrent or simultaneous defects, penalties will not be applied cumulatively, but only for the greatest defect.

TABLE 160.057-4(b)(1)(ii)

Letter identification	Kind of defects	Failure factor
a.....	Failure to ignite.....	100
b.....	Ignites in air and emits smoke under water less than 50 percent of specified time.	100
c.....	Ignites in air and emits smoke under water at least 50 percent but less than 100 percent of specified time.	50
d.....	Ignites or burns dangerously.	100
e.....	Nonuniform smoke emitting rate.	50
f.....	Smoke-emitting time less than 70 percent of specified time.	100
g.....	Smoke-emitting time at least 70 percent but less than 80 percent of specified time.	75
h.....	Smoke-emitting time at least 80 percent but less than 90 percent of specified time.	50
i.....	Smoke-emitting time at least 90 percent but less than 100 percent of specified time.	25

(iii) The average percentage of failure is computed as the sum of the failure factor divided by the number of specimens tested. The average percentage of failure shall not exceed 15 percent.

(2) *Technical tests.* (i) Subject four specimens to tests as indicated by Table 160.057-4(b)(2)(i).

TABLE 160.057-4(b)(2)(i)

Letter identification	Number of specimens	Kind of tests	Paragraph references
a.....	1	Elevated temperature, humidity, and storage.	160.057-4(b).
b.....	1	Susceptibility to explosion and corrosion.	160.057-4(i) and (j).
c.....	1	Volume and density.	160.057-4(i).
d.....	1	Color.....	160.057-4(k).

(ii) No deviations from the requirements are permitted for these tests.

(c) *Sampling, inspections, and tests of signals from production lots.* The production of floating orange smoke distress signals produced under an official type or brand approval shall be checked for compliance with this specification in the manner set forth below:

(1) *Lot size and sampling procedure.* For purposes of sampling the production of floating orange smoke distress signals, a lot shall consist of not more than 500 signals. A new lot shall be started with any change or modification in raw materials or manufacturing methods. Lots shall be numbered serially by the manufacturer, and the lot number shall be plainly and indelibly marked on the outer container of each signal in the lot. A marine inspector shall select at random from each lot a sample consisting of four specimen signals for inspection, conditioning, and testing at the place of manufacture.

(2) *Inspections (at the place of manufacture).* The marine inspector shall be admitted to the place of manufacture and shall familiarize himself with the various operations involved in the manufacturing process and, from observation during manufacture, satisfy himself that floating orange smoke distress signals are being made in general accordance with this subpart and of materials and parts conforming strictly with the specifications and drawings submitted by the manufacturer and approved by the Commandant. Specimens or samplings of materials entering into construction may be taken at random, either in the raw material state or during manufacture, by the marine inspector and tests made for compliance with the applicable requirements. The test specimens comprising the sample, selected in accordance with subparagraph (1) of this paragraph, shall be examined by the marine inspector for surface defects.

(3) *Production check tests (at the place of manufacture).* (i) The manufacturer shall provide a suitable place and the necessary apparatus for the use of the marine inspector in conducting such production check tests as are done at the place of manufacture. Samples from production lots, selected in accordance with subparagraph (1) of this paragraph, shall be tested at the place of manufacture in accordance with the following testing schedule: Subject four specimen signals to water resistance conditioning, paragraph (d) of this section,

following which subject them to tests as indicated by Table 160.057-4(c) (3) (1).

TABLE 160.057-4(c)(3)(1)

Letter identification	Number of specimens	Kind of tests	Paragraph references
a	3	Ignition and smoke emitting characteristics, and smoke emitting time.	160.057-4 (e) and (f).
b	1	Underwater smoke emission.	160.057-4(g).

(ii) The computation of the average percentage of failure shall be in accordance with paragraph (b) (1) of this section. Any unusual discrepancies shall be considered cause for obtaining an additional sample consisting of 8 specimen signals for tests at a Government laboratory as provided in subparagraph (4) of this paragraph.

(4) *Production check tests (at a Government laboratory).* Tests at a Government laboratory shall be made on not less than 1 sample from each 10 production lots of signals, or not less than once in each year, whichever occurs more frequently. Sampling and inspection shall be made at the place of manufacture as provided by subparagraphs (1) and (2) of this paragraph, except that the sample shall consist of 8 specimen signals and shall be in addition to the specimen signals which are tested at the place of manufacture. The sample shall be forwarded prepaid by the manufacturer to the Commandant. Tests at the Government laboratory shall be conducted in accordance with paragraph (b) (1) and (2) of this section. Failure to meet the requirements shall be cause for discontinuing further production check tests at the place of manufacture until retests of new samples at a Government laboratory show correction of the deficiency found.

(d) *Conditioning of test specimens—water-resistance.* Immerse specimen horizontally with uppermost portion of the signal approximately 1 inch below the surface of the water for a period of 24 hours. The test specimen shall function properly after this conditioning.

(e) *Ignition and smoke emitting characteristics.* Test specimens shall ignite and emit smoke properly when the directions on the signal are followed. Test specimens shall not ignite explosively in a manner that might be dangerous to the user or persons close by. Test specimens shall emit smoke at a uniform rate while floating in smooth water, and should float in such a manner that the rate of discharge will be constant while the signal is floating in rough water. Signals should be so constructed that moderately heavy seas likely to be encountered at sea will not cause the signal to become inoperable.

(f) *Smoke emitting time.* Ignite specimen according to the directions printed on the signal and place signal in tub or barrel of water. The smoke emitting time of a specimen shall be obtained by stop watch measurements from the time of positive smoke emission until

it ceases. There shall be no flame emission during the entire smoke emitting time of the signal. The smoke emitting time for a specimen shall be not less than 15 minutes. When conducting qualification or production check tests at a Government laboratory, this test shall be conducted with approximately  $\frac{1}{4}$  inch of gasoline covering the water in the tub or barrel. The gasoline vapors shall not ignite during the entire smoke emitting time of the signal.

(g) *Underwater smoke emission.* Ignite specimen and let it burn about 15 seconds in air. Submerge the burning signal in water in a vertical position with head down. Obtain underwater smoke emission time by stop watch measurements from time of submersion until positive smoke emission ceases. The test specimen shall emit smoke under water not less than 30 seconds when subjected to this test.

(h) *Elevated temperature, humidity, and storage.* Place specimen in a thermostatically controlled even temperature oven held at 90° C. with not less than 90 percent relative humidity for 72 hours. Remove specimens and store at room temperature (20° to 25° C.) with approximately 65 percent relative humidity for 10 days. If for any reason it is not possible to operate the oven continuously for the 72-hour period, it may be operated at the required temperature and humidity for 8 hours out of each 24 during the 72-hour conditioning period. (Total of 24 hours on and 48 hours off.) The signal shall not ignite or decompose during this conditioning. The signal shall ignite and operate satisfactorily following this conditioning.

(i) *Susceptibility to explosion.* Remove smoke composition from signal and punch a hole in the composition. Insert a No. 6 commercial blasting cap. Ignite the cap. The test specimen shall not explode or ignite.

(j) *Corrosion-resistance.* Expose the complete specimen with cover secured hand-tight to a finely divided spray of 20 percent by weight sodium chloride solution at a temperature of 90° to 100° F. for 100 hours. The container and cap shall show good resistance.

(k) *Color of smoke.* Ignite specimen in the open air in daytime according to the directions printed on the signal, and determine the Munsell notation of the smoke color by direct visual comparison of the unshadowed portions of the smoke with the charts of the Munsell book of color held so as to receive the same daylight illumination as the unshadowed portions of the smoke. The smoke shall be orange, i.e., its Munsell notation shall show a hue between 8R and 5 YR, a value greater than 4.5, and a chroma greater than 9.0.

(l) *Volume and density of smoke.* Test specimens shall show less than 70 percent transmission for not less than 12 minutes when measured with apparatus having a light path of 7½ inches, an optical system aperture of 3.7 degrees, and an entrance air flow of 650 cubic feet per minute, such apparatus to be as de-

scribed in National Bureau of Standards Report No. 4792 dated July 1956.

(m) *Lot acceptance or rejection.* When the marine inspector has satisfied himself that the floating orange smoke distress signals in the lot are of a type officially approved in the name of the manufacturer and meet the requirements set forth in this subpart, each of the smallest packing cartons or boxes in which the signals are sealed prior to shipment, shall be plainly marked with the words: "Inspected and Passed, (date), (port), Inspector's initials, U.S.C.G." A lot shall be rejected when the average percentage of failure, as computed by the table shown in paragraph (b) (1) of this section exceeds 15 percent. When notice is received by the marine inspector that specimen signals have failed to meet the requirements of the production check tests at a Government laboratory, further production check tests at the place of manufacture shall be discontinued until retests of adjusted samples show correction of the deficiency found. Signals from rejected lots may, when permitted by the marine inspector, be reworked by the manufacturer to correct the deficiency for which they were rejected and be resubmitted for official inspection. Signals from rejected lots may not, unless subsequently accepted, be sold or offered for sale under representation as being in compliance with this specification or as being approved for use on merchant vessels.

#### § 160.057-5 Marking.

(a) *Directions for use.* Each floating orange smoke distress signal shall be plainly and indelibly marked in black lettering not less than  $\frac{3}{16}$  inch high with the word "Directions". Immediately below shall be similarly marked in black lettering not less than  $\frac{1}{2}$  inch high in numbered paragraphs, and in simple and easily understood wording, instructions to be followed to make the device operative. Pasted-on-labels are not acceptable.

(b) *Other marking.* There shall be embossed or die-stamped, in the outer container in figures not less than  $\frac{3}{16}$  inch high, numbers indicating the month and year of manufacture, thus: "6-64" indicating June 1964. The outer container shall also be plainly and indelibly marked with the commercial designation of the signal, the words "Floating Orange Smoke Distress Signal (15 Minutes)", name and address of the manufacturer, the Coast Guard Approval No., the month and year of manufacture and the lot number. In addition to any other marking placed on the smallest packing carton or box containing floating orange smoke distress signals, such cartons or boxes shall be plainly and indelibly marked to show the month and year of manufacture and the lot number.

#### § 160.057-6 Procedure for approval.

(a) *General.* Floating orange smoke distress signals for use on merchant vessels are approved only by the Commandant.

dant (MMT), U.S. Coast Guard, Washington, D.C., 20226. Correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's plans and specifications.* In order to obtain approval, submit detailed plans and specifications including a complete bill of material, assembly drawing, and part drawings descriptive of the arrangement and construction of the signal, to the Commander of the Coast Guard District in which the factory is located. Each drawing shall have an identifying drawing number, date, and an identification of the signal; and the general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers and alteration numbers. The alterations shall be noted with the date of alteration or new drawing numbers and dates shall be assigned. At the time of selection of the pre-approval sample, the manufacturer shall furnish to the marine inspector 4 copies of all plans and specifications, corrected as may be required, for forwarding to the Commandant.

(c) *Pre-approval sample.* After the first drawings and specifications have been examined and found to appear satisfactory, the manufacturer will be advised as to any corrections or additions which are necessary. A marine inspector then will be detailed to the factory to observe the production facilities and manufacturing methods and to select at random from not less than 30 signals already manufactured, a sample of not less than 8 specimens which will be forwarded prepaid by the manufacturer to the Commandant for the necessary conditioning and tests in accordance with the schedule outlined in § 160.057-4(b) to determine compliance with this subpart for qualification for type or brand approval for use on merchant vessels. Costs of these tests of the pre-approval sample shall be borne by the manufacturer.

74. Part 160 is amended by inserting after § 160.057-6 a new Subpart 160.058, consisting of §§ 160.058-1 to 160.058-6, inclusive, reading as follows:

**Subpart 160.058—Desalter Kits, Sea Water, for Merchant Vessels**

- Sec. 160.058-1 Applicable specification.
- 160.058-2 Type.
- 160.058-3 Materials, workmanship, construction and performance requirements.
- 160.058-4 Inspections.
- 160.058-5 Labeling and marking.
- 160.058-6 Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 160.058 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 397, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954,

19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**§ 160.058-1 Applicable specification.**

(a) *Specification.* The following specification, of the issue in effect on the date the desalter kits are manufactured, forms a part of this subpart:

(1) *Military specification.* MIL-D-5531D—Desalter Kit, Sea Water, Mark 2.

(b) *Copies on file.* A copy of the specification referred to in this section shall be kept on file by the manufacturer, together with the approved plans and certificate of approval. The Military Specification may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120.

**§ 160.058-2 Type.**

(a) Desalter kits specified by this subpart shall be of the type described in the specification listed in § 160.058-1(a) (1).

**§ 160.058-3 Materials, workmanship, construction and performance requirements.**

(a) The materials, construction, workmanship, general and detail requirements shall conform to the requirements of the specification listed in § 160.058-1(a) (1), except as otherwise specifically provided by this subpart.

**§ 160.058-4 Inspections.**

(a) Desalter kits specified by this subpart are not inspected at regularly scheduled factory inspections; however, the Commander of the Coast Guard District in which the desalter kits are manufactured may detail a marine inspector at any time to visit places where desalter kits are manufactured to check materials and construction methods and to satisfy himself that the desalter kits are being manufactured in compliance with the requirements of the specification listed in § 160.058-1(a) (1) as modified by this specification and are suitable for the intended purpose. The manufacturer shall admit the marine inspector to his plant and shall provide a suitable place and the necessary apparatus for the use of the marine inspector in conducting tests at the place of manufacture.

**§ 160.058-5 Labeling and marking.**

(a) In addition to the marking and instructions required by the specification listed in § 160.058-1(a) (1), the Coast Guard approval number shall be included. The contract number may be omitted.

**§ 160.058-6 Procedure for approval.**

(a) *General.* Desalter kits for use in lifeboats or liferafts on merchant vessels are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's plans and specifications.* In order to obtain approval, submit two samples and four copies of

detailed plans, specifications and a bill of material to the Commander of the Coast Guard District in which the kits are manufactured. Prior to any action by the Coast Guard it will be required that the desalter kit, under consideration, either be listed on the Qualified Products List of Products Qualified Under the Military Specification listed in § 160.058-1(a) (1), or the manufacturer of such kits shall prove by report from the Bureau of Ships, U.S. Navy, or a recognized testing laboratory that the desalter kit does in fact comply with the specification listed in § 160.058-1(a) (1).

75. Part 160 is amended by inserting after § 160.060-9 a new Subpart 160.061 consisting of §§ 160.061-1 to 160.061-7, inclusive, reading as follows:

**Subpart 160.061—Fishing Tackle Kits, Emergency, for Merchant Vessels**

- Sec. 160.061-1 Applicable specifications.
- 160.061-2 Requirements.
- 160.061-3 Design and construction.
- 160.061-4 Kit assembly.
- 160.061-5 Marking.
- 160.061-6 Inspection and test.
- 160.061-7 Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 160.061 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 395, 397, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

**§ 160.061-1 Applicable specifications.**

(a) The following specifications, of the issue in effect on the date emergency fishing tackle kits are manufactured, form a part of this subpart:

- (1) *Federal specifications:*
  - QQ-T-706—Iron and steel; sheet, tinned (tin plate).
  - QQ-W-423—Wire, steel, corrosion-resisting.
  - HH-P-91—Packing, fiber, hard sheet.
  - CCC-F-451—Flannel, cotton.

(2) *Military specifications:*

- MIL-H-2846—Hooks, fish, steel.
- MIL-B-1418—Blades, razor, safety.
- MIL-A-140—Adhesive, water-resistant, W.P. barrier-material.

(b) Copies of the specifications referred to in this section shall be kept on file by the manufacturer, together with the approved plans, if any, and the certificate of approval.

(1) The Federal Specifications may be purchased from the Business Service Center, General Services Administration, Washington, D.C., 20407.

(2) The Military Specifications may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120.

**§ 160.061-2 Requirements.**

(a) *Material.* Material shall be as specified in this subpart.

(b) *Assembly.* Emergency fishing kits shall consist of fishing rigs, accessories, and instructions furnished in a hermetically sealed container.

(c) *Components.* Each fishing kit shall consist of the items listed in table 160.061-2(c).

TABLE 160.061-2(c)—Fishing Kits

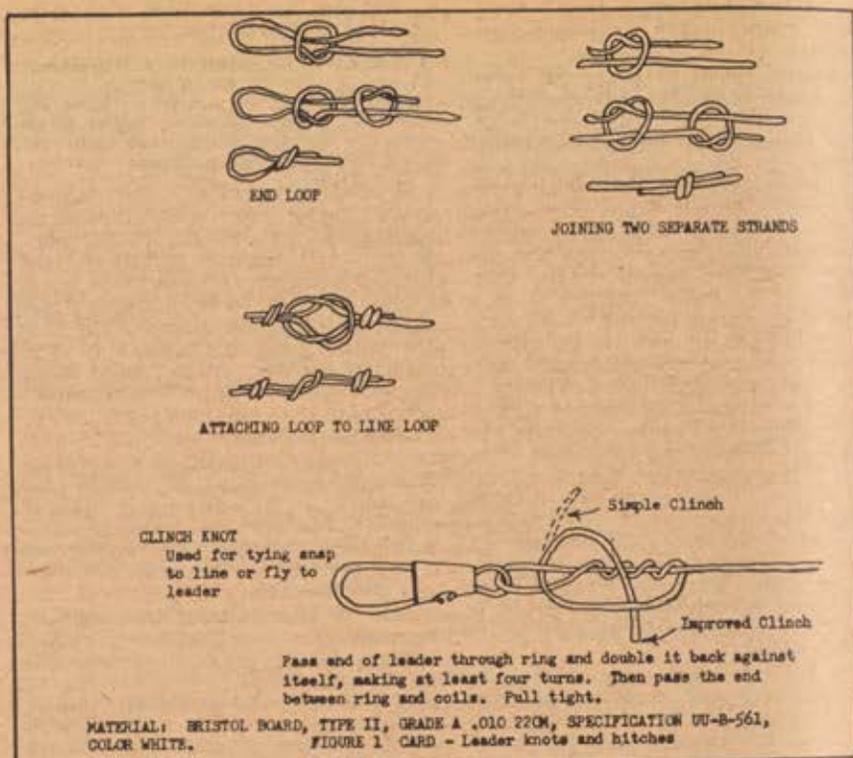
Item No.	Description <sup>1</sup>	Quantity
1.....	Booklet, Fishing Instructions (Refer to § 160.061-3(1)).	1 each.
2.....	Container, Fishing Kit (See Fig. 2).	1 each.
3.....	Hooks, treble, size 1, short shank.	2 each.
4.....	Hooks, size 7/0, 5/0, 1/0, 2, 6, 8, O'Shaughnessy, straight shank, double strength.	2 each.
5.....	Leader, wire, 0.011-inch diameter, 27-pound test (with No. 3 snap on one end and No. 7 swivel on the other end) 6-inch length.	2 each.
6.....	Leader, wire, 0.016-inch diameter, 35-pound test (with No. 3 snap on one end and No. 4 swivel on the other end) 12-inch length.	2 each.
7.....	Leader, monofilament, 0.021-inch diameter, 15-pound test, 4-foot length.	4 each.
8.....	Line, monofilament, 18-pound test, 100-foot length.	1 each.
9.....	Line, nylon or dacron, braided, 63-pound test, 150 feet length.	1 each.
10.....	Pad, cotton flannel, 2 3/4 inches square, specification CCC-F-451, color, bright yellow.	1 each.
11.....	Pad, cotton flannel, 2 3/4 inches square, specification CCC-F-451, color, bright red.	1 each.
12.....	Lure, spoon, removable No. 6 hook, yellow feathers, blade length 1 3/4 inches, width 1 3/4 inch, weight 1/2 ounce, polished copper finish.	1 each.
13.....	Lure, spoon, removable No. 5/0 hook, yellow feathers, blade length 3 inches, width 3/4 inch, weight 3/4 ounce, polished chrome finish.	1 each.
14.....	Lure, spoon, free swinging No. 1 treble double strength, short shank, blade length 2 3/4 inches, width 1 3/4 inch, weight 3/4 ounce, stainless steel or chrome plated brass.	1 each.
15.....	Sinkers, pinch on or equal, 3/4 ounce, 3/8 ounce, 1 ounce.	1 each.
16.....	Foil, shiny, 4 inches square.	1 each.
17.....	Squid, tinned body, length 2 inches, weight 1/2 ounce.	1 each.
18.....	Jig, painted lead head, bucktail feathered with 1/0 hook.	1 each.
19.....	Jig, painted lead head, bucktail feathered with 3/0 hook.	1 each.
20.....	Blades, razor, safety, single edge.	1 each.
21.....	Bait, pork rind, 4 inches long, 1/2 inch wide, with ends tapered to 1/8 inch wide and rounded.	4 each.
22.....	Snap and swivels, No. 3.	6 each.
23.....	Card, leader knots and hitches (fig. 1).	1 each.
24.....	Winder (see § 160.061-3(1)).	2 each.

<sup>1</sup> The tolerances of these items shall be plus or minus 1/32-inch on all dimensions.

### § 160.061-3 Design and construction.

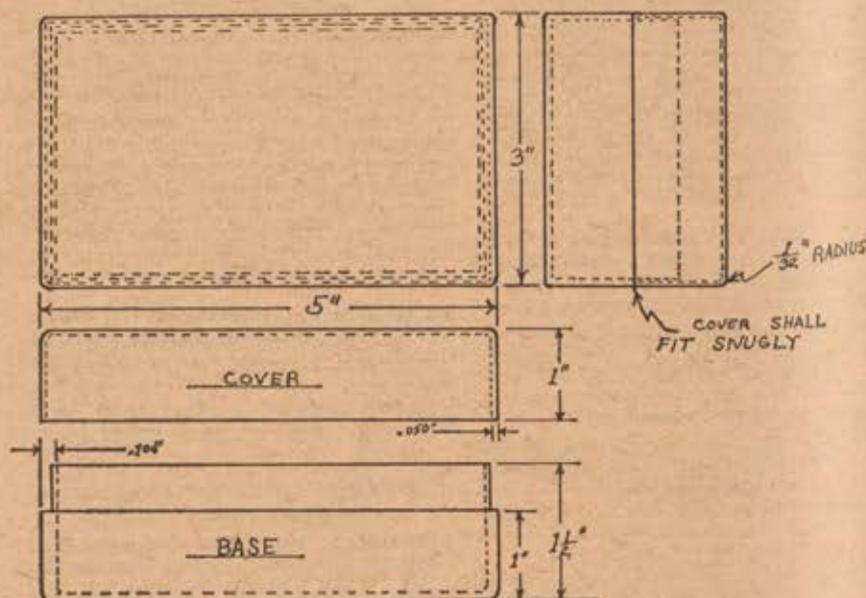
(a) *Container.* The container shall be made of ethyl cellulose, clear, type EM-1, Specification MIL-P-3412 or better. The dimensions shall not exceed those specified in Figure 2. Other packaging arrangements acceptable to the Commandant will be considered.

(b) *Card.* A card showing leader knots and hitches shall be provided as per Figure 1. Size of card should not exceed 2 3/4 by 4 3/4 inches.



(c) *Hooks.* Unless otherwise specified, all hooks shall be of forged steel, hollow ground with filed out points. The hooks shall be of ringed type and shall be tinned. Hooks shall be tempered, tough, flexible, and resilient.

(d) *Leaders.* Wire leaders shall be of stainless steel, and shall be attached to snaps and swivels with not less than six turns of wire. Monofilament leaders shall be blue mist and shall be provided with a 5/8-inch inside diameter end loop on one end.



(e) *Snaps and swivels.* Swivels shall be either of brass or bronze. Snaps shall be stainless steel.

(f) *Lines.* Unless otherwise specified, nylon lines shall be hard braided, waterproofed, and heat set to reduce "stretch". Lines may be either camouflage or mist in color.

(g) *Spoons.* Spoons shall be of the single-blade, egg-shaped dished type with either fixed or free-swinging hooks. The spoons shall be stainless steel or stamped from brass and plated to resist corrosion. Each spoon shall, on the forward end, be provided with an eye for attachment to the line. Spoons having free-swinging hooks shall have the hooks attached by means of a split ring through a hole in the rear of the blade. In fixed-hook spoons, the hook shall be attached to the spoon by a screw and shall be shaped to conform to the contour of the spoon. Feathers, if provided, shall be yellow hackle feathers attached to the hook by wrapping with thread, and the wrapping coated with red lacquer.

(h) *Winder.* Winders shall conform to Figure 3, or shall be of an equivalent commercial design suitable to contain required length of line.

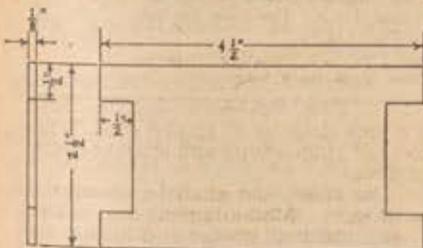


Figure 3—Winder. Material: Packing: fiber, hard sheet, Specification HH-P-91; dimensions in inches; Unless otherwise specified, tolerances: Fractions plus or minus 1/32-inch.

(i) *Booklet of instructions.* The fishing instructions shall be prepared in pamphlet form, approximately 2 1/2 inches by 4 1/2 inches on parchment paper, in waterproof ink, with printing on one side of the paper only. The booklet shall contain a complete description of how and under what conditions each component should be used, and general suggestions for fishing. It shall be prepared in easy to read form in such a manner that a completely inexperienced person will know what equipment to use and how to use it. Both physical form and the contents of the booklet shall be specially approved by the Commandant, U.S. Coast Guard, prior to acceptance. A copy of approved contents for the instruction booklet will be furnished on request.

§ 160.061-4 Kit assembly.

(a) *Preparation of items.* The items shall be prepared for packing into the kit as indicated below. Each transparent envelope shall be closed by heat sealing.

Item No.	Preparation for assembly
1, 10, 11, 12, 13, 14, 15, 16, 17, 23, 24.	None.
3, 4, 5, 6, 7, 18, 19, 21, 22.	Insert in a transparent envelope.
8 and 9	Gather into a hank 4 1/2 inches long and restrain with tape.
20	Wrap in paper envelope.

(b) *Packing of items.* The components of the kit, after being prepared as specified, shall be packed in the container in such manner that there is a minimum possibility of any item being bent or crushed. The marking label shall be placed on the bottom of the container with the wording facing out. The instruction booklet shall be packed, front cover up, under the lid. The container shall be sealed after the components have been packaged therein with an 18-inch length of 3/4-inch wide adhesive tape conforming to Specification JAN-P-127. The tape shall be applied around the perimeter of the container with an equal amount on each side of the juncture of the two sections of the container. An alternate packaging arrangement acceptable to the Commandant will be acceptable.

§ 160.061-5 Marking.

(a) *General.* The containers shall be stenciled on the bottom in black with the manufacturer's name or trademark and type or model number in letters approximately 3/16 inch high, together with the following legend in letters 3/16 inch high:

UNITED STATES COAST GUARD  
APPROVAL NO. 160.061/-  
EMERGENCY FISHING TACKLE KIT  
OPEN ONLY FOR ACTUAL EMERGENCY USE  
NOT FOR INSPECTION

§ 160.061-6 Inspection and test.

(a) *General.* Fishing tackle kits specified by this subpart are not inspected at regularly scheduled factory inspections; however, the Commander of the Coast Guard District in which the fishing tackle kits are manufactured may detail a marine inspector at any time to visit places where fishing kits are manufactured to check materials and construction methods and to conduct such tests and examinations as may be required to satisfy himself that the fishing tackle kits are being manufactured in compliance with the requirements of this specification and are suitable for the intended purpose. The manufacturer shall admit the marine inspector to his plant and shall provide a suitable place and the necessary apparatus for the use of the inspector in conducting tests at the place of manufacture.

§ 160.061-7 Procedure for approval.

(a) *General.* Fishing kits for use in lifeboats, liferafts, etc., aboard merchant vessels are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Correspondence relating to the subject matter of this speci-

fication shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Pre-approval sample and plans.* Manufacturers who desire to manufacture approved fishing kits shall submit to the Commander of the Coast Guard District in which the factory is located, two sample fishing kits, together with 4 sets of drawings showing all items, instructions, markings, etc. The Commander of the Coast Guard District will forward the sample fishing kits and the drawings to the Commandant to determine compliance with this subpart and suitability of the fishing tackle kit for type approval for use in lifeboats and liferafts on merchant vessels.

PART 161—ELECTRICAL ENGINEERING

1. The authority for Part 161 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 161 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4483, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8029; 167-30, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

Subpart 161.002—Fire-Protective Systems

2. The authority note for Subpart 161.002 is deleted since it duplicates the authorities listed for the entire part.

Subpart 161.004—Emergency Loudspeaker System

3. The authority note for Subpart 161.004 is deleted since it duplicates the authorities listed for the entire part.

PART 162—ENGINEERING EQUIPMENT

Subpart 162.001—Safety Valves (Power Boilers)

1. The authority note for Subpart 162.001 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.001 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 411, 489,

367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

#### Subpart 162.012—Safety Valves (Steam Heating Boilers)

2. The authority note for Subpart 162.012 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.012 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 411, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

#### Subpart 162.013—Relief Valves (Hot Water Heating Boilers)

3. The authority note for Subpart 162.013 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.013 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 411, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

#### Subpart 162.014—Fusible Plugs for Merchant Vessels

4. The authority note for Subpart 162.014 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.014 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4433, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 411, 481, 489, 367, 1333, 50 U.S.C. 198; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

#### Subpart 162.016—Flame Arresters for Tank Vessels

5. The authority note for Subpart 162.016 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.016 interpret or apply R.S. 4417a, as amended, 4491, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 489, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

#### Subpart 162.017—Pressure-Vacuum Relief Valves and Spill Valves for Tank Vessels

6. The authority note for Subpart 162.017 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.017 interpret or apply R.S. 4417a, as amended, 4491, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 489, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

#### Subpart 162.018—Safety Relief Valves, Liquefied Compressed Gas

7. The authority note for Subpart 162.018 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.018 interpret or apply R.S. 4417a, as amended, 4491, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 489, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

#### Subpart 162.026—Boilers, Auxiliary, Automatically Controlled, Packaged, for Merchant Vessels

8. The authority note for Subpart 162.026 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.026 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4433, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 411, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

#### Subpart 162.027—Nozzles, Firehose, Combination Solid stream and Water Spray (1 1/2-Inch and 2 1/2-Inch) for Merchant Vessels

9. The authority note for Subpart 162.027 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.027 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 405, 481, 489, 367, 1333, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

10. Section 162.027-1(b) is amended to read as follows:

§ 162.027-1 Applicable specifications.

(b) *Copies on file.* Copies of the specifications referred to in this section shall be kept on file by the manufacturer, together with the approved plans and certificate of approval. The Military Specification may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa., 19120. The Federal Specification may be purchased from the Business Service Center, General Services Administration, Washington, D.C., 20405.

11. Section 162.027-2(a) is amended to read as follows:

§ 162.027-2 Type and size.

(a) *Type.* Combination solid stream and water spray firehose nozzles specified by this subpart shall consist essentially of a firehose nozzle body with two discharge outlets, a valve for shut off and directing the flow of water to either outlet, a high-velocity water spray tip, and an applicator with a low-velocity water spray head. One discharge outlet

shall be a straight stream orifice, and the other outlet shall be designed to accommodate either the high-velocity tip or the applicator with the low-velocity head, both of which must be capable of being removed or inserted readily without the use of tools. Combination nozzles shall be designed so that both the high-velocity spray tip and the low-velocity spray head are designed to pass material up to the size of a 7/8-inch diameter ball for the 1 1/2-inch size, and up to a 1/2-inch diameter ball for the 2 1/2-inch size. Nozzles permitting adjustment to obtain a range of spray patterns will not be considered as meeting the requirements of this subpart.

§ 162.027-3 [Amended]

12. Section 162.027-3 *Materials, construction, workmanship, and performance requirements* is amended by deleting subparagraphs (2) and (4) and by redesignating subparagraph (3) as subparagraph (2) in paragraph (b).

§ 162.027-4 [Amended]

13. Section 162.027-4 *Inspections and tests* is amended by deleting paragraph (e) and by redesignating paragraphs (f) and (g) as paragraphs (e) and (f), respectively.

#### Subpart 162.028—Extinguishers, Fire, Portable, Marine Type

14. The authority note for Subpart 162.028 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 162.028 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545 as amended, sec. 3, 17, 54 Stat. 347, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526g, 526p, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 820; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

15. Part 162 is amended by inserting after § 162.028-8 a new Subpart 162.034 consisting of §§ 162.034-1 to 162.034-6, inclusive, reading as follows:

#### Subpart 162.034—International Shore Connections (Ship)

Sec.  
162.034-1 Applicable specifications.  
162.034-2 Type.  
162.034-3 Materials, workmanship, and construction.  
162.034-4 Inspection and tests.  
162.034-5 Marking.  
162.034-6 Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 162.034 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 17, 54 Stat. 347, as amended, 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 405, 481, 489, 367, 1333, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894;

CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

§ 162.034-1 Applicable specifications.

(a) There are no other specifications applicable to this subpart.

§ 162.034-2 Type.

(a) The international shore connection shall be of one type as specified in this subpart.

§ 162.034-3 Materials, workmanship, and construction.

(a) The connection shall be constructed of brass or bronze suitable for 150 p.s.i. service. The bolts, nuts, and washers shall be of brass or bronze. The gasket shall be of any material suitable for 150 p.s.i. service.

(b) Workmanship shall be first class. Completed units shall be free from imperfections or defects which materially affect appearances or which may affect serviceability.

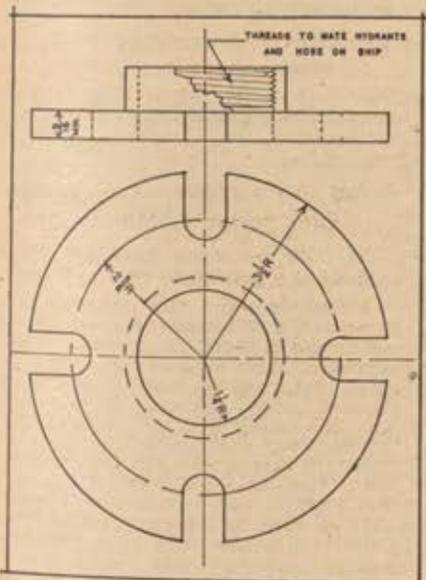


FIGURE 162.034-3 (c).

(c) The flange of the connection shall have a flat face on one side and a coupling that will fit the ship's hydrants and hose on the other. The connection and parts shall be in accordance with Figure 162.034-3 (c) and the following details:

(1) Connection:

- Outside diameter... 7 inches.
- Inside diameter... 2 1/2 inches.
- Bolt circle diameter... 5 1/4 inches.
- Bolt holes... 4, each of 3/8-inch diameter equidistantly placed, slotted to the flange periphery.
- Flange thickness... 3/16-inch minimum.
- Flange surface... Flat face.

(2) Bolts, nuts, washers:

- Bolts... 4, each of 3/8-inch diameter, of 2 inches minimum length, threaded to within 1 inch of bolt head.
- Nuts... 4, each of fit bolts.
- Washers... 8, each of fit bolts.

(3) Gasket:

- Gasket... Any suited to 150 p.s.i. service.

§ 162.034-4 Inspection and tests.

(a) International shore connections (ship) specified by this subpart are not subject to factory inspections, but may be subject to shipboard inspections to determine conformance to this subpart.

§ 162.034-5 Marking.

(a) No specific marking is required.

§ 162.034-6 Procedure for approval.

(a) International shore connections (ship) are not subject to formal approval, but will be accepted by the marine inspector on the basis of this subpart at annual inspections and reinspections of vessels.

16. Part 162 is amended by inserting after § 162.034-6 a new Subpart 162.039, consisting of §§ 162.039-1 to 162.039-8, inclusive, reading as follows:

Subpart 162.039—Extinguishers, Fire, Semiportable, Marine Type

Sec.

- 162.039-1 Applicable specifications.
- 162.039-2 Classification.
- 162.039-3 Requirements.
- 162.039-4 Marine type label.
- 162.039-5 Recognized laboratory.
- 162.039-6 Examinations, tests, and inspections.
- 162.039-7 Procedure for listing and labeling.
- 162.039-8 Termination of listing of labeling.

**AUTHORITY NOTE:** The provisions of this Subpart 162.039 interpret or apply R.S. 4417a, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4488, as amended, 4491, as amended, secs. 1, 3, 49 Stat. 1544, 1545, as amended, secs. 3, 17, 54 Stat. 347, as amended, 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 392, 404, 405, 481, 489, 367, 1333, 526p, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1954, 21 F.R. 4894; CGFR 56-28, July 24, 1956; 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

§ 162.039-1 Applicable specifications.

(a) There are no other Coast Guard specifications applicable to this subpart.

§ 162.039-2 Classification.

(a) Every semiportable fire extinguisher shall be classified as to type and size as specified in § 76.50-5 (Subchapter H—Passenger Vessels) of this chapter.

§ 162.039-3 Requirements.

(a) **General.** Every semiportable fire extinguisher shall conform to the requirements for listing and labeling by a recognized laboratory as a stationary unit and shall be of such design, materials, and construction as to meet the requirements specified in this section.

(b) **Design.** Every semiportable extinguisher shall be arranged for stowage in a fixed location (wheeled units not permitted), fitted with hose of sufficient length to a nozzle or nozzles to provide for suitable application of the extinguishing agent to any part of the space protected (a length of pipe may connect the outlet of the supply to the hose connection); shall weigh more than 55 pounds when fully charged; shall be self-contained, i.e., when charged, it shall not require any additional source of

extinguishing agent or expellent energy for its operation; and shall provide simple means for immediate operation by a single operator. The design, materials and construction shall provide reliability of operation and performance after non-use for long periods under conditions encountered in marine service.

(c) **Materials.** Materials used for exposed working parts, except those used for inversion mechanism or similar purposes, shall be corrosion-resistant to salt water and spray. Materials used for other exposed parts shall be either corrosion-resistant or shall be protected by a suitable corrosion-resistant coating.

(1) **Corrosion-resistant materials.** The materials which are considered to be corrosion-resistant are copper, brass, bronze, certain copper-nickel alloys, certain alloys of aluminum, certain plastics, and certain stainless steels.

(2) **Corrosion-resistant coatings.** (i) The following systems of organic or metallic coatings for exposed nonworking ferrous parts except for ICC cylinders, when applied on properly prepared surfaces after all cutting, forming, and bending operations are completed, are considered to provide suitable corrosion resistance:

- (a) Bonderizing, followed by the application of zinc chromate primer, followed by one or more applications of enamel; or,
- (b) Inorganic zinc coatings; or,
- (c) Hot-dipped or electrodeposited zinc in thicknesses not less than 0.002 inch; or,
- (d) Electrodeposited Cadmium in thicknesses not less than 0.001 inch; or,
- (e) Hot-dipped or sprayed aluminum in thicknesses not less than 0.002 inch; or,
- (f) Copper plus nickel in total thicknesses not less than 0.003 inch, or which the nickel is not less than 0.002 inch, plus any thickness of chrome.

(ii) The metallic platings of less than the thicknesses specified in this paragraph are not acceptable for the protection against corrosion of ferrous parts.

(3) **Decorative platings.** Decorative platings in any thicknesses applied over corrosion-resistant materials and corrosion-resistant coatings are acceptable for either working or nonworking parts.

(4) **Dissimilar metals.** The use of dissimilar metals in combination shall be avoided wherever possible, but when such contacts are necessary, provisions (such as bushings, gaskets, or o-rings) shall be employed to prevent such deleterious effects as galvanic corrosion, freezing or buckling of parts, and loosening or tightening of joints due to differences in thermal expansion.

(5) **Suitability of materials.** In event of question as to the suitability of the materials (including coatings) used, the salt spray test described in subparagraph (6) of this paragraph shall be conducted.

(6) **Salt spray test.** Expose the complete fully charged specimen extinguisher to a 20 percent sodium-chloride solution spray at a temperature of 95° F. (35° C.) for a period of 240 hours. The procedures and apparatus described in Method 811 of Federal Test Method Standard No. 151 are suitable. Alternate

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methods may be found satisfactory if the results are comparable. Following the test, allow the specimen extinguisher to air dry for a period of 48 hours. Following the air drying, the specimen extinguisher shall be capable of being operated satisfactorily without undue effort or special procedures on the part of the operator, and it shall be capable of being recharged satisfactorily in accordance with the directions on the nameplate without the use of extraordinary tools or procedures.

(d) *Gages.* Every pressure gage used on a semiportable fire extinguisher shall have an accuracy of at least 2 percent of the scale range for the middle half of the scale conforming to ASME Grade B commercial accuracy. The gage when new shall be watertight, i.e., with the connection capped or plugged, no water shall penetrate to the interior of the case during submergence 1 foot below the surface of water for a period of 2 hours. The gage shall be constructed of corrosion-resistant materials, so that the pointer or face lettering will not be obliterated by the action of salt water if some leakage should occur after rough handling or extended periods of service. The gage, when attached to the extinguisher, shall pass the salt spray and vibration tests prescribed by paragraphs (c) (6) and (e) of this section.

(e) *Vibration resistance.* Either component parts, subassemblies, or the complete, fully charged specimen extinguisher, shall be tested in accordance with §§ 3.1 through 3.1.4.4 of Military Standard MIL-STD-167. Following this test, there shall be no obvious failures of parts or assemblies, and they shall be capable of being operated satisfactorily without undue effort or special procedures on the part of the operator, and the extinguisher shall be capable of being recharged satisfactorily in accordance with the directions on the name plate without the use of extraordinary tools or procedures.

(f) *Carbon dioxide type.* Every carbon dioxide type extinguisher shall be fitted with a valve which will withstand a minimum bursting pressure of 6,000 p.s.i., and a discharge hose or tube which will withstand a minimum bursting pressure of 5,000 p.s.i. The hose shall be constructed with either a wire braid or other conducting material for conducting static charges occurring at the discharge nozzle back to the body of the extinguisher.

(g) *Chemical-foam type.* Every chemical foam type semiportable fire extinguisher shall have a nozzle which will provide operating characteristics such that when it is held about 3 feet above the ground at an elevation of approximately 30", and with the extinguisher and contents both at approximately 70° F. and 120° F., the range of the stream shall not exceed 40 feet, and the major portion of the discharge shall fall between 20 and 40 feet, measured horizontally, from the nozzle. The duration of the effective discharge shall be between 2.5 and 4.0 minutes, effective discharge being considered as occurring while the major portion of the discharge falls be-

yond 10 feet, measured horizontally, from the nozzle.

(h) *Dry chemical type.* Every dry chemical type semiportable fire extinguisher shall contain dry chemical of the foam compatible type, i.e., dry chemical which has been found to be compatible with the mechanical foams used aboard vessels.

(i) *Toxic extinguishing agents.* Every semiportable fire extinguisher shall contain only agents which qualify for the Underwriters' Laboratories, Inc., toxicity rating of Group 5 or Group 6, and which in normal fire extinguishing use do not generate decomposition products in concentrations hazardous to life. Acceptance of extinguishing agents under these requirements will be determined by the Coast Guard.

(j) *Fire tests.* Fire tests may be employed in determining the suitability for "marine type" listing and labeling.

(k) *Additional tests.* Every semiportable extinguisher may be additionally examined and tested to establish its reliability and effectiveness in accordance with the intent of this specification for a "marine type" semiportable fire extinguisher when considered necessary by the Coast Guard or by the recognized laboratory.

(l) *Additional marking.* (1) As part of the usual nameplate marking, there shall be included the rated capacity of the extinguisher in gallons, quarts, or pounds, and complete instructions for recharging, including the identification of the recharge materials and of the pressure containing cylinder or separate container if one is used.

(2) Pasted-on type paper or decalcomania labels are not acceptable for any of the required extinguisher marking.

(3) Recharge packages shall be legibly marked with the name of the recharge and the capacity of contents in gallons, quarts, or pounds in addition to the usual recharge package marking. Recharge pressure containing cylinders shall, in addition to the usual marking, also be plainly marked to show the distinctive identifying designation of the cylinder.

(m) *Securing means.* Every semiportable fire extinguisher shall be supplied with a suitable means for holding the extinguisher securely in its stowage location on vessels or boats. The materials shall be sufficiently corrosion-resistant or protected against corrosion to withstand the test prescribed by paragraph (c) (6) of this section without showing more than traces of slight corrosion, which may be easily wiped off after rinsing with tapwater.

#### § 162.039-4 Marine type label.

(a) In addition to all other marking, every semiportable extinguisher shall bear a label containing the "marine type" listing manifest issued by a recognized laboratory. This label will include the classification of the extinguisher in accordance with the Coast Guard classification system, and the Coast Guard approval number, thus: "Marine Type USCG Number \_\_\_\_\_, Size \_\_\_\_\_, Approval No. 162.039/Ex.\_\_\_\_\_" All such labels are to be obtained from the recognized labo-

ratory and will remain under its control until attached to product found acceptable under its listing and labeling program.

#### § 162.039-5 Recognized laboratory.

(a) A recognized laboratory is one which is regularly engaged in the examination, testing, and evaluation of semiportable fire extinguishers; which has an established factory inspection, listing, and labeling program; and which has special standards for listing and labeling as a "marine type" semiportable fire extinguisher acceptable to the Commandant as approved for use on merchant vessels and motorboats. The following laboratories are recognized, and the semiportable fire extinguishers bearing their "marine type" labels are approved for use on merchant vessels and motorboats:

(1) Underwriters' Laboratories, Inc., mailing address: Post Office Box 247, Northbrook, Ill., 60062.

#### § 162.039-6 Examinations, tests, and inspections.

(a) Full examinations, tests, and inspections to determine the suitability of a product for listing and labeling, and to determine conformance of labeled product to the applicable requirements are conducted by the recognized laboratory. Whenever any work is being done on components or the assembly of such product, the manufacturer shall notify the recognized laboratory in order that an inspector may be assigned to the factory to conduct such examinations, inspections, and tests as to satisfy himself that the quality assurance program of the manufacturer is satisfactory, and that the labeled product is in conformance with the applicable requirements.

(b) Manufacturers of listed or labeled marine type semiportable fire extinguishers shall maintain quality control of the materials used, manufacturing methods, and the finished product so as to meet the applicable requirements, and shall make sufficient inspections and tests of representative samples of the extinguishers and various components produced to maintain the quality of the finished product. Records of tests conducted by the manufacturer shall be made available to the laboratory inspector or to the Coast Guard marine inspector, or both, for review upon request.

(c) Followup check tests, examinations, and inspections of product listed and labeled as a "marine type" semiportable fire extinguisher acceptable to the Commandant as approved for use on merchant vessels and motorboats may be conducted by the Coast Guard, as well as by the recognized laboratory.

(d) The laboratory inspector, or the Coast Guard merchant marine inspector assigned by the Commander of the District in which the factory is located, or both, shall be admitted to any place in the factory where work is being done on listed or labeled product, and either or both inspectors may take samples of parts or materials entering into construction, of final assemblies, for further ex-

aminations, inspections, or tests. The manufacturer shall provide a suitable place and the apparatus necessary for the performance of the tests which are done at the place of manufacture.

**§ 162.039-7 Procedure for listing and labeling.**

(a) Manufacturers having models of extinguishers which they believe are suitable for marine service may make application for listing and labeling of such product as a "marine type" semiportable fire extinguisher which will be acceptable to the Commandant as approved for use on merchant vessels, by addressing a request directly to a recognized laboratory. The laboratory will inform the submitter as to the requirements for inspections, examinations, and testing necessary for such listing and labeling. All costs in connection with the examinations, tests, and inspections, listings and labelings are payable by the manufacturer.

**§ 162.039-8 Termination of listing or labeling.**

(a) Listing or labeling as a marine type semiportable fire extinguisher acceptable to the Commandant as approved for use on inspected vessels or motorboats may be terminated, withdrawn, canceled, or suspended by written notice to the recognized laboratory from the Commandant, or by written notice to the manufacturer from the recognized laboratory or from the Commandant, under the following conditions:

- (1) When the manufacturer does not desire to retain the service.
- (2) When the listed product is no longer being manufactured.
- (3) When the manufacturer's own program does not provide suitable assurance of the quality of the listed or labeled product being manufactured.
- (4) When the product manufactured no longer conforms to the current applicable requirements.

**PART 163—CONSTRUCTION**

**Subpart 163.001—Doors, Watertight, Sliding (and Door Controls), for Merchant Vessels**

1. The authority note for Subpart 163.001 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 163.001 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 415, Interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 688, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 482, 366, 363, 85a, 88a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857; 167-48, Oct. 19, 1962, 27 P.R. 10504.

**PART 164—MATERIALS**

**Subpart 164.001—Cork, Sheet, for Merchant Vessels**

1. The authority note for Subpart 164.001 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 164.001 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**Subpart 164.002—Balsa Wood for Merchant Vessels**

2. The authority note for Subpart 164.002 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 164.002 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**Subpart 164.003—Kapok, Processed**

3. The authority note for Subpart 164.003 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 164.003 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**Subpart 164.006—Deck Coverings for Merchant Vessels**

4. The authority note for Subpart 164.006 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 164.006 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857.

5. Part 164 is amended by inserting after § 164.006-5 a new Subpart 164.007, consisting of §§ 164.007-1 to 164.007-4, inclusive, reading as follows:

**Subpart 164.007—Structural Insulations for Merchant Vessels**

- Sec.
- 164.007-1 Applicable specifications.
  - 164.007-2 Material.
  - 164.007-3 Inspection and testing.
  - 164.007-4 Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 164.007 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-14, Nov. 26, 1954, 19 P.R. 8026; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857.

**§ 164.007-1 Applicable specifications.**

(a) *General.* The following specification and standard, of the issue in effect on the date of manufacture of the structural insulation, shall form a part of this subpart where applicable.

(1) *Coast Guard:*

Subpart 164.009—Incombustible Materials for Merchant Vessels.

(2) *American Society for Testing Materials:*

ASTM-E-119—Fire Tests of Building Construction and Materials.

(b) *Copies on file.* Copies of the specifications referred to in this section shall be kept on file by the manufacturer, together with the certificate of approval. The Coast Guard specification may be obtained upon request from the Commandant, U.S. Coast Guard, Washington, D.C., 20226. The American Society for Testing Materials specification may be purchased from the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pa., 19103.

**§ 164.007-2 Material.**

(a) "Structural Insulation" shall be of such quality as to successfully meet the requirements for an Incombustible Material as set forth in Subpart 164.009.

(b) Structural Insulation shall be of such quality and thickness as to successfully pass all of the tests set forth in § 164.007-3.

**§ 164.007-3 Inspection and testing.**

(a) All tests shall be conducted at the National Bureau of Standards or other laboratory designated by the Coast Guard.

(b) *Density measurement.* The smallest sample for density measurements of solid materials shall be 12 by 12 inches by the submitted thickness. Length and width measurements shall be made to the nearest 1/32 inch, thickness to the nearest 0.01 inch, allowance being made of any nonflatness of the major surfaces of the specimen. Measurements of dimensions of fibrous insulations shall be made to the nearest 1/16 inch on a nominal 12-inch cube assembled from sheets of thickness received. The average of at least 4 measurements of each dimension shall be reported. The weight shall be determined with a scale

or balance sensitive and accurate to 0.5 percent or less of the total weight. The dimensional and weight measurements shall not be made until the sample has been conditioned 1 week, or longer if required to reach constant weight, in an atmosphere at  $73 \pm 2^\circ$  F. and  $50 \pm 5$  percent relative humidity.

(c) *Content of moisture and volatile matter.* Transfer a weighed sample cut from the density specimen, previously conditioned to equilibrium at  $73 \pm 2^\circ$  F. and  $50 \pm 5$  percent relative humidity, to a previously weighed wide-mouth weighing bottle provided with a glass stopper. Remove the stopper and heat the bottle and sample at  $105 \pm 5^\circ$  C. for 4 hours, insert the stopper, cool, and weigh. Calculate the content of moisture and other volatiles as percent of the final dry weight of the sample.

(d) *Fire resistance test.* (1) Except as modified by this paragraph, the tests shall be conducted in accordance with the American Society for Testing Materials Standard E-119.

(2) Representative samples of the structural insulation, of a thickness or thicknesses and density as specified in § 164.007-4(b), shall be tested as part of a sandwich panel assembly which forms a portion of a vertical wall of a furnace. The assembly shall be at least 40 by 60 inches in size. The insulation shall be held in place between a  $\frac{1}{8}$  inch steel plate on the outside of the furnace and a 20 gage sheet steel cover plate on the fire side. No metallic fastenings through the insulation shall be used. Spacer strips of asbestos cement board or similar material, up to 2 inches in width, built up to the same thickness as the insulation being tested, shall be installed around the periphery of the panel. Through fastenings for the cover shall be held to a minimum, and shall be made only near the edge of the panel through the spacer strips. Any necessary stiffening members on the sheet metal or the  $\frac{1}{8}$  inch steel plate shall be installed on the faces not adjacent to the insulation. At least five thermocouples shall be installed between the insulation and the  $\frac{1}{8}$  inch plate. The thermocouple junctions and any adjoining bare lead wire shall be fitted with asbestos sleeves to prevent contact with the metal. The thermocouples shall be so spaced as to obtain representative temperatures over the center half of the panel area. The furnace shall be heated, and the average furnace temperature as indicated by five or more thermocouples distributed in the furnace shall be controlled according to the standard fire exposure curve reaching  $1,700^\circ$  F. at the end of 1 hour. The reading of all thermocouples shall be recorded at intervals not greater than 5 minutes throughout the test.

(3) Data from these tests shall be analyzed to determine the minimum thickness necessary to limit the average temperature rise on the cooler surface of the insulation to  $250^\circ$  F. above the original temperature or the maximum rise at any one thermocouple location on this surface to  $325^\circ$  F. above the original temperature at the end of 60 minutes.

(e) *Spot check tests.* (1) Structural insulation is not inspected at regularly

scheduled factory inspections; however, the Commander of the Coast Guard District in which the plant is located may detail a marine inspector at any time to visit any place where structural insulation is manufactured to conduct any inspections or examinations deemed advisable and to select representative samples for further examination, inspection, or tests. The marine inspector shall be admitted to any place where work is done on structural insulation or component materials.

(2) Manufacturers of approved structural insulation shall maintain quality control of materials used, manufacturing methods, and the finished product so as to meet the requirements of this specification, and any other conditions outlined on the certificate of approval, but the Coast Guard also reserves the right to make spot-check tests of approved structural insulation at any time on samples selected by a marine inspector at the place of manufacture or samples obtained from other sources in the field. The manufacturer will incur no expense for such tests, but the results shall be binding upon the approval of his product. The manufacturer will be advised in advance of the time of testing of the samples selected and may witness the tests if he so desires.

#### § 164.007-4 Procedure for approval.

(a) If a manufacturer desires to have a structural insulation approved, a request shall be presented to the Commandant of the Coast Guard together with the following:

(1) If the material has already been approved as an Incombustible Material under Subpart 164.009, the approval number of the material shall be indicated. If the material has not been approved as an Incombustible Material, the procedure set forth in Subpart 164.009 shall be followed; and such approval shall be obtained prior to submittal under this specification.

(2) A description and trade name of the structural insulation.

(3) A statement of the composition of the material and the percentage of each component.

(4) A sample of the material at least 1 foot square in each thickness and density of the material as manufactured.

(5) The range of thicknesses and densities in which it is proposed to manufacture or use the material together with any information or recommendations the manufacturer may have as to maximum or minimum thickness or densities.

(6) The location of the place where the material will be manufactured.

(7) Description of attachment to or protection of the bulkhead or deck. If an adhesive is used, a liberal sample shall be supplied.

(b) The above information will be examined by the Coast Guard when the material has been approved as an "Incombustible Material," and if it is indicated that the material is in all respects suitable for testing, the manufacturer will be so advised. The recommended thickness and density of the sample for the fire resistance test will be specified at this time, together with the estimated cost of the required test.

(c) If the material is indicated as being suitable for testing, the manufacturer shall submit the recommended size of samples to the Fire Research Section of the National Bureau of Standards, Washington, D.C., 20234, and shall advise the Coast Guard of the shipment. (A separate test will be made for each density of the material for which approval is desired.)

(d) At this time the manufacturer shall submit to the Coast Guard the following:

(1) A statement that the material as offered for testing and, as described pursuant to paragraph (a) (3) of this section, is completely representative of the product which will be manufactured and sold under U.S. Coast Guard approval if such approval is granted.

(2) A commitment that he will reimburse the National Bureau of Standards for the cost or review of the tests when billed by them.

(3) If the manufacturer desires to witness the test, he should so indicate at this time.

(e) The National Bureau of Standards will then be authorized to conduct the tests noted in § 164.007-3(b) and, upon completion of all testing, the manufacturer will be billed directly by the National Bureau of Standards. Four copies of the test report will be submitted to the Coast Guard.

(f) A copy of the report will be forwarded to the manufacturer and he will be advised if his material is approved under this subpart. If approved, any stipulations of the approval will be specified; and this information will be published in the FEDERAL REGISTER, and an Approval Certificate will be issued to the manufacturer.

(g) If the manufacturer desires to have the tests conducted at some laboratory other than the National Bureau of Standards, this information shall be supplied at the time of initial contact with the Coast Guard. If the proposed laboratory is acceptable to the Coast Guard, the manufacturer will be so advised, and any special testing requirements will be made at this time. The Coast Guard shall be notified in advance of the date of the test so that a representative may be present.

(h) The laboratory shall submit four copies of a detailed test report to the Coast Guard together with representative samples of the material taken before and after testing. The test report and samples will be examined by the National Bureau of Standards for compliance with this subpart. The test report shall include the following information together with any other pertinent data:

(1) Description of the panel tested giving details of the assembly comprising steel plates, insulation (thickness and density), spacer strips and fastening. Also the method of mounting the panel assembly in the test furnace.

(2) Complete time-temperature data, including initial temperature, for each thermocouple together with curves of average temperature for each surface of the insulation.

(3) A log setting forth the observer's notes relative to deflections, cracking or

loosening of the insulation, smoke or gas emission, glow, flame emission, and any other important data. The time of each observation should be noted.

(4) Photographs of both sides of the panel before and after testing. The sheet metal cover should be removed for the photograph after the test.

#### Subpart 164.008—Bulkhead Panels for Merchant Vessels

6. The authority note for Subpart 164.008 is amended to read as follows:

**Authority Note:** The provisions of this Subpart 164.008 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1394, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

7. Section 164.008-1 is amended to read as follows:

#### § 164.008-1 Applicable specifications.

(a) **Specifications.** The following specifications, of the issue in effect on the date of manufacture of the bulkhead panel, shall form a part of this subpart where applicable:

(1) Coast Guard specification:

Subpart 164.009—Incombustible Materials for Merchant Vessels.

(2) American Society for Testing Materials specification:

ASTM E-119—Methods of Fire Tests of Building Construction and Materials.

(b) **Copies on file.** Copies of the specifications referred to in this section shall be kept on file by the manufacturer, together with the certificate of approval. The Coast Guard specification may be obtained upon request from the Commandant, U.S. Coast Guard, Washington, D.C., 20226. The American Society for Testing Materials specification may be purchased from the American Society of Testing Materials, 1916 Race Street, Philadelphia, Pa., 19103.

8. Section 164.008-3(b) (1) and (2) are amended to read as follows:

#### § 164.008-3 Inspection and testing.

(b) **Fire resistance and integrity test.**

(1) The tests shall be conducted in accordance with the provisions of ASTM E-119, Methods of Fire Tests of Building Construction and Materials. A representative bulkhead panel, of a size as indicated in § 164.008-4(c) (1), shall be installed in a furnace to form part of one wall. The furnace shall be heated and the temperature controlled according to the standard fire exposure curve reaching 1,550° F. at the end of 30 minutes and 1,700° F. at the end of 1 hour. The neutral pressure axis in the furnace shall be located not above the ½ height of the test specimen. The temperature of the nonfire exposed side, as indicated by nine thermocouples under 6-inch by 6-inch by 0.40-inch thick felted asbestos pads, three of which thermocouples shall be located on the joints (less than nine

will be given special consideration by the Coast Guard), shall be observed at intervals not greater than 3 minutes during the test. The test shall be continued for at least 30 minutes to meet the requirements of § 164.008-2(b) or at least 60 minutes to meet the requirements of § 164.008-2(c). In either case, the test shall not be stopped before the maximum surface temperature rise values noted in subparagraph (2) of this paragraph have been reached. The observed temperature values will be used in determining the maximum temperature rises of the panel.

(2) Data from these tests shall be analyzed to determine the minimum thickness necessary to limit the temperature rise at any thermocouple on the nonfire exposed surface, including the joint, to 405° F. and an average rise of not more than 250° F. above the original temperature at the end of 15 minutes. Where failure is due to excessive temperature rise on the joint, consideration will be given to alternate joint construction.

9. Section 164.008-4 is amended by revising the text thereof but Figure No. 164.008-4(c) (1) is retained in effect without change, and the text reads as follows:

#### § 164.008-4 Procedure for approval.

(a) If a manufacturer desires to have a bulkhead panel approved, a request shall be presented to the Commandant of the Coast Guard together with the following:

(1) If the material has already been approved as an "Incombustible Material" under Subpart 164.009, the approval number of the material shall be indicated. If the material has not been approved as an "Incombustible Material," the procedure set forth in Subpart 164.009 shall be followed; and such approval shall be obtained prior to submittal under this specification.

(2) The description and trade name of the bulkhead panel.

(3) A statement of the composition of the material and the percentage of each component.

(4) A sample of the material at least 1 foot square in each thickness and density of the material as manufactured.

(5) The range of thicknesses and/or densities in which it is proposed to manufacture or use the material, together with any information or recommendations the manufacturer may have as to maximum or minimum thicknesses or densities.

(6) The location of the place where the material will be manufactured.

(b) The above information will be examined by the Coast Guard when the material has been approved as an "Incombustible Material," and it is indicated that the material is in all other respects suitable for testing, the manufacturer will be so advised. The recommended thickness and density of the panel for the fire resistance and integrity test and the estimated cost of the tests will be specified at this time.

(c) If the material is indicated as being suitable for testing, the manufacturer shall submit the samples required

by subparagraph (1) of this paragraph to the Fire Research Section of the National Bureau of Standards, Washington, D.C., 20234, and shall advise the Coast Guard of the shipment.

(1) One representative panel of the material having a surface approximately 50 square feet and a height of 8 feet containing at least one vertical joint, located at approximately ½ panel width from one edge (20-24 inches). A sketch of the furnace is shown in Figure 164.008-4(c) (1). If the manufacturer desires to submit the panel in thickness or size other than that recommended, prior approval shall be obtained from the Commandant. The manufacturer shall supply any labor required for fabrication of the panel and for attaching the panel to the frame for testing, as necessary.

(d) At this time the manufacturer shall submit to the Coast Guard the following:

(1) A statement that the material as offered for testing and as described pursuant to § 164.008-4(a) (3) is completely representative of the product which will be manufactured and sold under U.S. Coast Guard approval if such approval is granted.

(2) A commitment from the manufacturer that he will reimburse the National Bureau of Standards for the cost of the tests or review when billed by them.

(3) If the manufacturer desires to witness the test, he should so indicate at this time.

(e) The National Bureau of Standards will then be authorized to conduct the test noted in § 164.008-3(b) and four copies of the report will be submitted to the Coast Guard.

(f) A copy of the report will be forwarded to the manufacturer, and he will be advised if his material is approved under this Subpart. If approved, any stipulations of the approval will be specified. This information will be published in the FEDERAL REGISTER, and a Certificate of Approval will be issued to the manufacturer.

(g) If the manufacturer desires to have the tests conducted at some laboratory other than the National Bureau of Standards, this information shall be supplied at the time of initial contact with the Coast Guard. If the proposed laboratory is acceptable to the Coast Guard, the manufacturer will be so advised and any special testing requirements together with an estimated cost of expenses incurred by the National Bureau of Standards for their review will be specified at this time. Payment will be made as noted in subparagraph (d) (2) of this section. The Coast Guard shall be notified in advance of the date of the test so that a representative may be present. The laboratory shall submit four copies of a detailed test report to the Coast Guard, together with representative samples of the material taken before and after testing. The test report and samples will be examined by the National Bureau of Standards for compliance with this Subpart. The test report shall include the following information together with any other pertinent data:

(1) Description of the panel tested giving size, thickness, density, detail of

joint and method of assembling in furnace.

(2) Complete time-temperature data consisting of a numerical time-temperature table for each furnace and panel thermocouple together with the initial temperature reading of each thermocouple.

(3) A log setting forth the observer's notes relative to deflections, cracking, smoke and gas emission, glow, flame emission, and any other important data. The time of each observation should be noted.

(4) Photographs of both sides of the panel before and after testing.

Subpart 164.009, consisting of §§ 164.009-1 to 164.009-4, inclusive, is amended to read as follows:

#### Subpart 164.009—Incombustible Materials for Merchant Vessels

Sec.	
164.009-1	Applicable specifications.
164.009-2	Material.
164.009-3	Inspection and testing.
164.009-4	Procedure for approval.

**AUTHORITY NOTE:** The provisions of this Subpart 164.009 interpret or apply R.S. 4417, as amended 4417a, as amended, 4418, as amended, 4426, as amended, 4498, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

#### § 164.009-1 Applicable specifications.

(a) There are no other specifications applicable to this subpart.

#### § 164.009-2 Material.

(a) Incombustible materials may be of any type such as board, sheet, loose material, etc.

(b) The following materials will be considered as automatically meeting the requirements of this subpart. No tests will be required, and no specific approvals will be granted.

(1) Sheet glass, block glass, clay, ceramics, or uncoated glass fibers.

(2) All metals except magnesium or magnesium alloys.

(3) Portland cement, gypsum, or magnesite concretes with aggregates of only sand, gravel, asbestos fibers, expanded vermiculite, expanded or vesicular slags, diatomaceous silica, perlite, or pumice.

(4) Asbestos millboard meeting the requirements of Federal Specification HH-M-351a. This specification may be purchased from the Business Services Center, General Services Administration, Washington, D.C., 20407.

(5) Woven asbestos cloth meeting the requirements of ASTM Standard Specification D-1571, Grades AAA and AAAA. This standard may be purchased from the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pa., 19103.

(6) Woven or knitted glass fabric containing not more than 2.5 percent lubricant.

(c) All materials not listed in paragraph (b) of this section shall be checked for density, content of moisture and volatile matter, and shall pass the heated

tube test for incombustibility noted in § 164.009-3(d).

(d) Fibrous-type insulation materials shall pass the reheating test noted in § 164.009-3(e) in addition to the heated tube test.

#### § 164.009-3 Inspection and testing.

(a) *Tests.* All tests shall be conducted at the National Bureau of Standards or other laboratories designated by the Coast Guard. Tests conducted shall include density, moisture and volatile content, and heated tube tests.

(b) *Density measurement.* (1) The smallest sample for density measurements of solid materials shall be 12 by 12 inches by the submitted thickness. Length and width measurements shall be made to the nearest  $\frac{1}{32}$  inch, thickness to the nearest 0.01 inch, allowance being made of any nonflatness of the major surfaces of the specimen. Measurements of dimensions of fibrous insulations shall be made to the nearest  $\frac{1}{16}$  inch on a nominal 12-inch cube assembled from sheets of the thickness received. The average of at least four measurements of each dimension shall be reported. The weight shall be determined with a scale of balance sensitive and accurate to 0.5 percent or less of the total weight. The dimensional and weight measurements shall not be made until the sample has been conditioned one week, or longer if required to reach constant weight, in an atmosphere at  $73 \pm 2^\circ \text{F}$ ., and  $50 \pm 5$  percent relative humidity.

(c) *Content of moisture and volatile matter.* (1) Transfer a weighed sample cut from the density specimen, previously conditioned to equilibrium at  $73 \pm 2^\circ \text{F}$ . and  $50 \pm 5$  percent relative humidity, to a previously weighed wide-mouth weighing bottle provided with a glass stopper. Remove the stopper and heat the bottle and sample at  $105 \pm 5^\circ \text{C}$ . for 4 hours, insert the stopper, cool, and weigh. Calculate the content of moisture and other volatiles as percent of the final dry weight of the sample.

(d) *Heated tube test.* (1) Three specimens, each  $1\frac{1}{2}$  by  $1\frac{1}{2}$  by 2 inches long shall be prepared from the sample submitted and dried at a temperature of  $105 \pm 5^\circ \text{C}$ . for 4 hours before the test. Each specimen shall be assembled using a sufficient number of layers to obtain the prescribed  $1\frac{1}{2}$ -inch thickness, except that thin flexible materials may be rolled into a cylindrical shape approximately 2 inches long and  $1\frac{1}{2}$  inches in diameter or made into a solid 2 by  $1\frac{1}{2}$  by  $1\frac{1}{2}$  inches by layers. A hole which will accommodate a thermocouple of 0.020 inch wire shall be made to the center of the specimen into which a thermocouple of the above size shall be inserted to register the internal temperature. An additional thermocouple of the same size shall be located on the surface of the specimen centered on one side to show the temperature at the surface for indicating any difference in temperature recorded by the two thermocouples.

(2) The test shall be conducted in an apparatus similar to that described in Figure 164.009-3(d). This apparatus shall be capable of developing and maintaining a temperature of  $750^\circ \text{C}$ . in the heated tube.

(3) The heated tube shall be brought up to and maintained at a temperature of  $750^\circ \text{C}$ . as evidenced by a thermocouple of 0.020 inch wire which is inserted from the top of the heated tube and located 6 inches below the top of the heated tube. During the initial heating and during the test, an air flow of 0.1 cubic foot per minute shall be supplied from the bottom of the tube at standard atmospheric temperature and pressure. When the inserted thermocouple has reached a steady  $750^\circ \text{C}$ ., the temperature recorded by a thermocouple located at the wall of the heated tube and shown as  $T_1$ , on Figure 164.009-3(d) shall be noted and maintained throughout the test.

(4) When the heated tube has reached  $750^\circ \text{C}$ ., the inserted thermocouple shall be removed and the sample with thermocouples attached shall be suspended as rapidly as possible in the heated tube with its long axis vertical by a 0.020 inch diameter steel wire around the outside of the specimen. The bottom of the suspended specimen shall be 7 inches below the top of the inner tube. Energize the platinum wire to operate at an apparent temperature of  $800 \pm 50^\circ \text{C}$ . Readings of the temperature at the three thermocouples shall be taken and recorded not less than every 15 seconds or greater than every minute and the test shall continue for 15 minutes unless failure occurs before that time.

(5) In order to pass this test, each of the three specimens shall meet the conditions noted below for the duration of the 15-minute interval. For fibrous-type insulation materials these conditions will only be applicable to the last 13 minutes of the 15-minute interval.

(i) The specimen shall not flame, except that flame from painted or paper coated surfaces may be permitted for not longer than 30 seconds during the first 2 minutes.

(ii) The specimen shall not glow brighter than the walls of the heated tube. If glowing at all, the glow shall not increase when the specimen is removed from the heated tube.

(iii) The temperatures as indicated by the thermocouples located at the center and on the surface of the specimen shall not rise more than  $20^\circ \text{C}$ . above the heated tube air temperature.

(iv) During the test, the specimen shall not give off flammable vapors in such quantity so as to be ignited by the energized platinum wire.

(e) *Reheating test.* (1) Two specimens of the material, each 12 by 12 by 6 inches, shall be prepared so that when placed one on top of the other they form a cube 1 foot on a side. A piece of steel weighing approximately  $\frac{1}{2}$  pound consisting of a  $1\frac{1}{16}$ -inch length of  $1\frac{1}{4}$ -inch shafting with a thermocouple attached to its side shall be heated uniformly throughout its mass to more than  $900^\circ \text{C}$ . The temperature of the steel shall be observed as it cools in room air, free of drafts and it shall be inserted between the two specimens in the center of the faying surfaces when the surface temperature reaches  $900^\circ \text{C}$ . In the case of rigid or semirigid type materials, hollows shall be cut in the two faying surfaces in the shape of the shaft so that contact of the two surfaces will be made.

Three thermocouples shall be installed between the two faying surfaces at 1, 2, and 3 inches from the shafting, and a 1/4 inch steel plate 1 foot square shall be placed on top of the cube to insure a uniform pressure between the two specimens. Readings of the three thermocouples between the specimens and the thermocouple attached to the shafting shall be made at intervals not greater than 5 minutes for the first 2 hours, and 10 minutes thereafter. The test shall continue until such time as the temperatures indicated by all four thermocouples are less than 200° C., or until it is indicated that the material has failed to pass the test.

(2) In order to pass this test, all of the following conditions shall be met:

(i) There shall be no indication of flame or glow on the exterior of the cube during the test.

(ii) The shafting temperature at any reading shall not be greater than at any previous reading.

(iii) None of the three thermocouples between the faying surfaces shall at any instance indicate a temperature of more than 10° C. above the temperature of the shafting at that time.

(f) *Spot check tests.* (1) Incombustible materials are not inspected at regularly scheduled factory inspections; however, the Commander of the Coast Guard District in which the plant is located, may detail a marine inspector at any time to visit any place where incombustible materials are manufactured to conduct any inspections or examinations deemed advisable and to select representative samples for further examination, inspection, or tests. The marine inspector shall be admitted to any place where work is done on incombustible materials or component materials.

(2) Manufacturers of approved incombustible materials shall maintain quality control of materials used, manufacturing methods, and the finished product so as to meet the requirements of this specification, and any other conditions outlined on the certificate of approval, but the Coast Guard also reserves the right to make spot-check tests of approved incombustible materials at any time on samples selected by a marine inspector at the place of manufacture or samples obtained from other sources in the field. The manufacturer will incur no expense for such tests, but the results shall be binding upon the approval of his product. The manufacturer will be advised in advance of the time of testing of the samples selected and may witness the tests if he so desires.

§ 164.009-4 Procedure for approval.

(a) If a manufacturer desires to have an incombustible material approved, a request shall be presented to the Commandant of the Coast Guard together with the following:

- (1) The trade name of the material.
- (2) A sample of the material at least 1 foot square in each thickness and density of the material as manufactured.
- (3) The range of thicknesses and/or densities in which it is proposed to manufacture or use the material together with any information or recommendation the

manufacturer may have as to maximum or minimum thicknesses or densities.

(4) A statement of the composition of the material and the percentage of each component in each density.

(5) The location of the place where the material will be manufactured.

(b) The information and samples furnished pursuant to paragraph (a) of this section will be examined by the Coast Guard. If the material appears to be suitable for testing, the manufacturer will be so advised. The size of the samples to be submitted for testing and the cost will be specified at this time.

(c) If the material is indicated as being suitable for testing the manufacturer shall submit the following to the Coast Guard:

(1) Samples of the material as specified.

(2) A statement that the material as offered for testing and as described pursuant to paragraph (a) (4) of this section is completely representative of the product which will be manufactured and sold under U.S. Coast Guard approval if such approval is granted.

(3) If the manufacturer desires to witness the test, he should so indicate at this time.

(4) A commitment that he will reimburse the National Bureau of Standards for the cost of the tests when billed by them.

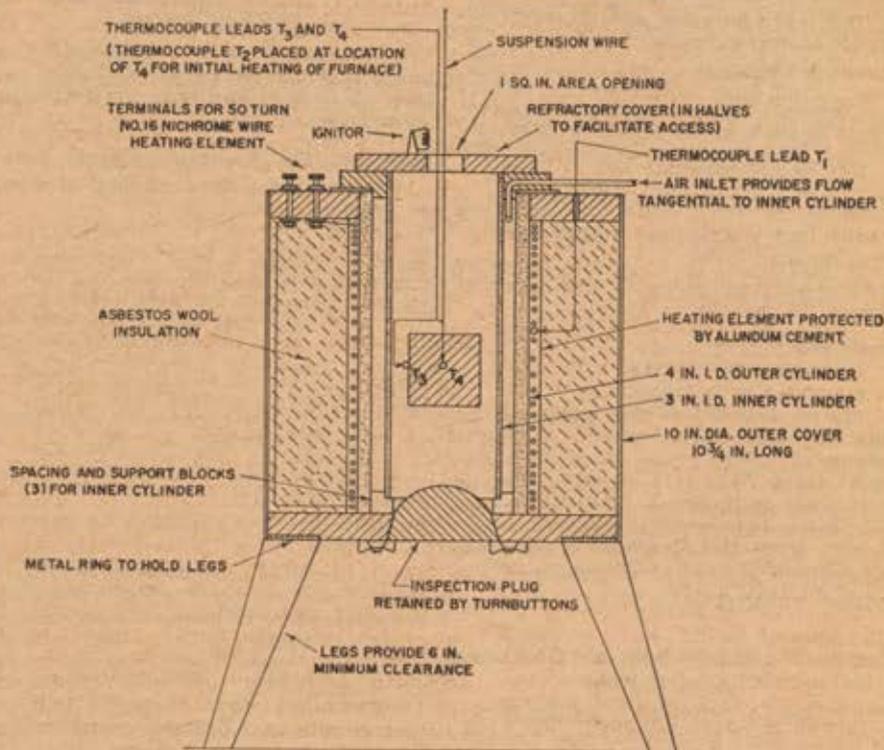
(d) The National Bureau of Standards will then be authorized to conduct the tests noted in § 164.009-3 and four copies of the report will be submitted to the Coast Guard.

(e) A copy of the test report will be forwarded to the manufacturer, and he will be advised if his material is approved under this subpart. If approved, any stipulations of the approval will be specified. This information will be published in the FEDERAL REGISTER, and an Approval Certificate will be issued to the manufacturer.

(f) If the manufacturer desires to have the tests conducted at some laboratory other than the National Bureau of Standards, this information shall be supplied at the time of the initial contact with the Coast Guard. If the proposed laboratory is acceptable to the Coast Guard, the manufacturer will be so advised and any special testing requirements will be made at this time. The Coast Guard shall be notified in advance of the date of the test so that a representative may be present. The laboratory shall submit four copies of the test report to the Coast Guard together with representative samples of the material taken before and after testing. The test report and samples will be examined by the National Bureau of Standards for compliance with this subpart. The test report shall include the following information together with any other pertinent data:

(1) Complete time-temperature data for each thermocouple for both the heated tube and reheating tests.

(2) A log setting forth the observer's notes relative to smoke or gas emission, glow, flame emission, and any other important data. The time of each observation should be noted.



SECTION THROUGH FURNACE

- T<sub>1</sub>—Auxiliary Thermocouple.
- T<sub>2</sub>—Heated Tube Temperature.
- T<sub>3</sub>—Internal Temperature of Specimen.
- T<sub>4</sub>—Surface Temperature of Specimen.

Figure 164.009-3(d).

### Subpart 164.012—Interior Finishes for Merchant Vessels

11. The authority note for Subpart 164.012 is amended to read as follows:

**AUTHORITY NOTE:** The provisions of this Subpart 164.012 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4498, as amended, sec. 5, 49 Stat. 1394, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 489, 307, 1333, 390b, 50 U.S.C. 198; E.O. 11239; Treasury Department Orders 129, July 31, 1950, 15 F.R. 6531; 167-14, Nov. 26, 1954, 19 F.R. 8028; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

### Subpart 164.013—Foam, Unicellular Polyethylene (Buoyant, Slab, Slitted Trigonal Pattern)

12. The heading for Subpart 164.013 is amended to read as set forth above.

#### SUBCHAPTER R—NAUTICAL SCHOOLS

### PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

1. The authority for Part 167 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 167 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4450, as amended, 4453, as amended, 4488, as amended, sec. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 403; 46 U.S.C. 391, 392, 404, 411, 230, 222, 481, 489, 363, 367, 390b, 50 U.S.C. 198, 33 U.S.C. 1007; E.O. 11239; Treasury Department Orders 120 July 31, 1950, 15 F.R. 6531; 167-14, Nov. 26, 1954, 19 F.R. 8028; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857; 167-46, Nov. 6, 1961, 26 F.R. 10609.

### Subpart 167.45—Special Firefighting and Fire Prevention Requirements

2. Section 167.45-1(a) is amended by adding at the end thereof a new subparagraph (9) reading as follows:

§ 167.45-1 Steam and inert-gas fire extinguishing systems.

(a) *General requirements.* \* \* \*

(9) Regarding the limitations on the use of steam smothering in subparagraph (2) of this paragraph, this does not preclude the introduction of steam into such confined spaces as boiler casings or into tanks for steaming out purposes. Such installations are not to be considered as part of any required fire extinguishing system.

### Subpart 167.65—Special Operating Requirements

3. Subpart 167.65 is amended by inserting after § 167.65-50 a new § 167.65-55, which reads as follows:

§ 167.65-55 Posting placards containing instructions for launching and inflating inflatable liferafts.

(a) Every vessel equipped with inflatable liferafts shall have posted in

conspicuous places which are regularly accessible to the crew and/or passengers, approved placards containing instructions for launching and inflating inflatable liferafts for the information of persons on board. The number and location of such placards for a particular vessel shall be as determined by the Officer in Charge, Marine Inspection.

(b) Under the requirements contained in § 160.051-6(c)(1) of Subpart 160.051 in Subchapter Q (Specifications) of this chapter, the manufacturer of approved inflatable liferafts is required to provide approved placards containing such instructions with each liferaft.

#### SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

### PART 175—GENERAL PROVISIONS

#### Subpart 175.05—Application

§ 175.05-1 [Amended]

1. Section 175.05-1 *Vessels subject to the requirements of this subchapter* is amended by changing in paragraph (a) (1), footnote 6 to Table 175.05-1(a), and paragraph (d) the phrase from "International Convention for the Safety of Life at Sea, 1948," to "International Convention for Safety of Life at Sea, 1960."

The statutory provisions interpreted or applied cited after § 175.05-1(a)(1) and (d) are amended to read as follows:

(Sec. 4, 70 Stat. 159; 46 U.S.C. 390c; E.O. 11239; 3 CFR 1965 Supp.)

### PART 176—INSPECTION AND CERTIFICATION

1. Subpart 176.35, consisting of §§ 176.35-1 through 176.35-10, is amended by revising the heading and text to read as follows:

#### Subpart 176.35—International Convention for Safety of Life at Sea, 1960

Sec.	
176.35-1	Vessels subject to requirements.
176.35-5	International voyage.
176.35-10	Voyage between continental United States and Hawaii or Alaska or between Hawaii and Alaska.
176.35-15	Passenger Ship Safety Certificate.
176.35-20	Exemption Certificate.
176.35-25	Posting of Convention certificates.
176.35-30	Duration of certificates.

**AUTHORITY:** The provisions of this Subpart 176.35 interpret or apply E.O. 11239.

§ 176.35-1 *Vessels subject to requirements.*

(a) Except as otherwise provided in this subpart, all mechanically propelled vessels registered in the United States or the Commonwealth of Puerto Rico, which carry more than 12 passengers on an international voyage as defined in § 176.35-5 or § 176.35-10 shall be in compliance with the applicable requirements of the International Convention for Safety of Life at Sea, 1960.

(b) The International Convention for Safety of Life at Sea, 1960, does not apply to vessels "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight

line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian."

(c) In accordance with Regulation 4, Chapter I (General Provisions) of the International Convention for Safety of Life at Sea, 1960, a vessel which is not normally engaged on an international voyage but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Commandant from any of the requirements of the Regulations of the Convention: *Provided*, That it complies with safety requirements which are adequate in his opinion for the voyage which is to be undertaken.

(d) In accordance with Regulation 1(c), Chapter II (Construction) of the International Convention for Safety of Life at Sea, 1960, the Commandant may, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of Chapter II of this Convention unreasonable or unnecessary, exempt from those requirements individual vessels or classes of vessels which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(e) In accordance with Regulation 3 (a), Chapter III (Lifesaving Appliances, etc.) of the International Convention for Safety of Life at Sea, 1960, the Commandant, if he considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of Chapter III of this Convention unreasonable or unnecessary, may to that extent exempt from the requirements of Chapter III individual vessels or classes of vessels which, in the course of their voyage, do not go more than 20 miles from the nearest land.

§ 176.35-5 *International voyage.*

(a) The term "international voyage" as used in this subchapter shall have the same meaning as that contained in Regulation 2(d), Chapter I of the International Convention for Safety of Life at Sea, 1960, i.e., "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

(b) For the purposes of this subchapter vessels shall not be considered as being on an "international voyage" when "solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap de Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63d Meridian."

(c) For the purposes of this subchapter the term "territory" as used in paragraph (a) of this section shall be considered to include the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate.

(d) Any Officer in Charge, Marine Inspection, can furnish information as to the countries to which the Convention applies. These countries include the continental United States, Alaska, Hawaii, and the Commonwealth of Puerto Rico.

**§ 176.35-10 Voyage between Continental United States and Hawaii or Alaska or between Hawaii and Alaska.**

(a) Although voyages between the continental United States and Hawaii or Alaska and voyages between Hawaii and Alaska are not "international voyages" under the provisions of the International Convention for Safety of Life at Sea, 1960, such voyages are similar in nature and shall be considered as "international voyages" and subject to the same requirements for the purposes of this subchapter.

**§ 176.35-15 Passenger Ship Safety Certificate.**

(a) All vessels, which carry more than 12 passengers on an international voyage, are required to have a "Passenger Ship Safety Certificate."

(b) Any such vessel which is less than 100 gross tons shall meet the applicable requirements of this chapter for vessels on an international voyage.

**§ 176.35-20 Exemption Certificate.**

(a) A vessel may be exempted by the Commandant from complying with certain requirements of the Convention under his administration upon request made in writing to him and transmitted via the Officer in Charge, Marine Inspection.

(b) When an exemption is granted to a vessel by the Commandant under and in accordance with the Convention, an Exemption Certificate describing such exemption shall be issued through the appropriate Officer in Charge, Marine Inspection, in addition to the Passenger Ship Safety Certificate.

**§ 176.35-25 Posting of Convention certificates.**

(a) The certificates described in this subpart, or certified copies thereof, when issued to a vessel shall be posted in a prominent and accessible place on the vessel.

(b) The certificate shall be carried in a manner similar to that described in § 176.01-40 for a certificate of inspection.

**§ 176.35-30 Duration of certificates.**

(a) The certificates shall be issued for a period of not more than 12 months.

(b) An Exemption Certificate shall not be valid for longer than the period of the Passenger Ship Safety Certificate to which it refers.

(c) The Passenger Ship Safety Certificate may be withdrawn, revoked, or suspended at any time when it is determined

the vessel is no longer in compliance with applicable requirements. (See § 2.01-70 of this chapter for procedures governing appeals.)

**PART 180—LIFESAVING EQUIPMENT**

1. The authority for Part 180 is amended to read as follows:

**AUTHORITY:** The provisions of this Part 180 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended, 46 U.S.C. 391, 392, 399, 404, 435, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

**Subpart 180.05—General Provisions Pertaining to Lifesaving Equipment**

**§ 180.05-1 [Amended]**

2. Section 180.05-1 *Equipment of an approved type* is amended by deleting from subparagraph (b) (6) reference to specification Subparts identified as "160.003, 160.004."

(R.S. 4491, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 489, 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

**Subpart 180.25—Life Preservers**

3. Section 180.25-1 is amended to read as follows:

**§ 180.25-1 Type required.**

(a) All life preservers shall be of an approved type.

(b) All kapok and fibrous glass life preservers which do not have plastic-covered pad inserts, as required by Subparts 160.002 and 160.005 of Subchapter Q (Specifications) of this chapter, shall be removed from service.

(c) Cork and balsa wood life preservers, constructed in accordance with the applicable provisions of Subpart 160.003 or 160.004 and manufactured as approved life preservers prior to July 1, 1965, may be accepted as new or replacement equipment required by this subchapter if such life preservers are serviceable and in good condition to the satisfaction of the Officer in Charge, Marine Inspection: *Provided, however,* That such life preservers bearing basic Approval No. 160.003 or 160.004 shall not be considered as approved equipment meeting the requirements for those passenger ships on an international voyage, constructed or contracted for on or after May 26, 1965.

**Subpart 180.30—Ring Life Buoys and Waterlights**

4. Section 180.30-5 is amended by adding a new paragraph (d) reading as follows:

**§ 180.30-5 Number and size required.**

(d) *S and L.* Ring life buoys used on a vessel on an international voyage shall be orange in color.

(E.O. 11239; 3 CFR, 1965 Supp.)

**PART 185—OPERATIONS**

**Subpart 185.05—Penalties**

Section 185.05-1 (b) is amended to read as follows:

**§ 185.05-1 General.**

(b) In addition to the foregoing, any licensed or certificated personnel committing an act of misbehavior, negligence, unskillfulness, endangering life, willful violation of marine safety statutes or regulations or requirements thereunder, and incompetency shall be subject to proceedings under the provisions of R.S. 4450, as amended (46 U.S.C. 239), and regulations thereunder (Part 137 of this chapter) with respect to suspension or revocation of license or certificate.

**Subpart 185.25—Preparations for Emergencies**

2. Subpart 185.25 is amended by inserting after § 185.25-5 a new § 185.25-7, which reads as follows:

**§ 185.25 Posting placards containing instructions for launching and inflating inflatable liferafts.**

(a) Every vessel equipped with inflatable liferafts shall have posted in conspicuous places which are regularly accessible to the crew and/or passengers, approved placards containing instructions for launching and inflating inflatable liferafts for the information of persons on board. The number and location of such placards for a particular vessel shall be as determined necessary by the Officer in Charge, Marine Inspection.

(b) Under the requirements contained in § 160.051-6(c) (1) of Subpart 160.051 in Subchapter Q (Specifications) of this chapter, the manufacturer of approved inflatable liferafts is required to provide approved placards containing such instructions with each liferaft.

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended; 46 U.S.C. 391, 392, 404, 435. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857)

Dated: September 1, 1965.

[SEAL] E. J. ROLAND,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 65-9442; Filed, Sept. 7, 1965; 8:45 a.m.]

