

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 25, 28, 30, 31, 35, 37, 40, 54, 55, 56, 61, 70, 71, 72, 76, 78, 79, 90, 91, 95, 97, 99, 106, 150, 154, 174, 188 and 189

[CGD 95-012]

RIN 2115-AF03

Removal of Obsolete and Unnecessary Regulations

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to amend its regulations for both inspected and uninspected commercial vessels by removing and revising obsolete and unnecessary provisions. The Coast Guard expects that these amendments will reduce administrative burden to government and industry, reduce government costs, and provide a more concise and useful Title 46, Code of Federal Regulations.

**DATES:** Comments must be received on or before July 10, 1995.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 95-012), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001 or may be delivered to room 3406, at the same address, from 8 a.m. to 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** LCDR R.K. Butturini, Engineering Branch, Marine Technical and Hazardous Materials Division, Office of Marine Safety, Security, and Environmental Protection, (202) 267-2206.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 95-012) and the specific section of this proposed rule to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

In the March 30, 1995 **Federal Register** (59 FR 16423), the Coast Guard announced it would hold a public meeting on April 20, 1995 to discuss Coast Guard regulations and the regulatory process. Any relevant comments received at the hearing or by the May 1, 1995 deadline for written comments will be considered for the changes included in this document. The Coast Guard plans no other public meeting for this docket. Persons may request a public hearing by writing to the Marine Safety Council at the address under **ADDRESSES**. The request should include the reasons why a public meeting would be beneficial. If the Coast Guard determines that the opportunity for oral presentations will aid this rulemaking, it will hold a public meeting at a time and place announced by a later notice in the **Federal Register**.

Drafting Information. The principal persons involved in drafting this proposed rule are LCDR R.K. Butturini, Project Manager, and Ms. Pam Pelcovits, Project Counsel, Office of Chief Counsel.

Background and Purpose

On March 4, 1995, the President issued a memorandum calling on executive agencies to review regulations with the goals of: (1) Cutting obsolete regulations; (2) focusing on results instead of process and punishment; (3)

convening meetings with the regulated community; and (4) expanding efforts to promote consensual rulemaking.

As part of a continuing review of its regulatory program, the Coast Guard is examining alternative compliance methods and ways to make existing regulations more efficient. This approach is consistent with the ongoing National Performance Review effort aimed, in part, at making government regulations more concise and easier to use. As a first step, the purpose of this proposed rule is to remove or revise some regulations that the Coast Guard has found to be obsolete and unnecessary.

In compiling the list of CFR sections included in this proposed rule, the Coast Guard did not consider parts of 46 CFR that are under review as part of ongoing regulatory projects. Additional rulemaking projects are expected to adopt accepted industry standards and remove other obsolete or unnecessary Coast Guard standards and to solicit public comment on additional provisions which should be modified or eliminated. Sections were identified for revision or removal for the following reasons:

- (a) Regulations include citation to a long-passed compliance date.
- (b) Vessels or equipment covered under certain regulations have become impractical due to social or economic changes.
- (c) Equipment is no longer manufactured or used.
- (d) Requirements are repeated in another section.
- (e) Authority citations have been repealed or revoked.
- (f) The text of the regulation merely repeats statutory language.

Discussion of Rules

The following discussion summarizes the changes in this proposed rule.

1. *Passed compliance dates.* The following regulations are being removed or revised because they include a reference to a compliance date which has passed. For example, § 25.40-1(c) states that modifications for the purposes of complying with ventilation requirements must be completed by June 1, 1966.

| Cite                            | Change made         | Subject addressed by regulation   |
|---------------------------------|---------------------|-----------------------------------|
| § 25.40-1(c) .....              | Removed .....       | Motorboat ventilation.            |
| § 28.110(a) .....               | Date removed .....  | Life preservers.                  |
| § 28.115(a) .....               | Date removed .....  | Ring life buoys.                  |
| § 28.135(a) .....               | Date removed .....  | Lifesaving equipment markings.    |
| § 28.145 .....                  | Date removed .....  | Distress signals.                 |
| § 28.210 (c), (d) and (e) ..... | Dates removed ..... | First aid equipment and training. |

| Cite              | Change made        | Subject addressed by regulation               |
|-------------------|--------------------|---|
| § 28.240(a) ..... | Date removed ..... | General alarm systems.                        |
| § 28.270(c) ..... | Date removed ..... | Instructions, drills, and safety orientation. |

2. *Impractical vessels, equipment, or arrangements.* Some sections are being removed or revised because they apply to vessels or equipment that have become impractical due to changes in the world economy or social values. For example, most of the listed regulations address nuclear-powered vessels, facilities and ships intended for energy production from differences in seawater temperature, and vessels intended to incinerate waste at sea. However, none

of these types of vessels or facilities are currently operating, and construction is not likely in the foreseeable future. Another regulation that is proposed for removal covers steerage passengers. The Steerage Passenger Act of 1882 (ch. 374, 22 Stat. 186 (1882)) established accommodation requirements for steerage passengers. Steerage passengers historically were passengers paying the lowest fares for the poorest accommodations. The Steerage Act was

written primarily for the safety of immigrants travelling by sea to the United States. The Act was repealed by Congress in 1983 by passage of an act which revised, consolidated, and enacted provisions of Subtitle II of 46 U.S.C. (Pub. L. 98-89, 97 Stat. 500), and separate regulations addressed to carriage of steerage passengers are no longer necessary.

| Cite                       | Change made  | Subject addressed by regulation   |
|----------------------------|--|---|
| § 30.01-25 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 30.10-44 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 31.01-5(b) .....         | Removed .....  | Nuclear vessel inspection.  |
| § 31.10-15(c) .....        | Removed .....  | Nuclear vessel inspection.  |
| § 31.40-30 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 31.40-40(e) .....        | Removed and redesignated paragraph (f) as paragraph (e). | Nuclear vessel inspection.  |
| Part 37 .....              | Removed .....  | Nuclear vessel inspection.  |
| § 54.15-5(i) note .....    | Removed .....  | Nuclear power plants.   |
| Part 55 .....              | Removed .....  | Nuclear plant components.   |
| § 56.01-10(c)(2)(ii) ..... | Removed .....  | Nuclear power plant piping.   |
| § 56.30-5(b)(4) .....      | Removed words "and nuclear," .....                       | Nuclear power plant piping.   |
| § 61.01-1(a) .....         | Removed words "nuclear pressure vessels" .....           | Nuclear pressure vessels.   |
| § 61.10-1(b) .....         | Removed .....  | Nuclear power plant components.   |
| § 61.15-1(b) .....         | Removed .....  | Hydrostatic test of nuclear plant piping.                                   |
| Subpart 61.25 .....        | Removed .....  | Tests and inspections of nuclear reactor power plants.                      |
| § 70.05-12 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 70.10-30 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 71.75-5 .....            | Revised .....  | Nuclear vessel inspection.  |
| § 72.25-5 .....            | Removed .....  | Steerage passengers.  |
| Part 79 .....              | Removed .....  | Requirements for nuclear vessels.   |
| § 90.05-40 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 90.10-24 .....           | Removed .....  | Nuclear vessel inspection.  |
| § 91.60-30 .....           | Removed .....  | Nuclear vessel inspection.  |
| Part 99 .....              | Removed .....  | Requirements for nuclear vessels.   |
| Part 106 .....             | Removed .....  | Requirements for ocean thermal energy conversion facilities and plantships. |
| Part 150, Subpart B .....  | Removed .....  | Incinerator vessels.  |
| Part 174, Subpart D .....  | Removed .....  | Requirements for nuclear vessels.   |
| Part 174, Subpart F .....  | Removed .....  | Requirements for ocean thermal energy conversion facilities and plantships. |
| § 188.05-15 .....          | Removed .....  | Nuclear vessel inspection.  |
| § 188.10-47 .....          | Removed .....  | Nuclear vessel inspection.  |
| § 189.60-30 .....          | Removed .....  | Nuclear vessel inspection.  |

3. *Equipment no longer manufactured or used.* Section 35.30-5(c), which pertains to maintaining galley fires, is being removed because it addresses equipment that is no longer manufactured or used.

4. *Repeated provisions.* These regulations are being removed because the requirements are repeated in other, more logical locations in Title 46 of the

Code of Federal Regulations (CFR). For example, requirements for carriage of vinyl chloride monomer are contained in 46 CFR Part 40, Special Construction, Arrangement, and Other Provisions for Carrying Certain Flammable or Combustible Dangerous Cargoes in Bulk. More up-to-date requirements are also located in § 151.50-34 of 46 CFR Subchapter O, Certain Bulk Dangerous

Cargoes. Sections 56.50-101 and 56.50-102 are unnecessary references to refrigeration and liquefied petroleum gas piping systems discussed in detail in 46 CFR Part 58, Main and Auxiliary Machinery and Related Systems.

The citation to the regulations where the repeated requirements are being retained is indicated in square brackets below the section being removed.

| Cite                                      | Change made   | Subject addressed by regulation               |
|---|---------------|---|
| Part 40 [§ 151.50-34] .....               | Removed ..... | Requirements for vinyl chloride monomer.      |
| § 56.50-101 [Subpart 58.20] .....         | Removed ..... | Refrigeration systems.                        |
| § 56.50-102 [Subpart 58.16] .....         | Removed ..... | Liquefied petroleum gas for domestic service. |
| § 76.10-10(l)(2) [§ 76.10-10(l)(3)] ..... | Removed ..... | Lined fire hose in engine room.               |
| § 95.10-10(l)(2) [§ 95.10-10(l)(4)] ..... | Removed ..... | Lined fire hose in engine room.               |
| § 154.1745 [§ 151.50-34] .....            | Revised ..... | Requirements for vinyl chloride.              |

5. *Outdated authority citations.* The authority citations for parts 25, 31, 35, 54, 56, 71, 72, 78, 91, 97, 174, 188 and 189 are being updated because they either cite statutory provisions which have been repealed or an executive order which has been revoked.

Specifically, 46 U.S.C. 4104 and 5115 were repealed on November 16, 1990 (Pub. L. 101-595; 104 Stat. 2993) and E.O. 11735 was revoked by E.O. 12777 (56 FR 54757, 3 CFR, 1991 Comp., p. 351).

6. *Statutory language repeated.* The regulatory text of the following

provisions repeats the statutory language without any additional regulatory provisions. Regulations which do not add to self-executing statutes are not useful. Therefore, the regulations which only repeat statutory language are being removed.

| Cite             | Change made   | Subject addressed by regulation  |
|------------------|---------------|----------------------------------|
| § 35.01-30 ..... | Removed ..... | Reckless or negligent operation. |
| § 78.30-30 ..... | Removed ..... | Reckless or negligent operation. |
| § 97.27-10 ..... | Removed ..... | Reckless or negligent operation. |

**Regulatory Evaluation**

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11034; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Assessment is unnecessary.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

This proposed rule will have no economic impact on small entities because it amends portions of regulations that: (1) Are purely administrative; (2) do not reflect common marine industry practice; (3) apply to vessels that no longer exist; or, (4) are repeated in other sections. Accordingly, no specific efforts were made to eliminate or reduce the economic impact on small entities.

Therefore, the Coast Guard finds that this proposed rule will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

**Collection of Information**

This proposed rule imposes on the public no new or added requirements for collecting information under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

**Federalism**

The Coast Guard has analyzed this proposed rule in accordance with the principles and criteria of Executive Order 12612 and has determined that this rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

**Environment**

The Coast Guard has considered the environmental impact of this proposed rule and concluded that, under section 2.B.2.c of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available in the docket

for inspection or copying where indicated under ADDRESSES.

**List of Subjects**

*46 CFR Part 25*

Fire prevention, Marine safety, Reporting and recordkeeping requirements.

*46 CFR Part 28*

Fire prevention, Fishing vessels, Marine safety, Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

*46 CFR Part 30*

Cargo vessels, Foreign relations, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements, Seamen.

*46 CFR Part 31*

Cargo vessels, Marine safety, Reporting and recordkeeping requirements.

*46 CFR Part 35*

Cargo vessels, Marine safety, Navigation (water), Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

*46 CFR Part 37*

Cargo vessels, Marine safety, Nuclear vessels, Radiation protection.

*46 CFR Part 40*

Cargo vessels, Hazardous materials transportation, Marine safety, Occupational safety and health, Seamen, Vinyl chloride.

**46 CFR Part 54**

Reporting and recordkeeping requirements, Vessels.

**46 CFR Part 55**

Nuclear vessels, Reporting and recordkeeping requirements.

**46 CFR Part 56**

Reporting and recordkeeping requirements, Vessels.

**46 CFR Part 61**

Reporting and recordkeeping requirements, Vessels.

**46 CFR Part 70**

Marine safety, Passenger vessels, Reporting and recordkeeping requirements.

**46 CFR Part 71**

Marine safety, Passenger vessels, Reporting and recordkeeping requirements.

**46 CFR Part 72**

Fire prevention, Marine safety, Occupational safety and health, Passenger vessels, Seamen.

**46 CFR Part 76**

Fire prevention, Marine safety, Passenger vessels.

**46 CFR Part 78**

Marine safety, Navigation (water), Passenger vessels, Penalties, Reporting and recordkeeping requirements.

**46 CFR Part 79**

Marine safety, Nuclear vessels, Passenger vessels, Radiation protection, Reporting and recordkeeping requirements.

**46 CFR Part 90**

Cargo vessels, Marine safety.

**46 CFR Part 91**

Cargo vessels, Marine safety, Reporting and recordkeeping requirements.

**46 CFR Part 95**

Cargo vessels, Fire prevention, Marine safety.

**46 CFR Part 97**

Cargo vessels, Marine safety, Navigation (water), Reporting and recordkeeping requirements.

**46 CFR Part 99**

Cargo vessels, Marine safety, Nuclear vessels, Radiation protection, Reporting and recordkeeping requirements.

**46 CFR Part 106**

Energy, Environmental protection, Hazardous substances,

Intergovernmental relations, Marine resources, Marine safety, Vessels.

**46 CFR Part 150**

Hazardous materials transportation, Marine safety, Occupational safety and health, Reporting and recordkeeping requirements.

**46 CFR Part 154**

Cargo vessels, Gases, Hazardous materials transportation, Marine safety, Reporting and recordkeeping requirements.

**46 CFR Part 174**

Marine safety, Vessels.

**46 CFR Part 188**

Marine safety, Oceanographic research vessels.

**46 CFR Part 189**

Marine safety, Oceanographic research vessels, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard proposes to amend 46 CFR parts 25, 28, 30, 31, 35, 37, 40, 54, 55, 56, 61, 70, 71, 72, 76, 78, 79, 90, 91, 95, 97, 99, 106, 150, 154, 174, 188 and 189 as follows:

**PART 25—REQUIREMENTS**

1. The authority citation for part 25 is revised to read as follows:

**Authority:** 33 U.S.C. 1903(b), 46 U.S.C. 3306 and 4302; 49 CFR 1.46.

**§ 25.401–1 [Amended]**

2. In § 25.40–1, remove paragraph (c), redesignate paragraph (d) as paragraph (c), and redesignate paragraph (e) as paragraph (d).

**PART 28—REQUIREMENTS FOR COMMERCIAL FISHING INDUSTRY VESSELS**

3. The authority citation for part 28 continues to read as follows:

**Authority:** 46 U.S.C. 3316, 4502, 4506, 6104, 10603; 49 U.S.C. App. 1804; 49 CFR 1.46.

**§ 28.110 [Amended]**

4. In § 28.110(a), remove the words “after November 15, 1991,”.

**§ 28.115 [Amended]**

5. In § 28.115(a), remove the words “after November 15, 1991,”.

**§ 28.135 [Amended]**

6. In § 28.135(a), remove the words “after September 1, 1992,”.

**§ 28.145 [Amended]**

7. In § 28.145, remove the words “after November 15, 1991,”.

8. In § 28.210, paragraphs (c), (d), and (e) are revised to read as follows:

**§ 28.210 First aid equipment and training.**

\* \* \* \* \*

(c) Each vessel that operates with more than 2 individuals on board must have at least 1 individual certified in first aid and at least 1 individual certified in CPR. An individual certified in both first aid and CPR will satisfy both of these requirements.

(d) Each vessel that operates with more than 16 individuals on board must have at least 2 individuals certified in first aid and at least 2 individuals certified in CPR. An individual certified in both first aid and CPR may be counted against both requirements.

(e) Each vessel that operates with more than 49 individuals on board must have at least 4 individuals certified in first aid and at least 4 individuals certified in CPR. An individual certified in both first aid and CPR may be counted against both requirements.

**§ 28.240 [Amended]**

9. In § 28.240(a), remove the words “after September 1, 1992,”.

10. In § 28.270, paragraph (c) is revised to read as follows:

**§ 28.270 Instructions, drills, and safety orientation.**

\* \* \* \* \*

(c) *Training.* No individual may conduct the drills or provide the instructions required by this section unless that individual has been trained in the proper procedures for conducting the activity. An individual licensed for operation of inspected vessels of 100 gross tons or more need not have additional training to comply with this requirement.

\* \* \* \* \*

**PART 30—GENERAL PROVISIONS**

11. The authority citation for part 30 continues to read as follows:

**Authority:** 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. app. 1804; 49 CFR 1.45, 1.46; Section 30.01–2 also issued under the authority of 44 U.S.C. 3507; Section 30.01–5 also issued under the authority of Sec. 4109, Pub. L. 101–380, 104 Stat. 515.

**§ 30.01–25 [Removed]**

12. Section 30.01–25 is removed.

**§ 30.10–44 [Removed]**

13. Section 30.10–44 is removed.

**PART 31—INSPECTION AND CERTIFICATION**

14. The authority citation for part 31 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46. Section 31.10-21a also issued under the authority of Sect. 4109, Pub. L. 101-380, 104 Stat. 515.

**§ 31.01-5 [Amended]**

15. In § 31.01-5, remove the designation "(a)" from paragraph (a) and remove paragraph (b).

**§ 31.10-15 [Amended]**

16. In § 31.10-15, remove paragraph (c).

**§ 31.40-30 [Removed]**

17. Section 31.40-30 is removed.

**§ 31.40-40 [Amended]**

18. In § 31.40-40, remove paragraph (e) and redesignate paragraph (f) as paragraph (e).

**PART 35—OPERATIONS**

19. The authority citation for part 35 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 6101; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 35.01-30 [Removed]**

20. Section 35.01-30 is removed.

**§ 35.30-5 [Amended]**

21. In § 35.30-5, remove paragraph (c), redesignate paragraph (d) as paragraph (c), and redesignate paragraph (e) as paragraph (d).

**PART 37 [REMOVED]**

22. Part 37 is removed.

**PART 40 [REMOVED]**

23. Part 40 is removed.

**PART 54—PRESSURE VESSELS**

24. The authority citation for part 54 is revised to read as follows:

**Authority:** 33 U.S.C. 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 54.15-5 [Amended]**

25. In § 54.15-5, the colon at the end of paragraph (i) is removed and replaced with a period and the note following paragraph (i) is removed.

**PART 55 [REMOVED]**

26. Part 55 is removed.

**PART 56—PIPING SYSTEMS AND APPURTENANCES**

27. The authority citation for part 56 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j), 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 56.01-10 [Amended]**

28. In § 56.01-10, remove paragraph (c)(2)(ii), redesignate paragraph (c)(2)(iii) as paragraph (c)(2)(ii), and redesignate paragraph (c)(2)(iv) as paragraph (c)(2)(iii).

**§ 56.30-5 [Amended]**

29. In § 56.30-5(b)(4), remove the words "and nuclear".

**§ 56.50-101 [Removed]**

30. Section 56.50-101 is removed.

**§ 56.50-102 [Removed]**

31. Section 56.50-102 is removed.

**PART 61—PERIODIC TESTS AND INSPECTIONS**

32. The authority citation for part 61 continues to read as follows:

**Authority:** 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 61.01-1 [Amended]**

33. In § 61.01-1(a), remove the words "nuclear pressure vessels,".

**§ 61.10-1 [Amended]**

34. In § 61.10-1, remove the designation "(a)" from paragraph (a) and remove paragraph (b).

**§ 61.15-1 [Amended]**

35. In § 61.15-1, remove the designation "(a)" from paragraph (a) and remove paragraph (b).

**Subpart 61.25 [Removed]**

36. Subpart 61.25 is removed.

**PART 70—GENERAL PROVISIONS**

37. The authority citation for part 70 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804, E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.45, 1.46; Section 70.01-15 also issued under the authority of 44 U.S.C. 3507.

**§ 70.05-12 [Removed]**

38. Section 70.05-12 is removed.

**§ 70.10-30 [Removed]**

39. Section 70.10-30 is removed.

**PART 71—INSPECTION AND CERTIFICATION**

40. The authority citation for part 71 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 71.75-5 [Amended]**

41. Paragraph (a) in section 71.75-5 is amended by removing the words "or a 'Nuclear Passenger Ship Safety Certificate,' as appropriate".

**PART 72—CONSTRUCTION AND ARRANGEMENT**

42. The authority citation for part 72 is revised to read as follows:

**Authority:** 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 72.25-5 [Removed]**

43. Section 72.25-5 is removed.

**PART 76—FIRE PROTECTION EQUIPMENT**

44. The authority citation for part 76 continues to read as follows:

**Authority:** 46 U.S.C. 3306, E.O. 12243, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 76.10-10 [Amended]**

45. In § 76.10-10, remove paragraph (l)(2), and redesignate paragraph (l)(3) as paragraph (l)(2).

**PART 78—OPERATIONS**

46. The authority citation for part 78 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 6101; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 78.30-30 [Removed]**

47. Section 78.30-30 is removed.

**PART 79 [REMOVED]**

48. Part 79 is removed.

**PART 90—GENERAL PROVISIONS**

49. The authority citation for part 90 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 90.05-40 [Removed]**

50. Section 90.05-40 is removed.

**§ 90.10-24 [Removed]**

51. Section 90.10-24 is removed.

**PART 91—INSPECTION AND CERTIFICATION**

52. The authority citation for part 91 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 91.60–30 [Removed]**

53. Section 91.60–30 is removed.

**PART 95—FIRE PROTECTION EQUIPMENT**

54. The authority citation for part 95 continues to read as follows:

**Authority:** 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 95.10–10 [Amended]**

55. In § 95.10–10, remove paragraph (l)(2), redesignate paragraph (l)(3) as paragraph (l)(2), and redesignate paragraph (l)(4) as paragraph (l)(3).

**PART 97—OPERATIONS**

56. The authority citation for part 97 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 6101; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 97.27–10 [Removed]**

57. Section 97.27–10 is removed.

**PART 99 [REMOVED]**

58. Part 99 is removed.

**PART 106 [REMOVED]**

59. Part 106 is removed.

**PART 150—COMPATIBILITY OF CARGOES**

60. The authority citation for part 150 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703; 49 CFR 1.45, 1.46. Section 150.105 issued under 44 U.S.C. 3507; 49 CFR 1.45.

**Subpart A [Amended]**

61. The designation of § 150.105 through § 150.170 as Subpart A—Compatibility of Cargoes is eliminated.

**Subpart B [Removed]**

62. Subpart B of Part 150 is removed.

**PART 154—SAFETY STANDARDS FOR SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES**

63. The authority citation for part 154 continues to read as follows:

**Authority:** 46 U.S.C. 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

64. Section 154.1745 is revised to read as follows:

**§ 154.1745 Vinyl chloride: Transferring operations.**

A vessel carrying vinyl chloride must meet § 151.50–34(g) through (k) of this chapter.

**PART 174—SPECIAL RULES PERTAINING TO SPECIFIC VESSEL TYPES**

65. The authority citation for part 174 is revised to read as follows:

**Authority:** 42 U.S.C. 9118, 9119, 9153; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**Subpart D [Removed]**

66. Subpart D of part 174 is removed.

**Subpart F [Removed]**

67. Subpart F of part 174 is removed.

**PART 188—GENERAL PROVISIONS**

68. The authority citation for part 188 is revised to read as follows:

**Authority:** 46 U.S.C. 2113, 3306; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 188.05–15 [Removed]**

69. Section 188.05–15 is removed.

**§ 188.10–47 [Removed]**

70. Section 188.10–47 is removed.

**PART 189—INSPECTION AND CERTIFICATION**

71. The authority citation for part 189 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1890 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 189.60–30 [Removed]**

72. Section 189.60–30 is removed.

Dated: April 25, 1995.

**G.N. Naccara,**

*Acting Chief, Office of Marine Safety, Security and Environmental Protection.*

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