

DEPARTMENT OF TRANSPORTATION**Coast Guard**

46 CFR Parts 26, 31, 32, 34, 35, 38, 54, 56, 61, 72, 76, 77, 78, 92, 95, 96, 97, 108, 109, 153, 160, 162, 164, 167, 168, 169, 190, 193, and 196

[CGD 95-027]

RIN 2115-AF09

Adoption of Industry Standards

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking and public meeting.

SUMMARY: As part of the President's Regulatory Reinvention, the Coast Guard is proposing to amend its regulations governing both inspected and uninspected commercial vessels by removing or revising obsolete and unnecessary provisions and incorporating industry standards and practices. The provisions proposed for removal or revision are categorized as: Regulations discussing equipment which is no longer manufactured or used; Regulations imposing requirements that are repeated in another, more useful section; Regulations imposing requirements which make a negligible contribution to shipboard safety; Regulations which can be replaced by an appropriate industry consensus standard or practice; and, Regulations which merely repeat statutory language.

The Coast Guard expects these amendments will reduce the regulatory burden to the maritime industry, reduce the administrative burden to government and industry, reduce government printing costs, and provide a more concise and useful Title 46, Code of Federal Regulations.

DATES: Comments must be received not later than February 20, 1996. A public meeting will be held on February 9, 1996 to discuss this rulemaking.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA), U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments will become part of this docket and will be available for inspection or copying at room 3406, Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

A public meeting scheduled for February 9, 1996 will be held in Room 2415 at Coast Guard Headquarters, 2100

Second Street SW, Washington, DC 20593-0001.

A copy of the material listed in "Incorporation by Reference" of this preamble is available for inspection at Room 1300, U.S. Coast Guard Headquarters.

FOR FURTHER INFORMATION CONTACT: Design and Engineering Standards Division (G-MMS), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-2206—LCDR R. K. Butturini, Project Manager; LTJG Jaqueline Twomey, Project Engineer; Ms. Shereen Bell, Project Assistant. Regulations and Administrative Law Division (G-LRA), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-1534—LT Rachel Goldberg, Project Counsel,

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 95-027) 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.

A public meeting was held on April 20, 1995 (60 FR 16423) to discuss Coast Guard regulations and the regulatory process. The relevant comments received at the hearing or in writing have been considered for the changes included in this document. The Coast Guard will hold another public meeting on February 9, 1996 from 9 a.m. to 3 p.m. to discuss these proposed rules and to solicit other suggestions or comments for regulatory reform. The meeting will be held at the site indicated in the **ADDRESSES** section. Comments received at the hearing will be considered as part of the review of this proposal and the Coast Guard may change this proposal in view of these comments.

Background and Purpose

This proposal has been sparked by several recent calls for regulatory review and reform. For example, 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.

The President's memorandum coincides with U.S. maritime industry requests for greater alignment of Coast Guard regulations with international marine safety standards to reduce cost disadvantages incurred by the U.S. maritime industry and thereby improve the competitiveness of the U.S. industry. The ongoing National Performance Review effort, which stresses reducing red tape and maximizing results, provides further justification for identifying excessive requirements in Coast Guard regulations and for streamlining government processes. Also, the Coast Guard recognizes the need to explore regulatory reform where it provides an opportunity to reprogram Coast Guard resources to focus more attention on human factors and port state control activities to ensure other nations are conscientiously implementing international safety agreements.

The Coast Guard held a public meeting on April 20, 1995, announced in the March 30, 1995 Federal Register (60 FR 16423), to discuss the Coast Guard's regulatory development process and the President's Regulatory Review Initiative. During the public meeting, the Coast Guard announced its goals of purging obsolete and outdated regulations and eliminating any Coast Guard induced differences between requirements that apply to U.S. vessels in international trade and those that apply to similar vessels in international trade that fly the flag of other responsible foreign nations. In the May 31, 1995 Federal Register (60 FR 28376), the Coast Guard reiterated its intention to harmonize Coast Guard regulations with international safety standards.

To accomplish all of these goals, the Coast Guard is considering alternative compliance methods, examining ways to make existing regulations more efficient and comparing U.S. marine safety regulations with American Bureau of Shipping (ABS) Rules and the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS '74). An initial rulemaking removing or amending obsolete and unnecessary provisions was published in the September 18, 1995 Federal

Register (60 FR 48044). That rulemaking focused on regulations for which no adverse public comment was expected, such as removal of the requirements for nuclear vessels, ocean incinerator ships and ocean thermal energy conversion facilities and plantships. This proposal removes or amends obsolete or unnecessary regulations of a more significant nature and seeks to incorporate industry consensus standards and practices. The broader scope of this proposal and the nature of the proposed changes, when compared to the previous rulemaking, make increased public involvement desirable.

In compiling the list of CFR sections included in this proposed rule, the Coast Guard did not consider parts of Title 46 Code of Federal Regulations (46 CFR) that are under review as part of other, ongoing regulatory projects.

In this proposal, sections of the CFR were identified for removal or revision by comparing the section subject matter to the following list of selection criteria:

- (a) Equipment discussed in a section is no longer manufactured or used;
- (b) Requirements imposed by a section are repeated in another section;
- (c) Requirements imposed by a section make a negligible contribution to shipboard safety;
- (d) An appropriate industry consensus standard or practice exists which can be referenced instead of publishing detailed requirements in a regulation; or,
- (e) The text of a regulation merely repeats statutory language.

Discussion of Proposed Rules

The following discussion summarizes the changes proposed by this rule:

1. The requirement addresses equipment that is no longer manufactured or used. The following sections are being removed or revised because they impose requirements for equipment that is no longer manufactured, that is technologically obsolete, or is no longer used in the marine industry.

Section 31.10–15(a) of Title 46 CFR contains requirements for nuclear vessels. This section was inadvertently omitted from an earlier rulemaking entitled Removal of Obsolete and Unnecessary Regulations (60 FR 48044) which focused on removing regulations for nuclear vessels, ocean incinerator vessels and ocean thermal energy conversion facilities and plantships. Therefore, this section which pertains to nuclear vessels is proposed for removal.

Section 34.05–5 and Subparts 34.13, 76.13 and 95.13 of Title 46 CFR contain requirements for steam smothering systems used for fire fighting purposes.

The Coast Guard has prohibited installation of steam smothering systems on vessels since 1962. Existing steam smothering systems may be retained as long as they are kept in good condition to the satisfaction of the Officer in Charge, Marine Inspection. As no new installation of steam smothering systems are allowed and the designs of existing installations have already been approved, the design requirements for steam smothering systems are no longer necessary and are proposed for removal. The Coast Guard is retaining the regulations pertaining to testing and inspection of installed systems.

Subparts 35.70, 78.80, 97.70 and § 108.613 of Title 46 CFR contain requirements for power-operated industrial trucks. Power-operated industrial trucks have historically been used on break-bulk ships for handling cargo in the holds. Only 66 U.S. flag break-bulk ships are currently inspected by the Coast Guard. Well over half of these ships are maintained by the Maritime Administration (MARAD), but are not operating. Of MARAD's ships, only 7 will eventually carry power-operated industrial trucks as ship's equipment. On the remaining, privately owned break-bulk ships, few trucks are still carried as ship's equipment because dockside trucks are readily available. Trucks are also used on mobile offshore drilling units (MODUs) to move palletized stores such as bagged cement. Efficient cargo handling systems are increasingly replacing trucks aboard MODUs for this purpose. The demand for faster loading methods and the evolution of container ships, lighter-aboard ships (LASH) and roll-on/roll-off (RORO) ships has also reduced the use of power-operated industrial trucks. Additionally, there have been no reported accidents involving power-operated industrial trucks in the last fifteen years. Therefore, regulations for power-operated industrial trucks are no longer necessary and are proposed for removal.

Sections 32.15–10, 77.27–1, 96.27–1 and 167.40–20 of Title 46 CFR contain requirements for sounding equipment, including deep-sea hand leads. Reliable, inexpensive electronic sounding equipment and position fixing equipment are available from numerous manufacturers. It is unlikely that a hand lead would be necessary to determine the water depth. Therefore, the requirements for deep sea hand leads are not necessary and are proposed for removal.

Section 32.02–5 and Subparts 78.35, 97.33 and 196.33 require cable travelers between fore and aft deck houses separated by more than 46 m (150 ft) to

protect crewmembers needing to cross the weather decks. Cable travelers have been replaced by raised fore and aft bridges and side tunnels as safer means of moving between the deckhouses. Additionally, modern vessel designs have abandoned the two deck house arrangement in favor of a single deckhouse. Therefore, these sections are being revised to remove the requirement for installation of cable travelers between separated deckhouses and merely require a fixed means of facilitating movement between both ends of the vessel.

Sections 34.05–15, 76.05–30, 95.05–20, 167.45–40, 193.05–20 and Subpart 34.55 of 46 CFR require sand, sawdust impregnated with soda or other appropriate dry materials, and a scoop or shaker for distribution, to be located in the machinery spaces for fire fighting purposes. Sand is inferior to other, common fire fighting means, such as portable extinguishers, and this burdensome requirement is no longer appropriate. Therefore, regulations requiring sand in the engine room are proposed for removal.

Subparts 35.12, 78.53, 97.43, 196.43 and Section 167.65–50 of 46 CFR require instructions for the use of breeches buoys. Modern communications and lifesaving equipment have made the use of breeches buoys for lifesaving purposes obsolete. Therefore, the requirement for an instruction placard for the use of breeches buoys is no longer necessary and these sections are proposed for revision to remove this requirement.

Sections 35.30–45, 72.05–60, 167.40–35 and 169.321 and Subparts 78.75, 97.60 and 196.60 of Title 46 CFR contain requirements for motion picture film. Subpart 78.75 also contains a requirement that motion picture projectors comply with the requirements in the electrical engineering regulations. With the exception of large passenger vessels, video cassette recorders and televisions have replaced motion picture projectors on most vessels. Large passenger vessels use motion picture projectors in their movie theaters. Slow-burning film is the only type of film currently available in reel format for use with movie projectors. Section 111.89–1 of Title 46 in the electrical engineering regulations requires all motion picture projectors to meet Article 540 of the National Electrical Code. Therefore, as the risks previously associated with motion picture film no longer exist, the regulations for motion picture film are not necessary and are proposed for removal.

Sections 180.403 and 167.45–55 of Title 46 CFR allow the installation of water spray systems for fire fighting purposes in boiler spaces of mobile offshore drilling units (MODU) and public nautical school ships. Other fire fighting media, such as carbon dioxide, have shown to be more effective, reliable and practical than water spray systems and no MODU or public nautical school ship currently uses a water spray system in a boiler space for fire fighting purposes. Therefore, these provisions are not necessary and are proposed for removal.

Subpart 160.018 of Title 46 CFR contains specifications for rigid liferafts. Rigid liferafts are no longer manufactured for use in the marine industry. Therefore, the specifications for rigid liferafts in 46 CFR 160.018 are no longer necessary and are proposed for removal.

Subpart 160.034 of Title 46 CFR contains specifications for lifeboat hand propelling gear. Hand propelled lifeboats have largely been replaced by reliable, engine-driven lifeboats and are no longer manufactured for use in the marine industry. Therefore, the

specifications for hand propelling gear in 46 CFR 160.034 are no longer necessary and are proposed for removal.

Section 164.016 of Title 46 CFR contains specifications for microcellular nylon used in the construction of lifesaving equipment. Microcellular nylon has been replaced by more effective materials and is no longer manufactured for use in Coast Guard approval lifesaving equipment. Therefore, the specifications for microcellular nylon are no longer needed and are proposed for removal.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
§ 31.10–15	Revision	Nuclear vessels.
§ 32.02–5	Revision	Cable traveler.
§ 32.15–10	Revision	Deep-sea hand leads.
§ 34.05–5	Revision	Steam smothering systems.
§ 34.05–15	Removal	Sand in the engine room.
Subpart 34.13	Revision	Steam smothering systems.
Subpart 34.55	Removal	Sand in the engine room.
Subpart 35.12	Revision	Breeches buoy placard.
§ 35.30–45	Revision	Motion picture film.
Subpart 35.70	Removal	Power-operated industrial trucks.
§ 76.05–60	Removal	Motion picture film.
§ 76.05–20	Revision	Fixed firefighting systems.
§ 76.05–30	Removal	Sand in the engine room.
Subpart 76.13	Revision	Steam smothering systems.
§ 77.27–1	Revision	Deep-sea hand leads.
Subpart 78.35	Revision	Cable traveler.
Subpart 78.53	Revision	Breeches buoy placard.
Subpart 78.75	Removal	Motion picture film.
Subpart 78.80	Removal	Power-operated industrial trucks.
§ 95.05–10	Revision	Fixed firefighting systems.
§ 95.05–20	Removal	Sand in boiler rooms.
Subpart 95.13	Revision	Steam smothering systems.
§ 96.27–1	Revision	Deep-sea hand leads.
Subpart 97.33	Revision	Cable traveler.
Subpart 97.43	Revision	Breeches buoy placard.
Subpart 97.60	Removal	Motion picture film.
Subpart 97.70	Removal	Power-operated industrial trucks.
§ 108.403	Revision	Water spray systems.
§ 108.613	Removal	Power-operated industrial trucks.
Subpart 160.018	Removal	Rigid liferafts.
Subpart 160.034	Removal	Lifeboat hand propelling gear.
Subpart 164.016	Removal	Microcellular nylon.
§ 167.40–20	Revision	Deep-sea hand leads.
§ 167.40–35	Removal	Motion picture film.
§ 167.45–40	Revision	Sand in engine rooms.
§ 167.45–55	Revision	Water spray systems.
§ 167.65–50	Revision	Breeches buoy placard.
§ 169.321	Removal	Motion picture film.
§ 193.05–20	Removal	Sand in boiler rooms.
Subpart 196.33	Revision	Cable traveler.
Subpart 196.43	Revision	Breeches buoy placard.
Subpart 196.60	Removal	Motion picture film.

2. *The requirement is repeated in another section.* The following provisions are being removed or revised because the requirements are repeated in other, more useful locations in Title 33 CFR or Title 46 CFR.

Subparts 32.95, 78.85, 97.75, 196.18 and 196.75 and Section 109.583 of Title 46 CFR contain identical language

regarding the requirement that certain vessels operate in accordance with the requirements of the Federal Water Pollution Control Act (FWPCA), as amended, the Oil Pollution Act (OPA), 1961, as amended and Parts 151, 155 and 156 of Title 33 CFR. However, each of the requirements cited contain language regarding their applicability.

Therefore, the sections of Title 46 CFR which merely restate the applicability of the FWPCA, OPA and Title 33 CFR are not necessary and are proposed for removal.

Sections 35.20–25 and 167.65–1 and Subparts 78.25, 97.23 and 196.23 of Title 46 prohibit carrying any light not required by law that will interfere with

distinguishing signal lights. However, Rule 20 of both the Inland and International Rules of the Road published in 33 U.S.C. 2020 and 33 CFR 81, Appendix A, respectively, contains the same requirement. It is more logical to retain requirements pertaining to signal lights in the Rules of the Road. Therefore, the sections of Title 46 CFR prohibiting carrying lights that interfere with signal lights are not necessary and are proposed for removal.

Sections 35.20–40, 78.21–1, 97.19–1 and 196.19–1 of Title 46 CFR require ocean and coastwise vessels over 1600 gross tons to display maneuvering information on a fact sheet in the pilothouse. These sections include instructions for validating the information on the fact sheet after the vessel begins operating. Section 164.35 of Title 33 CFR also contains a requirement to display maneuvering information on a fact sheet in the pilothouse for vessels over 1600 gross tons on all navigable waters of the U.S.

The intent of both Title 33 CFR and Title 46 CFR is to provide information about the vessel's maneuvering characteristics for use in piloting waters. However, there are slight differences in the language of the requirements. Also, the requirement to display maneuvering

information in Title 33 CFR and Title 46 CFR apply to some of the same vessels, but some vessels are only covered by one title. Under the current regulations, both requirements apply to an oceangoing U.S. vessel entering a U.S. port, resulting in a conflict between Title 33 CFR and Title 46 CFR.

As the information required to be displayed in Title 33 CFR and Title 46 CFR is similar and the purpose is the same, the requirement need not be printed in both locations. It is more useful and consistent to retain the description of the maneuvering information required in the navigation safety regulations of Title 33 CFR. Therefore, this proposal, if adopted, would remove paragraphs repeating the maneuvering information to be displayed from Title 46 CFR and retain the instructions in Title 46 CFR for validating the maneuvering information with an added reference to Title 33 CFR.

Section 56.50–100 of Title 46 CFR merely contains a one sentence reference to Subpart 58.30 of Title 46 CFR for fluid power and control system requirements. Subpart 58.30, Fluid Power and Control Systems, contains the detailed requirements. Therefore, § 56.50–100 is not necessary and is proposed for removal.

Sections 92.01–13 and 190.01–13 of Title 46 CFR contain requirements for the design and operation of sliding watertight door assemblies on cargo and miscellaneous vessels and oceanographic research vessels. Section 170.270 of the subdivision and stability regulations in Title 46 CFR contains identical requirements. The requirements for sliding watertight doors are included in Part 170 because the subdivision and stability regulations apply to all vessels inspected under Title 46, including cargo and miscellaneous vessels and oceanographic research vessels. For example, the passenger vessel and tank vessel regulations do not contain specific provisions for the design and operation of sliding watertight door assemblies because § 170.270 applies. Therefore, repeating the requirements for the design and operation of sliding watertight door assemblies in §§ 92.01–13 and 190.01–13 is not necessary and these provisions are proposed for removal.

In the following list of sections proposed for removal or revision, the citation to the sections where duplicate requirements are being retained is indicated in square brackets below the section being removed or revised.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
Subpart 32.95 [33 CFR Subchapter O]	Removal	Oil pollution.
§ 35.20–25 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
§ 35.20–40 [33 CFR 164.35]	Revision	Maneuvering characteristics.
§ 56.50–100 [§ 58.30]	Removal	Fluid power and control systems.
§ 78.21–1 [33 CFR 164.35]	Removal	Maneuvering characteristics.
Subpart 78.25 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 78.85 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 92.01–13 [46 CFR Subchapter S, Subpart H] [33 CFR 164.35]	Removal	Watertight doors.
§ 97.19–1 [33 CFR 164.35]	Removal	Maneuvering characteristics.
Subpart 97.23 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 97.75 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 109.583 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 167.65–10 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
§ 190.01–13 [46 CFR Subchapter S, Subpart H]	Removal	Watertight doors.
Subpart 196.18 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 196.19–1 [33 CFR 164.35]	Removal	Maneuvering characteristics.
Subpart 196.23 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 196.75 [33 CFR Subchapter O]	Removal	Pollution prevention.

3. *The requirement does not improve shipboard safety.* The following sections are being removed or revised because they make no significant contribution to shipboard safety. This list includes provisions which are typically exceeded by industry voluntarily, regulations which have outlived their usefulness and requirements which result in inefficient administrative procedures.

Sections 32.05–5, 78.47–67, 97.37–45, 169.742 and 196.37–45 of Title 46 CFR contain requirements for marking fire

hose and fire axes with the vessel's name. Emergency equipment is typically marked with instructions or identifying symbols, such as the "E" on emergency lights, to aid in its identification and use. Lifesaving equipment that floats and could be discovered during a search is marked with the vessel's name to help identify the vessel in the event of a sinking. However, fire hose and fire axes have no need for either of these types of markings. These pieces of equipment do

not float and are not amenable to marking with instructions. Therefore, the requirement to mark fire hoses and fire axes with the vessel's name is not necessary and is proposed for removal.

Section 35.01–5 and Subparts 32.40, 72.20, 92.20, 167.50, 168.15 and 190.20 of Title 46 CFR contain requirements for on-board crew accommodations. In some cases, the requirements contained in these sections are unnecessarily detailed or exceed the requirements of the International Labor Office Merchant

Shipping (Minimum Standards) Convention, 1976 (ILO 147) to which the United States is signatory. For example, ILO 147 requires a hospital space be provided for tankships over 500 gross tons carrying a crew of 15 persons or more and on a voyage of over three days duration. Current § 32.40–50 requires a hospital space for all tankships carrying a crew of 12 persons or more and on a voyage of over three days duration.

The changes proposed by this rulemaking would remove or revise those sections of the regulations that are unnecessarily detailed or exceed the requirements of ILO 147 in order to make the regulations more concise and consistent with the international standard for on-board crew accommodations.

Sections 35.10–5 and 35.20–30 of Title 46 CFR discuss the officer in command's responsibility to conduct drills and the prohibitions against unauthorized lights, flashing blinding lights and unauthorized whistling. Section 35.25–1 of Title 46 CFR discusses the chief engineer's responsibility to examine the boilers and report their condition. Additionally, Sections 78.57–1, 97.47–1 and 167.65–15 of Title 46 CFR require mariners to comply strictly with routing instructions issued by competent naval authorities. Each of these sections include phrases to indicate that the master or the other licensed officers of a vessel may be held liable against their licenses in suspension and revocation proceedings for failure to comply with the provisions of these sections. Phrases of this type are inconsistent with the President's memorandum of March 4, 1995 directing the federal agencies to focus on results rather than process and punishment and do not contribute to shipboard safety. The authority to proceed in suspension and revocation proceedings against licensed or certificated mariners that fail to obey a law or regulation is explained in Part 5 of this chapter. Reiterating a mariner's liability in other subchapters is not necessary. Therefore, to meet the Coast Guard's goal of focusing on results instead of process and punishment this proposal, if adopted, would remove or revise sections that restate mariners' liability for failure to obey laws or regulations, while retaining the prohibition against the underlying conduct.

Sections 35.20–15 and 167.65–30 and Subparts 78.20, 97.17 and 196.17 of Title 46 CFR specify the words *Right Rudder* and *Left Rudder* be used when it is intended that the wheel, rudder blade and the head of the ship move to

the right or left, respectively. Specifying the direction of the wheel, rudder or ship intended by the commands *Right Rudder* and *Left Rudder* is a detail that is not necessary for professional seamen. Proper steering orders are ingrained in the commercial maritime industry culture and need not be repeated in the regulations. Therefore, these regulations are not necessary and are proposed for removal.

Sections 61.05–5 and 61.30–5 of Title 46 CFR assign responsibilities to the chief engineer to prepare the boilers and thermal fluid heaters for inspection. Preparing machinery for inspection reduces the time needed to conduct the required inspections and determine the condition of the machinery. It is a matter of convenience for the vessel and the attending marine inspectors or classification society surveyors to have the machinery prepared in advance, but is not a safety issue. Not preparing machinery for inspections has no impact on safety because all required inspections must eventually be conducted to the satisfaction of the attending inspectors or surveyors. Therefore, regulations assigning the responsibility to prepare machinery for inspection to the chief engineer are proposed for removal.

Sections 54.01–1, 54.01–3 and 54.01–5 and Table 54.01–5 of Title 46 CFR reference the standards of the Tubular Exchanger Manufacturers Association (TEMA) and the American Society of Mechanical Engineers (ASME) Code for Boilers and Pressure Vessels (ASME Code) for the construction of heat exchangers. Comments received from heat exchanger manufacturers and shipyards indicate that referencing both the TEMA and ASME standards has created confusion. The ASME Code is the primary industry standard for pressure vessels of all types and is extensively referenced in the regulations. The ASME Code is comprehensive and includes updated requirements for design and construction of the heat exchanger components for which a reference to TEMA standards was previously necessary. The ASME Code requirements are equivalent to TEMA requirements. Heat exchangers built solely in accordance with the ASME Code have demonstrated their suitability for shipboard use. Referencing only the ASME Code will result in simplified regulations and less confusion. Therefore, the regulations referencing the TEMA standards are no longer necessary and are proposed for removal.

Part 153 of Title 46 CFR contains the requirements for issuance of a

Certificate of Compliance (COC) and Subchapter O Endorsement (SOE). Under the existing regulations, a COC and SOE are issued by the Coast Guard to a foreign chemical tanker registered with a nation signatory to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78). Issuance of the COC and SOE are based primarily on a review of the vessel's plans and possession of a valid Certificate of Fitness (COF) issued by the flag state or an authorized third party.

The process to obtain a COC and SOE is initiated when a series of documents are submitted to the Coast Guard for review. The required submission of these documents to both the Coast Guard's Marine Safety Center (MSC) and the cognizant Officer in Charge, Marine Inspection (OCMI) often results in unnecessary delays in obtaining a COC and SOE. Also, under current practices, after the COC and SOE have been issued, if a Coast Guard marine inspector discovers that the COF has been reissued by the flag state or its authorized third party, the COC becomes invalid and cargo operations have to be stopped until the MSC reviews the new COF and issues a new SOE.

A new proposed procedure would make the Coast Guard's regulations more consistent with actual practice. Due to the large number of cargoes typically authorized under a COF, currently the MSC does not conduct a detailed review of the majority of a vessel's plans. Instead, the MSC concentrates on identifying cargoes prohibited from bulk carriage in U.S. waters and those cargoes for which the U.S. has special requirements. The MSC accepts a valid COF issued by the flag state or its authorized third party as documentation that the vessel complies with the applicable international codes for carriage of bulk chemicals. These codes are the Bulk Chemical Code (BCH Code) and the International Bulk Chemical Code (IBC Code) developed by the International Maritime Organization. Compliance with these codes is mandatory for any vessel whose flag state is signatory to MARPOL 73/78. Under this proposal, it would be only those chemical tankers whose flag state is not signatory to MARPOL 73/78 that would require a detailed plan review by the MSC to be issued an SOE. Following plan review, the MSC would issue an SOE to these vessels with the notation that the flag state is not signatory to MARPOL 73/78.

Therefore, this proposal, if adopted, would amend the review and issuance

process found in 46 CFR Part 153 to allow the OCMI to issue the COC and SOE without the MSC's involvement for those vessels whose flag states are

signatory to MARPOL 73/78. This proposal would also enable the SOE to remain valid as long as the COF is valid even if the COF is revised. The burden

on the Coast Guard would also be reduced through streamlined administrative procedures.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
Tank Vessels:		
§ 32.05-5	Revision	Equipment marking.
Subpart 32.40	Revision	Accommodations.
§ 35.01-5	Revision	Accommodations.
§ 35.10-5	Revision	Emergency drills.
§ 35.20-15	Revision	Steering orders.
§ 35.20-30	Revision	Blinding lights.
§ 35.20-35	Revision	Unnecessary whistling.
§ 35.25-1	Revision	Examination of boiler and machinery by engineer.
§ 35.40-40	Revision	Equipment marking.
Pressure Vessels:		
§ 54.01-1	Revision	Heat exchangers.
§ 54.01-3	Removal	Heat exchangers.
§ 54.01-5	Revision	Heat exchangers.
Inspectins and Examinations:		
§ 61.05-5	Revision	Preparing boilers for inspection.
§ 61.30-5	Revision	Preparing thermal fluid heater for inspection.
Passenger Vessels:		
Subpart 72.20	Revision	Accommodations.
Subpart 78.20	Removal	Steering orders.
§ 78.47-67	Removal	Equipment marking.
§ 78.57-1	Revision	Routing instructions.
Cargo and Miscellaneous Vessels:		
Subpart 92.20	Revision	Accommodation.
Subpart 97.17	Removal	Steering orders.
§ 97.37-45	Removal	Equipment marking.
§ 97.47-1	Revision	Routing instructions.
Hazardous Cargoes:		
Part 153	Revision	Certificate of Compliance procedures.
Public School Ships:		
Subpart 167.50	Revision	Accommodations.
§ 167.55-5	Revision	Special Markings.
§ 167.65-15	Revision	Routing instructions.
§ 167.65-30	Removal	Steering orders.
Civilian Nautical School Ships:		
Subpart 168.15	Revision	Accommodations.
Sailing School Vessels:		
§ 169.742	Removal	Equipment marking.
Oceanographic Research Vessels:		
Subpart 190.20	Revision	Accommodations.
Subpart 196.17	Removal	Steering Orders.
§ 196.37-45	Removal	Equipment marking.

4. *An appropriate industry standard or practice exists which can be referenced instead of publishing detailed requirements in the regulations.* The Coast Guard has been systematically replacing detailed specifications in the regulations with industry consensus standards for over 20 years. To date, over 250 regulatory provisions have been replaced with adopted industry standards. Incorporation of industry standards saves time and resources for both the Coast Guard and industry by streamlining the shipboard equipment acceptance process.

Sections 34.10-10, 34.10-90, 76.10-10, 76.10-90, 95.10-10, 95.10-90, 108.425, 167.45-40, 193.10-10 and 193.10-90 of Title 46 CFR contain requirements for fire hose nozzles that are approved under 46 CFR 162.027. In 1994, the Coast Guard helped U.S. nozzle manufacturers develop an American Society for Testing and Materials (ASTM) standard for fire fighting nozzles—ASTM F 1546-94, Standard Specification for Marine Fire Fighting Nozzles. The standard was developed for modern variable flow or variable pressure nozzle with the expectation that it would eventually be incorporated into the regulations.

Testing conducted by the Coast Guard Research and Development Center in 1988 demonstrated these nozzles are superior to the currently approved all-purpose nozzles. Two of the tested models were issued Coast Guard approvals in 1990. Variable flow or variable pressure nozzles are used by virtually every shoreside fire department in the United States. Incorporation of this standard will make a superior product with a long, successful service history available to the marine industry. Therefore, this proposal, if adopted, would replace current specifications for fire hose nozzles contained in Subpart 162.027

with a reference to ASTM F 1546-94 and would allow the use of nozzles that meet the new Subpart 162.027 in lieu of nozzles previously approved under Subpart 162.027.

Sections 56.30-35 and 56.30-40 of Title 46 CFR contain regulations for gasketed mechanical couplings and mechanically attached fittings, respectively. In 1993, the Coast Guard and ASTM developed ASTM standards F 1387-93, Standard Specification for Performance of Mechanically Attached Fittings, and F 1476-93, Standard Specification for Performance of Gasketed Mechanical Couplings for Use in Piping Applications, with the expectation that they would eventually be incorporated into the regulations in lieu of §§ 56.30-35 and 56.30-40. This proposal, if adopted, would incorporate F 1387F-93 and F 1476-93 into the regulations.

Section 61.20-17 of Title 46 CFR contains the requirements for tailshaft examination intervals. The current requirements for tailshaft examination intervals are based on the type of lubricant in the bearing lubrication system. With some exceptions, water-lubricated tailshafts must be drawn and examined at each drydocking. Oil-lubricated bearings need not be drawn and examined if the bearing clearances are taken during drydocking, the inboard seals are examined, the lubricating oil is analyzed and nondestructive testing is conducted on the connection between the propeller to the tailshaft. The differences in the scope and frequency of inspection are due to the non-corrosive properties of oil. Consequently, the use of an oil-lubricated tailshaft can translate into substantial savings during drydock periods. However, a potential drawback is liability for oil released from leaky seals. As a result, industry demand has spurred development of water-miscible, environmentally safe, non-corrosive lubricants.

The Coast Guard supports the development and use of non-polluting lubricants and has evaluated the means for a manufacturer to demonstrate a lubricant's equivalency to oil, based on the lubricant's non-corrosive properties, for purposes of the tailshaft inspection interval. Under this proposal, if adopted, a water-miscible lubricant tested in accordance with ASTM D 665-92, Standard Test Method for Rust-Preventing Characteristics of Inhibited Mineral Oil in the Presence of Water, may be considered equivalent to oil for the purposes of the tailshaft inspection interval. Therefore, this proposal, if adopted, would incorporate ASTM D 665-92 into the regulations and add

appropriate text into § 61.20-17 explaining the procedures for accepting water-miscible lubricants as equivalent to oil. Additionally, this proposal, if adopted, would clarify the purpose of the tailshaft lubricating oil analysis by explaining that the analysis is to determine the presence of bearing material or other contaminants.

Section 38.25-10 of Title 46 CFR contains the inspection requirements for safety relief valves installed on pressure vessel type cargo tanks used in the carriage of liquefied petroleum gas. Under the current regulations, safety relief valves must be tested and adjusted, if necessary, every four years. The ABS Rules require testing and adjustment every five years. The ABS Rules, with the longer testing interval, have shown to be adequate by the satisfactory performance of safety relief valves on non-U.S. vessels classed by ABS. The Coast Guard has amended the inspection intervals for vessel drydockings and for various pieces of shipboard equipment to agree with the inspection intervals in international standards and class society rules. These amendments have been made after consideration for any possible degradation in safety to allow major pieces of equipment to be tested on a cycle that coincides with the normal drydock schedule for the convenience of the vessel owner, class society and the Coast Guard. Therefore, this proposal, if adopted, would change the testing interval for safety valves installed on pressure vessel type cargo tanks from four years to five years to be consistent with international standards and classification society rules.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
§ 34.10-10	Revision ...	Fire hose nozzles.
§ 34.10-90	Revision ...	Fire hose nozzles.
§ 38.25-10	Revision ...	Safety relief valves.
§ 56.01-2	Revision ...	Incorporation by reference.
§ 56.30-35	Revision ...	Gasketed mechanical couplings.
§ 56.30-40	Revision ...	Mechanically attached fittings.
Subpart 61.03	New	Incorporation by reference.
§ 61.20-17	Revision ...	Tailshaft inspections.
§ 76.10-10	Revision ...	Fire hose nozzles.
§ 76.10-90	Revision ...	Fire hose nozzles.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
§ 95.10-10	Revision ...	Fire hose nozzles.
§ 95.10-90	Removal ..	Fire hose nozzles.
§ 108.425	Revision ...	Fire hose nozzles.
Subpart 162.027.	Revision ...	Fire hose nozzles.
§ 167.45-40	Revision ...	Fire hose nozzles.
§ 193.10-10	Revision ...	Fire hose nozzles.
§ 193.10-90	Revision ...	Fire hose nozzles.

5. *Statutory language repeated.* The regulatory text of the following provisions repeats language or restates requirements from self-executing statutes without any additional regulatory provisions.

Section 26.15-1 of Title 46 CFR repeats the statutory language of 46 U.S.C. 527e authorizing the Coast Guard to board numbered, uninspected commercial vessels. Section 527e of Title 46 U.S.C. was repealed on August 10, 1971 (P.L. 92-75; 85 Stat. 228). The authority for the Coast Guard to conduct boardings on uninspected vessels remains in Title 14 U.S.C. 89. Therefore, § 26.15-1 is no longer needed and is proposed for revision.

Sections 35.07-5, 35.07-15, 78.37-3, 97.35-3, 97.35-10, 196.35-3 and 196.35-10 of Title 46 CFR either repeat statutory language or paraphrase statutory requirements for making logbook entries. Subparts 78.03, 97.03 and 196.03 of Title 46 CFR repeat the possible consequences of a violation of the provisions of Title 46 CFR and mariners' liability under the suspension and revocation proceedings. Sections 167.65-3 and 196.27-10 of Title 46 CFR repeat the statutory language regarding negligent operations of a vessel.

Regulations which do not add meaning or additional requirements to self-executing statutes are not useful. Therefore, regulations which only repeat language or summarize requirements from self-executing statutes are not necessary and are proposed for removal.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
§ 26.15-1	Revision ...	Boarding by Coast Guard.
§ 35.07-5	Revision ...	Logbook entries.
§ 35.07-15	Removal ..	Logbook entries.
Subpart 78.03	Removal ..	Statutory penalties.

Cite (46 CFR)	Proposed change	Subject addressed by regulation
§ 78.37-3	Revision ...	Logbook entries.
Subpart 97.03	Removal ..	Statutory penalties.
§ 97.35-3	Revision ...	Logbook entries.
§ 97.35-10	Removal ..	Logbook entries.
§ 167.65-3	Removal ..	Negligent operations.
Subpart 196.03	Removal ..	Statutory penalties.
§ 196.27-10	Removal ..	Negligent operations.
§ 196.35-3	Revision ...	Logbook entries.
§ 196.35-10	Removal ..	Logbook entries.

Incorporation by Reference

The following material would be incorporated by reference:

American Society for Testing and Materials (ASTM):

Standard Specification for Performance of Mechanically Attached Fittings, F 1387-93—§§ 56.01-2, 56.30-35

Standard Specification for Performance of Gasketed Mechanical Couplings for Use in Piping Applications, F 1476-93—§§ 56.01-2, 56.30-40

Standard Specification for Marine Fire Fighting Nozzles, ASTM F 1546-93—§§ 162.027-1, 162.027-2, 162.027-3

Copies of the material are available for inspection where indicated under **ADDRESSES**. Copies of the material are available from the sources listed in §§ 56.01-2 and 162.027-1.

Before publishing a final rule, the Coast Guard will submit this material to the Director of the Federal Register for approval of the incorporation by reference.

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, nor has it been reviewed by the Office of Management and Budget. 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) Do not have general applicability; or, (4) Are repeated in other sections.

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 26

Marine safety, Penalties, Reporting and recordkeeping requirements.

46 CFR Part 31

Cargo vessels, Marine safety, Reporting and recordkeeping requirements.

46 CFR Part 32

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

46 CFR Part 34

Cargo vessels, Fire prevention, Marine safety.

46 CFR Part 35

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

46 CFR Part 38

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

46 CFR Part 54

Reporting and recordkeeping requirements, Vessels.

46 CFR Part 56

Reporting and recordkeeping requirements, Vessels.

46 CFR Part 61

Reporting and recordkeeping requirements, Vessels.

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 77

Marine safety, Navigation (water), Passenger vessels.

46 CFR Part 78

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

46 CFR Part 92

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

46 CFR Part 95

Cargo vessels, Fire prevention, Marine safety.

46 CFR Part 96

Cargo vessels, Marine safety, Navigation (water).

46 CFR Part 97

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

46 CFR Part 108

Fire prevention, Marine safety, Occupational safety and health, Oil and gas exploration, Vessels.

46 CFR Part 109

Marine safety, Occupational safety and health, Oil and gas exploration, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 153

Administrative practice and procedure, Cargo vessels, Hazardous materials transportation, Marine safety, Reporting and recordkeeping requirements, Water pollution control.

46 CFR Part 160

Marine safety, Reporting and recordkeeping requirements.

46 CFR Part 162

Fire Prevention, Marine safety, Oil pollution, Reporting and recordkeeping requirements.

46 CFR Part 164

Fire prevention, Marine safety, Reporting and recordkeeping requirements.

46 CFR Part 167

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Seamen, Vessels.

46 CFR Part 168

Occupational safety and health, Schools, Seamen, Vessels.

46 CFR Part 169

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Vessels.

46 CFR Part 190

Fire prevention, Marine safety, Occupational safety and health, Oceanographic research vessels.

46 CFR Part 193

Fire prevention, Marine safety, Oceanographic research vessels.

46 CFR Part 196

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 26, 31, 32, 34, 35, 38, 54, 56, 61, 72, 76, 77, 78, 92, 95, 96, 97, 108, 109, 153, 160, 162, 164, 167,

168, 169, 189, 190, 193, and 196 as follows:

PART 26—OPERATIONS

1. The authority citation for Part 26 continues to read as follows:

Authority: 46 U.S.C. 3306, 4104, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277.; 49 CFR 1.46.

2. In § 26.15-1, paragraphs (a) and (b) are removed, paragraph (c) is redesignated as paragraph (b), and a new paragraph (a) is added to read as follows:

§ 26.15-1 May board at any time.

(a) To facilitate the boarding of vessels by the commissioned, warrant, and petty officers of the U.S. Coast Guard in the exercise of their authority, every uninspected vessel, as defined in 46 U.S.C. 2101(43), if underway and upon being hailed by a Coast Guard vessel, shall stop immediately and lay to, or shall maneuver in such a way as to permit the Coast Guard boarding officer to come aboard. Failure to permit a Coast Guard boarding officer to board a vessel or refusal to comply will subject the operator or owner of the vessel to the penalties provided in law.

* * * * *

PART 31—INSPECTION AND CERTIFICATION

3. The authority citation for Part 31 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306; 49 U.S.C. 5103, 5106; 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.

§ 31.10-15 [Amended]

4. In § 31.10-15, paragraph (a) is amended by removing the words “and in the case of nuclear vessels, at least once every year”.

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

5. The authority citation for Part 32 continues to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46; Subpart 32.59 also under the authority of Sect. 4109, Pub. L. 101-380, 104 Stat. 515.

6. Section 32.02-5 is revised to read as follows:

§ 32.02-5 Communication between deckhouses—TB/OCLB.

On all tank vessels where the distance between deckhouses is more than 46 m

(150 ft), a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, shall be provided. Previously approved arrangements may be retained so long as they are maintained in satisfactory condition to the satisfaction of the Officer in Charge, Marine Inspection.

§ 32.05-5 [Amended]

7. In § 32.05-5, the words “fire hose, fire axes,” are removed.

8. Section 32.15-10 is revised to read as follows:

§ 32.15-10 Sounding machines—T/OCL.

All mechanically propelled vessels in ocean or coastwise service of 500 gross tons and over, and all mechanically propelled vessels in Great Lakes service of 500 gross tons and over certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient electronic deep-sea sounding apparatus.

9. Subpart 32.40 is revised to read as follows:

Subpart 32.40—Accommodations for Officers and Crew

Sec.

32.40-1 Application—TB/ALL.

32.40-5 General—T/ALL.

32.40-10 Restrictions—T/ALL.

32.40-15 Location of crew spaces—T/ALL.

32.40-20 Arrangement of sleeping spaces—T/ALL.

32.40-25 Size of sleeping spaces—T/ALL.

32.40-30 Berths and lockers—T/ALL.

32.40-35 Wash spaces; toilet spaces; and shower spaces—T/ALL.

32.40-40 Messrooms—T/ALL.

32.40-45 Hospital spaces—T/ALL.

32.40-50 Miscellaneous accommodation spaces—T/ALL.

32.40-55 Heating requirements—T/ALL.

32.40-60 Inspect screens—T/ALL.

32.40-65 Crew accommodations on

tankships of less than 100 gross tons and manned tank barges—TB/ALL.

32.40-70 Crew accommodations on tankships constructed before June 15, 1987—T/ALL.

§ 32.40-1 Application—TB/ALL.

(a) The provisions of this subpart, with the exception of § 32.40-70 and § 32.40-90, apply to all tankships of 100 gross tons and over constructed on or after June 15, 1987.

(b) Tankships of less than 100 gross tons and manned tank barges must meet the requirements of § 32.40-70.

(c) Tankships of 100 gross tons and over constructed prior to June 15, 1987, must meet the requirements of § 32.40-90.

§ 32.40-5 General—T/ALL.

The accommodations provided for the crew, including both officers and

unlicensed members, on all tankships must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat and odors.

§ 32.40-10 Restrictions—T/ALL.

(a) There must be no direct communication between the accommodation spaces and any chainlocker, stowage, or machinery space, except through solid, close-fitted doors or hatches.

(b) No access, vent, or sounding tube from a fuel or oil tank may open into any accommodation space, except that accesses and sounding tubes may open into corridors.

§ 32.40-15 Location of crew spaces—T/ALL.

Crew quarters must not be located forward of a vertical plane located at five percent of the tankship's length aft of the stem at the designated summer load line. However, for tankships in other than ocean or coastwise service, this distance does not need to exceed 8.5 m (28 ft). For the purposes of this paragraph, the length defined in § 42.13-15 of Subchapter E (Load Lines) of this chapter is to be used. No section of the deckhead of the crew spaces may be below the deepest load line.

§ 32.40-20 Arrangement of sleeping spaces—T/ALL.

Each department head and watchstanding officer must be provided with a separate stateroom.

§ 32.40-25 Size of sleeping spaces—T/ALL.

(a) No sleeping space may berth more than four persons.

(b) Without deducting any furnishings used by the occupants, each sleeping space must have for each occupant—

(1) 2.78 m² (30 ft²) of deck area; and

(2) 5.8 m³ (210 ft³) of volume.

(c) Each sleeping space must have at least 190 cm (75 in) of headroom over clear deck areas.

§ 32.40-30 Berths and lockers—T/ALL.

(a) Each person shall have a separate berth and not more than one berth shall be placed above another.

(b) Each berth must have a framework of hard, smooth, non-corrosive material.

(c) Each berth must be at least 68 cm (27 in) wide by 190 cm (75 in) long.

(d) The bottom of the lower berth must be at least 30 cm (12 in) above the deck. The bottom of an upper berth must be at least 76 cm (30 in) from the bottom of the berth below it and from the deck or any pipe, ventilating duct, or other overhead installation.

(e) Each person accommodated in a room shall be provided a locker.

(f) Each berth must have a berth light.

§ 32.40-35 Wash spaces: toilet spaces; and shower spaces—T/ALL.

(a) Each tankship must have enough public facilities to provide at least one toilet, one shower, and one washbasin for each eight persons who occupy sleeping spaces that do not have private or semi-private facilities.

(b) Each public toilet space and washing space must be convenient to the sleeping space that it serves.

(c) Each washbasin, shower, and bathtub must have hot and cold running water.

(d) Adjacent toilets must be separated by a partition that is open at the top and bottom.

(e) Each washing space and toilet space must be constructed and arranged so that it can be kept in a clean and sanitary condition and the plumbing and mechanical appliances kept in good working order.

§ 32.40-40 Messrooms—T/ALL.

Each messroom must seat the number of persons expected to eat in the messroom at one time.

§ 32.40-45 Hospital space—T/ALL.

(a) Except as specifically modified by paragraph (h) of this section, each tankship, which in the ordinary course of its trade makes voyages of more than three days duration between ports, other than on a coastal voyage, and which carries a crew of twelve persons or more, must have a hospital space.

(b) The hospital must be used only for the care of the sick.

(c) Each hospital space must have a toilet, washbasin, and bathtub or shower accessible from the hospital space.

(d) Each hospital space must have a clothes locker, a table, and seats.

(e) On tankships in which the entire crew is berthed in single occupancy rooms, a hospital space is not required if one room is designated and fitted for use as a treatment and isolation room, and meets the following standards:

(1) The room must be available for immediate medical use;

(2) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

§ 32.40-50 Miscellaneous accommodation spaces—T/ALL.

(a) Each tankship must have enough facilities for the crew to wash and dry their own clothes, including at least one tub or sink that has hot and cold running water.

(b) Each tankship must have an accommodation space that can be used for recreation.

§ 32.40-55 Heating requirements—T/ALL.

(a) Radiators and other heating apparatus must be constructed, located or shielded so as to avoid risk of fire or danger and discomfort to the occupants of each accommodation space.

(b) Each exposed pipe in an accommodation space leading to a radiator or other heating apparatus must be insulated.

§ 32.40-60 Insect screens—T/ALL.

Accommodation spaces must be protected against the admission of insects.

§ 32.40-65 Crew accommodations on tankships of less than 100 gross tons and manned tank barges—TB/ALL.

(a) The crew accommodations on all tankships of less than 100 gross tons and all manned tank barges must have sufficient size and equipment, and be adequately constructed to provide for the protection of the crew in a manner practicable for the size, facilities, and service of the tank vessel.

(b) The crew accommodations must be consistent with the principles underlying the requirements for crew accommodations of tankships of 100 gross tons or more.

§ 32.40-70 Crew accommodations on tankships constructed before June 15, 1987—T/ALL.

All tankships of 100 gross tons and over constructed before June 15, 1987 may retain previously accepted or approved installations and arrangements so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

Subpart 32.95—[Removed]

10. Subpart 32.95 is removed.

PART 34—FIREFIGHTING EQUIPMENT

The authority citation for Part 34 continues to read as follows:

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

12. In § 34.05-5, paragraphs (a)(1), (a)(2), (a)(3) and (a)(4) are revised to read as follows:

§ 34.05-5 Fire-extinguishing systems—T/ALL.

(a) * * *

(1) *Dry cargo compartments.* A carbon dioxide or water spray system shall be installed for the protection of all dry cargo compartments. Where such

compartments are readily accessible by means of doors such spaces need be protected only by the fire main system.

(2) *Cargo tanks.* A deck foam system shall be installed for the protection of all cargo tank spaces. Where a deck foam system is installed, an approved inert gas, steam or other system may also be installed for the purposes of fire prevention or inerting of cargo tanks. For vessels under 100 feet in length, the semiportable equipment required by footnote 1 of Table 34.05-5(a) will be considered as meeting the requirements of this subparagraph.

(3) *Lamp and paint lockers and similar spaces.* A carbon dioxide or water spray system shall be installed in all lamp and paint lockers, oil rooms, and similar spaces.

(4) *Pumprooms.* A carbon dioxide, inert gas, foam or water spray system shall be installed for the protection of all pumprooms.

* * * * *

§ 34.05-15 [Removed]

13. Section 34.05-15 is removed.

14. In § 34.10-10, paragraphs (e), (e-1) and (n) are removed, paragraphs (f) through (m) are redesignated as paragraphs (g) through (n), respectively, and new paragraphs (e), (f) and (o) are added to read as follows:

§ 34.10-10 Fire station hydrants, hose and nozzles—T/ALL.

* * * * *

(e) Each fire station hydrant must have at least one length of fire hose. Each fire hose on the hydrant must have a combination solid stream and water spray fire hose nozzle that meets the requirements in Subpart 162.027 of this chapter. Fire hose nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. A suitable hose rack or other device shall be provided. Hose racks on weather decks shall be located so as to afford protection from heavy seas. The hose shall be stored in the open or so as to be readily visible.

TABLE 34.10-10(E).—HYDRANTS WITH COAST GUARD APPROVED LOW-VELOCITY WATER SPRAY APPLICATORS

Location	No. of hydrants with approved applicators	Approved applicator length (meters (feet))
Living spaces.	1	1.2(4)

TABLE 34.10-10(E).—HYDRANTS WITH COAST GUARD APPROVED LOW-VELOCITY WATER SPRAY APPLICATORS—Continued

Location	No. of hydrants with approved applicators	Approved applicator length (meters (feet))
Weather deck.	4	3(10) or 3.7(12)
Machinery space.	2	1.2(4)

(f) Each combination nozzle previously approved under Subpart 162.027 of this chapter in the locations listed in Table 34.10-10(E) must have a low-velocity water spray applicator also previously approved under Subpart 162.027 of this chapter that is of the length listed in that table.

* * * * *

(o) Each low-velocity water spray applicator under paragraph (f) of this section must have fixed brackets, hooks, or other means for stowing next to the hydrant.

15. In § 34.10-90, paragraphs (a)(12) and (a)(13) are removed, paragraph (a)(14) is redesignated as (a)(12) and paragraphs (a)(10), (a)(11) and (b)(2) are revised to read as follows:

§ 34.10-90 Installations contracted for prior to May 26, 1965—T/ALL.

(a) * * *

(10) Each fire station hydrant on a tankship of 500 gross tons or more must have at least one length of firehose. Each firehose on the hydrant must have a combination solid stream and water spray firehose nozzle that meets the requirements of Subpart 162.027. Fire hose nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(11) On each tankship of 1000 gross tons or more, the nozzle required by paragraph (a)(10) on each of the following hydrants must have a low velocity applicator that was previously approved under Subpart 162.027 and that connects to that nozzle when the nozzle itself was previously approved under Subpart 162.027;

(i) At least two hydrants in the machinery and boiler spaces.

(ii) At least 25 percent of other hydrants.

* * * * *

(b) * * *

(2) Each fire station hydrant must have at least one length of firehose. Each firehose on the hydrant must have a

combination solid stream and water spray nozzle that meets the requirements of Subpart 162.027. Fire hose nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. If the fire hose nozzles were previously approved under Subpart 162.027, each of the number of hydrants in the locations listed in Table 34.10-10(E) must have a low velocity water spray applicator that:

- (i) Was previously approved under Subpart 162.027 of this chapter;
- (ii) Is the length listed in Table 34.10-10(E); and
- (iii) Meets § 34.10-10(o).

16. Subpart 34.13 is revised to read as follows:

Subpart 34.13—Steam Smothering Systems

§ 34.13-1 Application—T/ALL.

Steam smothering fire extinguishing systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

Subpart 34.55—[Removed]

17. Subpart 34.55 is removed.

PART 35—OPERATIONS

18. The authority citation for Part 35 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 6101; 49 U.S.C. 5103, 5106; 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.

§ 35.01-5 [Amended]

19. In § 35.01-5, paragraphs (b) and (c) are removed and the paragraph designation "(a)" is removed from paragraph (a).

20. Section 35.07-5 is revised to read as follows:

§ 35.07-5 Logbooks and records—TB/ALL.

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on Form CG-706. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired

for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but shall be kept available for review by a marine inspector for a period of one year after the date to which the records refer. Separate records of tests and inspections of firefighting equipment shall be maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

§ 35.07-15 [Removed]

21. Section 35.07-15 is removed.

§ 35.10-5 [Amended]

22. In § 35.10-5, paragraph (g) is removed and paragraphs (h) and (i) are redesignated as paragraphs (g) and (h), respectively.

23. Subpart 35.12 is revised to read as follows:

Subpart 35.12—Placard of Lifesaving Signals

- Sec.
- 35.12-1 Application—T/OCLB.
- 35.12-5 Availability—T/OCLB.

§ 35.12-1 Application—T/OCLB.

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/OCLB.

On all vessels to which this subpart applies there shall be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

§ 35.20-15 [Removed]

24. Section 35.20-15 is removed.

§ 35.20-25 [Removed]

25. Section 35.20-25 is removed.

26. Section 35.20-30 is revised to read as follows:

§ 35.20-30 Flashing the rays of a searchlight or other blinding light—T/ALL.

No person shall flash or cause to be flashed the rays of a search light or other blinding light onto the bridge or into the pilothouse of any vessel under way.

27. Section 35.20-35 is revised to read as follows:

§ 35.20-35 Whistling—All.

The unnecessary sounding of a vessel's whistle is prohibited within any harbor limits of the United States.

28. Section 35.20-40 is revised to read as follows:

§ 35.20-40 Maneuvering characteristics—T/OC.

(a) Each ocean and coastwise tankship of 1,600 gross tons or over must have the maneuvering information listed in 33 CFR 164.35(g)(1) through (g)(7) prominently displayed in the pilot house on a fact sheet.

(b) The information on the fact sheet must be:

- (1) Verified by the owner or operator six months after the vessel is placed in service; or
- (2) Modified six months after the vessel is placed into service and verified within three months thereafter.

(c) The information that appears on the fact sheet may be obtained from:

- (1) Trial trip observations;
- (2) Model tests;
- (3) Analytical calculations;
- (4) Simulations;
- (5) Information established from another vessel of similar hull form, power, rudder and propeller; or

(6) Any combination of the above. The accuracy of the information in the fact sheet required is that attainable by ordinary shipboard navigation equipment.

(d) The requirement for information for fact sheets for vessels of unusual design will be specified on a case by case basis.

29. Section 35.25-1 is revised to read as follows:

§ 35.25-1. Examination of boilers and machinery by engineer—T/ALL.

It shall be the duty of an engineer when he assumes charge of the boilers to examine the same forthwith and thoroughly. If he finds any part thereof in bad condition, he shall immediately report the facts to the master, owner, or agent, and to the nearest Officer in Charge, Marine Inspection.

§ 35.30-45 [Removed]

30. Section 35.30-45 is removed.

§ 35.40-40 [Amended]

31. In § 35.40-40, paragraph (a) is amended by removing the words "fire hoses, fire axes,".

Subpart 35.70—[Removed]

32. Subpart 35.70 is removed.

PART 38—LIQUEFIED FLAMMABLE GASES

33. The authority citation for Part 38 is revised to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. 5101, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

34. In § 38.25-10, paragraph (b) is revised to read as follows:

§ 38.25-10 Safety relief valves—TB/ALL.

* * * * *

(b) The safety relief valve discs shall be lifted from their seats in the presence of a marine inspector by either liquid, gas, or vapor pressure at least once every 5 years to determine the accuracy of adjustment and, if necessary, shall be reset.

PART 54—PRESSURE VESSELS

35. 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.

§ 54.01-1 [Amended]

36. In § 54.01-1, paragraph (b) is amended by removing the incorporation by reference entry for the Tubular Exchanger Manufacturers Association.

§ 54.01-3 [Removed]

37. Section 54.01-3 is removed.

§ 54.01-5 [Amended]

38. In § 54.01-5, paragraph (d)(5) is amended by adding the word "and" after the semicolon, paragraph (d)(6) is removed, paragraph (d)(7) is redesignated as paragraph (d)(6) and footnote 8 is removed from Table 54.01-5(b).

PART 56—PIPING SYSTEMS AND APPURTENANCES

39. The authority citation for Part 56 continues 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.

40. In § 56.01-2, paragraph (b) is amended by adding in numerical order of the standards incorporated by reference from the American Society for Testing and Materials (ASTM) the following additional standards:

§ 56.01-2 Incorporation by reference.

* * * * *

(b) * * *

- ASTM F 1387-93 Standard—56.30-40 Specification for Performance of Mechanically Attached Fittings
- ASTM F 1476-93 Standard—56.30-35 Specification for Performance of Casketed Mechanical Couplings for Use in Piping Applications

* * * * *

41. Section 56.30-35 is revised to read as follows:

§ 56.30-35 Sleeve coupled and other proprietary joints.

Coupling type, mechanical gland type and other proprietary joints may be used in certain locations (see § 56.30-40(d) for limitations) where experience or tests have demonstrated that the joint is safe for the operating conditions, and where adequate provision is made to prevent separation of the joint. Fittings of this type shall be designed, constructed, tested and marked in accordance with ASTM F 1476-93.

42. In § 56.30-40, paragraphs (b), (c), (e), and (h) are removed, paragraph (d) is redesignated as paragraph (c), paragraphs (f) and (g) are redesignated as paragraphs (d) and (e), respectively, and a new paragraph (b) is added to read as follows:

§ 56.30-40 Flexible pipe couplings of the compression or slip-on type.

* * * * *

(b) Couplings shall be designed, constructed, tested and marked in accordance with ASTM F 1387-93.

* * * * *

§ 56.50-100 [Removed]

43. Section 56.50-100 is removed.

PART 61—PERIODIC TESTS AND INSPECTIONS

44. 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.

45. Subpart 61.03 is added to read as follows:

Subpart 61.03—Incorporation of Standards**§ 61.03-1 Incorporation by reference.**

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the Federal Register and make the material available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and at the U.S. Coast Guard, Design and Engineering Standards Division (G-MMS), 2100 Second Street SW., Washington, DC 20593-0001 and is available from the sources indicated in paragraph (b) of this section.

(b) The material for incorporation by reference in this part and the sections affected are:

American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, PA 19103
ASTM D 665-92, Standard Test Method for Rust-Preventing Characteristics of Inhibited Mineral Oil in the Presence of Water, 1992-61.20-17

§ 61.05-5 [Amended]

46. In § 61.05-5, paragraph (a) is removed and paragraphs (b) and (c) are redesignated as paragraphs (a) and (b), respectively.

47. Section 61.20-17 is revised to read as follows:

§ 61.20-17 Examination intervals.

(a) A lubricant that demonstrates the corrosion inhibiting properties of oil when tested in accordance with ASTM D 665-92 is considered to be equivalent to oil for the purposes of the tailshaft examination interval.

(b) Except as provided in paragraphs (c) through (f) of this section, each tailshaft on a vessel must be examined twice within any five year period. No more than three years may elapse between any two tailshaft examinations.

(c) Tailshafts on vessels fitted with multiple shafts must be examined once every five years.

(d) Tailshafts with inaccessible portions fabricated of materials resistant to corrosion by sea water, or fitted with a continuous liner or a sealing gland which prevents sea water from contacting the shaft, must be examined once every five years if they are constructed or fitted with a taper, keyway, and propeller designed in accordance with the American Bureau of Shipping standards to reduce stress concentrations or are fitted with a flanged propeller. Accessible portions of tailshafts must be examined visually during each drydock examination.

(e) Tailshafts with oil lubricated bearings, including bearings lubricated with a substance considered to be equivalent to oil under the provisions of paragraph (a), need not be drawn for examination—

(1) If tailshaft bearing clearance readings are taken whenever the vessel undergoes a drydock examination or underwater survey;

(2) If the inboard seal assemblies are examined whenever the vessel undergoes a drydock examination or underwater survey;

(3) If an analysis of the tailshaft bearing lubricant is performed semiannually in accordance with the lubrication system manufacturer's recommendations to determine bearing material content or the presence of other contaminants; and

(4) If—

(i) For tailshafts with a taper, the propeller is removed and the taper and the keyway (if fitted) are nondestructively tested at intervals not to exceed five years; or

(ii) For tailshafts with a propeller fitted to the shaft by means of a coupling flange, the propeller coupling bolts and flange radius are nondestructively tested whenever they are removed or made accessible in connection with overhaul or repairs.

(f) Tailshafts on mobile offshore drilling units are not subject to examination intervals under paragraphs (b) through (d) of this section if they are—

(1) Examined during each regularly scheduled drydocking; or

(2) Regularly examined in a manner acceptable to the Commandant (G-MCO).

§ 61.30-5 [Amended]

48. In § 61.30-5, paragraph (a) is removed and the paragraph designation "(b)" is removed from paragraph (b).

PART 72—CONSTRUCTION AND ARRANGEMENT

49. The authority citation for Part 72 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.

§ 72.05-60 [Removed]

50. Section 72.05-60 is removed.

51. Subpart 72.20 is revised to read as follows:

Subpart 72.20—Accommodations for Officers and Crew

Sec.

72.20-1 Application.

72.20-5 Intent.

72.20-10 Location of crew spaces.

72.20-15 Construction.

72.20-20 Sleeping accommodations.

72.20-25 Washrooms and toilet rooms.

72.20-30 Messrooms.

72.20-35 Hospital space.

72.20-40 Other spaces.

72.20-45 Lighting.

72.20-50 Heating.

72.20-55 Insect screens.

72.20-90 Vessels contracted for prior to November 19, 1952.

§ 72.20-1 Application.

The provisions of this subchapter, except § 72.20-90, apply to all vessels contracted for after November 18, 1952. Vessels contracted for before November 19, 1952 shall meet the requirements of § 72.20-90.

§ 72.20-5 Intent.

It is the intent of this subpart that the accommodations provided for officers and crew on all vessels shall be securely

constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and where practicable, shall be insulated from undue noise, heat and odors.

§ 72.20-10 Location of crew spaces.

(a) Crew quarters shall not be located farther forward in the vessel than a vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designed summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 m (28 ft). For the purposes of this paragraph, the length shall be as defined in § 43.15-1 of Subchapter E (Load Lines) of this chapter. No section of the deck of the crew spaces shall be below the deepest load line, except that in special cases, the Commandant may approve such an arrangement.

(b) There shall be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, or machinery spaces.

§ 72.20-15 Construction.

All crew spaces are to be constructed in a manner suitable to the purpose for which they are intended. The accommodations provided for officers and crew on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise, heat and effluvia.

§ 72.20-20 Sleeping accommodations.

(a) Where practicable, each licensed officer shall be provided with a separate stateroom.

(b) Sleeping accommodations for the crew shall be divided into rooms, no one of which shall berth more than four persons.

(c) Each room shall be of such size that there is at least 2.78 m² (30 ft²) of deck area and a volume of at least 5.8 m³ (210 ft³) for each person accommodated. The clear head room shall be not less than 190 cm (75 in). In measuring sleeping accommodations any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each person shall have a separate berth and not more than one berth shall be placed above another. The berth shall be composed of materials not likely to corrode. The overall size of a berth shall not be less than 68 cm (27 in) wide by 190 cm (75 in) long, except by special permission of the Commandant. Where two tiers of berths are fitted, the bottom

of the lower berth must not be less than 30 cm (12 in) above the deck. The berths shall not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker shall be provided for each person accommodated in a room.

§ 72.20-25 Washrooms and toilet rooms.

(a) There shall be provided at least one toilet, one washbasin, and one shower or bathtub for each eight members or portion thereof in the crew to be accommodated. The crew to be accommodated shall include all members who do not occupy rooms to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms shall be located convenient to the sleeping quarters of the crew to which they are allotted but shall not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs shall be equipped with proper plumbing, including hot and cold running water. All toilets shall be installed with proper plumbing for flushing. Where more than one toilet is located in a space or compartment, each toilet shall be separated by partitions.

§ 72.20-30 Messrooms.

Messrooms shall be located as near to the galley as is practicable except where the messroom is equipped with a steam table. The messroom shall be of such size as to seat the number of persons normally scheduled to be eating at one time.

§ 72.20-35 Hospital space.

(a) Each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of twelve or more, shall be provided with a hospital space. This space shall be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital shall be suitably separated from other spaces and shall be used for the care of the sick and for no other purpose.

(c) The hospital shall be fitted with berths in the ratio of one berth to every twelve members of the crew or portion thereof who are not berthed in single occupancy rooms, but the number of berths need not exceed six.

(d) The hospital shall have a toilet, washbasin, and bath tub or shower conveniently situated. Other necessary suitable equipment of such character as clothes locker, table, seat, etc., shall be provided.

(e) Sufficient facilities shall be provided where the crew may wash and

dry their own clothes. There shall be at least one sink supplied with hot and cold fresh water.

(b) Recreation accommodations shall be provided.

(c) A space or spaces of adequate size shall be available on an open deck to which the crew has access when off duty.

§ 72.20-45 Lighting.

Berth lights shall be provided for each member of the crew.

§ 72.20-50 Heating.

(a) All crew spaces shall be adequately heated in a manner suitable to the purpose of the space.

(b) Radiators and other heating apparatus shall be so placed, and where necessary shielded, as to avoid risk of fire, danger or discomfort to the occupants. Pipes leading to radiators or heating apparatus shall be lagged where those pipes create a hazard to persons occupying the space.

§ 72.20-55 Insect screens.

Provisions shall be made to protect the crew quarters against the admission of insects.

§ 72.20-90 Vessels contracted for prior to November 19, 1952.

(a) Vessels of 100 gross tons and over, contracted for prior to March 4, 1915, shall meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as 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 same standard as the original construction provided that in no case will a greater departure from the standards of §§ 72.20-5 through 72.20-55 be permitted than presently exists.

(b) Vessels of 100 gross tons and over, contracted for on or after March 4, 1915, but prior to January 1, 1941, shall meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as 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 same standard as the original construction.

(2) Where reasonable and practicable, a minimum of 1 toilet, shower, and washbasin shall be provided for each 10 members of the crew or fraction thereof.

(3) Crew spaces shall have a volume of at least 3.4 m³ (120 ft³) and a deck

area of at least 1.5 m² (16 ft³) for each person accommodated.

(4) Each crewmember shall have a separate berth, and berths may not be placed more than two high.

(5) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of twelve or more persons, shall be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths shall be provided in the ratio of 1 berth for each twelve members of the crew or fraction thereof, but the number of berths need not exceed 6.

(6) The crew spaces shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, and arranged, and where practicable shall be insulated from undue noise and odors.

(d) Vessels of 100 gross tons and over, contracted for on or after January 1, 1941, but prior to November 19, 1952, shall meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as 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 same standard as the original construction.

(2) There shall be a minimum of one toilet, shower, and washbasin for each eight members of the crew or fraction thereof who are not accommodated in rooms having attached private or semi-private facilities. Washbasins, showers, and bathtubs if substituted for showers, shall be equipped with proper plumbing, including hot and cold running water.

(3) Crew spaces shall have a volume of at least 3.4 m³ (120 ft²) and a deck area of at least 1.5 m² (16 ft³) for each person accommodated.

(4) Each crewmember shall have a separate berth, and berths may not be placed more than two high.

(5) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of twelve or more persons, shall be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths shall be provided in the ratio of 1 berth for each twelve members of the crew or fraction thereof, but the number of berths need not exceed 6.

(6) The crew spaces shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, and arranged, and where practicable

shall be insulated from undue noise and odors.

PART 76—FIRE PROTECTION EQUIPMENT

52. 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.

53. Section 76.05–20 is revised to read as follows:

§ 76.05–20 Fixed fire extinguishing systems.

Approved fire extinguishing systems shall be installed, as required by Table 76.05–1(a) on all self-propelled vessels and on all barges with sleeping accommodations for more than six persons.

§ 76.05–30 [Removed]

54. Section 76.05–30 is removed.

55. In § 76.10–10, paragraphs (j–1) and (j–2) are removed, paragraph (k) and (l) is redesignated as paragraphs (m) and (n), paragraph (j) is revised and new paragraphs (k) and (l) are added to read as follows:

§ 76.10–10 Fire hydrants and hose.

* * * * *

(j) Each fire hose on each hydrant must have a combination solid stream and water spray fire hose nozzle that meets the requirements in Subpart 162.027 of this chapter. Fire hose nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(k) Fire hose nozzles previously approved under Subpart 162.027 of this chapter in the following locations must have low-velocity water spray applicators also previously approved under Subpart 162.027 of this chapter.

(1) In accommodation and service areas, two fire hoses.

(2) In each propulsion machinery space containing an oil-fired boiler, internal combustion machinery, or oil fuel unit on a vessel on an international voyage or of 1000 gross tons or more, each fire hose. The length of each applicator must be not more than 1.8 m (6 feet).

(3) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (k) of this section.

* * * * *

56. In § 76.10–90, paragraph (a)(7) is removed and paragraph (a)(6) is revised to read as follows:

§ 76.10–90 Installations contracted for prior to May 26, 1965.

(a) * * *

(6) Firehose nozzles and low velocity spray applicators must meet the requirements of §§ 76.10–10(j), 76.10–10(k) and 76.10–10(l).

57. Subpart 76.13 is revised to read as follows:

Subpart 76.13—System Smothering Systems

§ 76.13–1 Application.

Steam smothering systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

58. The authority citation for Part 77 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.

59. Section 77.27–1 is revised to read as follows:

§ 77.27–1 When required.

All mechanically propelled vessels of 500 gross tons and over in ocean or coastwise service, and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient electronic deep-sea sounding apparatus.

PART 78—OPERATIONS

60. The authority citation for Part 78 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 6101; 49 U.S.C. 5103, 5106; 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.

Subpart 78.03—[Removed]

61. Subpart 78.03 is removed.

Subpart 78.20—[Removed]

62. Subpart 78.20 is removed.

63. In § 78.21–1, paragraphs (a), (b), (c) and (d) are removed, paragraphs (e) and (f) are redesignated as paragraphs (b) and (c), respectively, and a new paragraph (a) is added to read as follows:

§ 78.21-1 Data required.

(a) The information on the maneuvering characteristics fact sheet required by 33 CFR 164.35(g) must be:

(1) Verified six months after the vessel is placed into service; or

(2) Modified six months after the vessel is placed into service and verified within three months thereafter.

* * * * *

Subpart 78.25—[Removed]

64. Subpart 78.25 is removed.

65. Subpart 78.35 is revised to read as follows:

Subpart 78.35—Communication between deckhouses**§ 78.35-1 When required.**

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 m (150 ft) a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, shall be provided. Previously approved arrangements may be retained so long as they are maintained in satisfactory condition to the satisfaction of the Officer in Charge, Marine Inspection.

66. Section 78.37-3 is revised to read as follows:

§ 78.37-3 Logbooks and records.

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on Form CG-706. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but shall be kept available for review by a marine inspector for a period of one year after the date to which the records refer. Separate records of tests and inspections of firefighting equipment shall be maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

§ 78.47-67 [Removed]

67. Section 78.47-67 is removed.

68. Subpart 78.53 is revised to read as follows:

Subpart 78.53—Placard of Lifesaving Signals

Sec.

78.53-1 Application.

78.53-5 Availability.

§ 78.53-1 Application.

The provisions of this subpart shall to all vessels on an international voyage, and all other vessels of 150 gross tons or over in ocean, coastwise or Great Lakes service.

§ 78.53-5 Availability.

On all vessels to which this subpart applies there shall be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

69. Section 78.57-1 is revised to read as follows:

§ 78.57-1 All personnel must comply.

All licensed masters, officers, and certificated seamen on United States vessels shall comply strictly with routing instructions issued by competent naval authority.

Subpart 78.75—[Removed]

70. Subpart 78.75 is removed.

Subpart 78.80—[Removed]

71. Subpart 78.80 is removed.

Subpart 78.85—[Removed]

72. Subpart 78.85 is removed.

PART 92—CONSTRUCTION AND ARRANGEMENT

73. The authority citation for Part 92 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.

§ 92.01-13 [Removed]

74. Section 92.01-13 is removed.

75. Subpart 92.20 is revised to read as follows:

Subpart 92.20—Accommodations for Officers and Crew

Sec.

92.20-1 Application.

92.20-5 Intent.

92.20-10 Location of crew spaces.

92.20-15 Construction.

92.20-20 Sleeping accommodations.

92.20-25 Washrooms and toilet rooms.

92.20-30 Messrooms.

92.30-35 Hospital space.

92.20-40 Other spaces.

92.20-45 Lighting.

92.20-50 Heating.

92.20-55 Insect screens.

92.20-90 Vessels contracted for prior to November 19, 1952.

§ 92.20-1 Application.

(a) The provisions of this subpart, with the exception of § 92.20.90, shall apply to all vessels of 100 gross tons and over contracted for on or after November 19, 1952. Vessels of 100 gross tons and over contracted for prior to November 19, 1952 shall meet the requirements of § 92.20-90.

(b) Vessels of less than 100 gross tons shall meet the applicable requirements of this subpart insofar as is reasonable and practicable.

§ 92.20-5 Intent.

It is the intent of this subpart that the accommodations provided for officers and crew on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise, heat and odors.

§ 92.20-10 Location of crew spaces.

(a) Crew spaces shall be located, where practicable, so that the maximum amount of fresh air and light are obtainable.

(b) Crew quarters shall not be located farther forward in a vessel than a vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designed summer load waterline. However, for vessels in other than ocean services, this distance need not exceed 8.5 m (28 ft). For the purpose of this paragraph, the length shall be as defined in § 42.13-15 of Subchapter E (Load Lines) of this chapter.

There shall be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, cargo, or machinery spaces.

(d) There shall be no access, vents, or sounding tubes from fuel or cargo oil tanks opening into crew spaces, except that sounding tubes and access openings may be located in corridors.

§ 92.20-15 Construction.

All crew spaces are to be constructed in a manner suitable to the purpose for which they are intended. The accommodations provided for officers and crew on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise, heat and odors.

§ 92.20–20 Sleeping accommodations.

(a) Each department head and watchstanding officer shall have a separate stateroom.

(b) Sleeping accommodations for the crew shall be divided into rooms, no one of which shall berth more than four persons.

(c) Each room shall be of such size that there is at least 2.78 m² (30 ft²) of deck area and a volume of at least 5.8 m³ (210 ft³) for each person accommodated. The clear headroom shall be not less than 190 cm (75 in). In measuring sleeping quarters allocated to crews of vessels, any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or deck area.

(d) Each person shall have a separate berth and not more than one berth shall be placed above another. The berths shall be composed of a material not likely to corrode. The overall size of a berth shall not be less than 68 cm (27 in) wide by 190 cm (75 in) long. Where two tiers of berths are fitted, the bottom of the lower berth must not be less than 30 cm (12 in) above the deck. The berths shall not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker provided for each person accommodated in a room.

§ 92.20–25 Washrooms and toilet rooms.

(a) There shall be provided at least one toilet, one washbasin, and one shower or bathtub for each eight members or portion thereof in the crew to be accommodated. The crew to be accommodated shall include all members who do not occupy rooms to which private or semiprivate facilities are attached.

(b) The toilet rooms and washrooms shall be located convenient to the sleeping quarters of the crew to which they are allotted but shall not open directly into such quarters except when they are provided as private or semiprivate facilities.

(c) All washbasins, showers, and bathtubs shall be equipped with proper plumbing, including hot and cold running water. All toilets shall be installed with proper plumbing for flushing.

(d) At least one washbasin shall be fitted in each toilet room, except where private or semi-private facilities are provided and washbasins are installed in the sleeping rooms.

(e) When more than one toilet is located in a space, each toilet shall be separated by partitions.

§ 92.20–30 Messrooms.

Messrooms shall be located as near to the galley as practicable. The

messrooms shall be of such size as to seat the number of persons normally scheduled to be eating at one time.

§ 92.20–35 Hospital space.

(a) Except as specifically modified by paragraph (f) of this section, each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of twelve or more, shall be provided with a hospital space. This space shall be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital shall be suitably separated from other spaces and shall be used for the care of the sick and for no other purpose.

(c) The hospital shall be fitted with berths in the ratio of one berth to every twelve members of the crew or portion thereof who are not berthed in single occupancy rooms, but the number of berths need not exceed six.

(e) The hospital shall have a toilet, washbasin, and bath tub or shower conveniently situated. Other necessary suitable equipment of such character as clothes locker, table, seat, etc., shall be provided.

(f) On vessels in which the crew is berthed in single occupancy rooms a hospital space will not be required, provided, that one room shall be designated and fitted for use as a treatment and isolation room. Such room shall meet the following standards:

(1) The room must be available for immediate medical use; and,

(2) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

§ 92.20–40 Other spaces.

(a) Sufficient facilities shall be provided where the crew may wash and dry their own clothes. There shall be at least one sink supplied with hot and cold fresh water.

(b) Recreation accommodations shall be provided.

§ 92.20–45 Lighting.

Berth lights shall be provided for each member of the crew.

§ 92.20–50 Heating.

(a) All crew spaces shall be adequately heated in a manner suitable to the purpose of the space.

(b) Radiators and other heating apparatus shall be so placed, and where necessary shielded, as to avoid risk of fire, danger or discomfort to the

occupants. Pipes leading to radiators or heating apparatus shall be lagged where those pipes create a hazard to persons occupying the space.

§ 92.20–55 Insect screens.

Provisions shall be made to protect the crew quarters against the admission of insects.

§ 92.20–90 Vessels contracted for prior to November 19, 1952.

(a) Vessels of less than 100 gross tons, contracted for prior to November 19, 1952 shall meet the general intent of § 92.20–5 and in addition shall meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alternations may be made to the same standard as the original construction.

(b) Vessels of 100 gross tons and over, contracted for prior to March 4, 1915, shall meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as 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 standard as the original construction: Provided, That in no case will a greater departure from the standards of 92.20–5 through 92.20–55 be permitted than presently exists.

(c) Vessels of 100 gross tons and over, contracted for on or after March 4, 1915, but prior to January 1, 1941, shall meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alternations may be made to the same standard as the original construction.

(2) Each vessel, which in the ordinary course of its trade makes a voyage of more than three days duration between ports and which carries a crew of 12 or more persons, shall be provided with a suitable hospital space for the exclusive use of the sick or injured.

(3) The crew spaces shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, and arranged, and where practicable, shall be insulated from undue noise and odors.

(d) Vessels of 100 gross tons and over, contracted for on or after January 1,

1941, but prior to November 19, 1952, shall meet the requirements of this paragraph.

Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alternations may be made to the same standard as the original construction.

(2) Washbasins, showers, and bath tubs if substituted for showers, shall be equipped with proper plumbing including hot and cold running water.

(3) Each crewmember shall have a separate berth, and berths may not be placed more than two high.

(4) Each vessel, which in the ordinary course of its trade makes a voyage of more than three days duration between ports and which carries a crew of twelve or more persons, shall be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths shall be provided in the ratio of one berth for each twelve members of the crew or fraction thereof, but the number of berths need not exceed six.

(5) The crew spaces shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located and arranged, and where practicable, shall be insulated from undue noise and odors.

PART 95—FIRE PROTECTION EQUIPMENT

76. 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.

77. In § 95.05–10, paragraph (g) is removed and paragraphs (b) and (c) are revised to read as follows:

§ 95.05–10 Fixed fire extinguishing systems.

* * * * *

(b) A fixed carbon dioxide or other approved system shall be installed in all cargo compartments and tanks for combustible cargo, except that vessels engaged exclusively in the carriage of coal or grain in bulk need not be fitted with such system. For cargo compartments and tanks fitted with a fixed carbon dioxide or other approved system a deck foam system is not required. In lieu of the carbon dioxide system or other approved system, the following systems may be used or required in special cases:

(1) A fixed foam system may be used in cargo tanks.

(2) In cases where a cargo is normally accessible and is considered to be a part

of the working or living quarters, a water sprinkling system may be required, and the details of such system will be subject to special approval.

(3) Spaces "specially suitable for vehicles" shall be fitted with an approved carbon dioxide system. Alternately, the Commandant may permit the installation of an approved water sprinkler system or other suitable system.

(c) On vessels other than motorboats, a fixed carbon dioxide or other approved system shall be installed in all lamp and paint lockers, oil rooms, and similar spaces.

* * * * *

§ 95.05–20 [Removed]

78. Section 95.05–20 is removed.

79. In § 95.10–10, paragraphs (i), (i–1), (i–2) and (1) are removed, paragraphs (j) and (k) are redesignated as paragraphs (l) and (m), respectively, and new paragraphs (i), (j), (k), (n), (n)(1), (n)(2) and (n)(3) are added to read as follows:

§ 95.10–10 Fire hydrants and hose.

* * * * *

(i) Except as allowed in this paragraph, each fire hose on each hydrant must have a combination solid stream and water spray fire hose nozzle approved under Subpart 162.027 of this chapter. Fire hose nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(j) In each propulsion machinery space containing an oil fired boiler, internal combustion machinery, or oil fuel unit on a vessel on an international voyage or of 1,000 gross tons or more, each fire hose having a combination nozzle previously approved under Subpart 162.027 of this chapter must have a low-velocity water spray applicator that is also previously approved under Subpart 162.027 of this chapter. The length of the applicator must be less than 1.8 m (6 feet).

(k) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (j) of this section.

* * * * *

(n) Fire hose and couplings shall be as follows:

(1) Couplings shall be of brass, bronze, or other equivalent metal. National Standard fire hose coupling threads shall be used for the 38 mm (1½ inch) and 64 mm (2½ inch) sizes.

(2) Where 19 mm (¾ inch) hose is permitted by Table 95.10–5(a), the hose

and couplings shall be of good commercial grade.

(3) Each section of fire hose must be lined commercial fire hose that conforms to Underwriters' Laboratories, Inc. Standard 19 or Federal Specification—H–451E. Hose that bears the label of Underwriters' Laboratories, Inc. as lined fire hose is accepted as conforming to this requirement.

* * * * *

80. In § 95.10–90, paragraph (a)(6) is removed and paragraph (a)(5) is revised to read as follows:

§ 95.10–90 Installations contracted for prior to May 26, 1965.

(a) * * *

(5) Firehose nozzles and low velocity spray applicators must meet the requirements of 95.10–10(i), 95.10–10(j) and 95.10–10(k).

81. Subpart 95.13 is revised to read as follows:

Subpart 95.13—Steam Smothering Systems

§ 95.13–1 Application.

Steam smothering systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

82. The authority citation for Part 96 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.

83. Section 96.27–1 is revised to read as follows:

§ 96.27–1 When required.

All mechanically propelled vessels of 500 gross tons and over in ocean or coastwise service and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service and certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient electronic sounding apparatus.

PART 97—OPERATIONS

84. 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. 5103, 5106; 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.

Subpart 97.03—[Removed]

85. Subpart 97.03 is removed.

Subpart 97.17—[Removed]

86. Subpart 97.17 is removed.

87. In §97.19-1, paragraphs (a), (b) and (c) are removed, paragraphs (d), (e) and (f) are redesignated as paragraphs (a), (b) and (c), respectively, and the new paragraph (a) is revised to read as follows:

§ 97.19-1 Data required.

* * * * *

(a) The information on the maneuvering characteristics fact sheet required by 33 CFR 164.35(g) must be:

* * * * *

Subpart 97.23—[Removed]

88. Subpart 97.23 is removed.

89. Subpart 97.33 is revised to read as follows:

Subpart 97.33—Communication Between Deckhouses

§ 97.33-1 When required.

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 m (150 ft) a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, shall be provided. Previously approved arrangements may be retained so long as they are maintained in satisfactory condition to the satisfaction of the Officer in Charge, Marine Inspection.

90. Section 97.35-3 is revised to read as follows:

§ 97.35-3 Logbooks and records.

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on Form CG-706. When a voyage is completed, or after a specified period of time, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but shall be kept available for review by a marine inspector for a period of one year after the date to which the records refer. Separate records of tests and inspections of firefighting equipment shall be

maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

§ 97.35-10 [Removed]

91. Section 97.35-10 is removed.

§ 97.37-45 [Removed]

92. Section 97.37-45 is removed.

93. Subpart 97.43 is revised to read as follows:

Subpart 97.43—Placard of Lifesaving Signals

Sec.

97.43-1 Application.

97.43-5 Availability.

§ 97.43-1 Application.

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.

§ 97.43-5 Availability.

On all vessels to which this subpart applies there shall be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

94. Section 97.47-1 is revised to read as follows:

§ 97.47-1 All persons must comply.

All licensed masters, officers, and certificated seamen on United States vessels must comply strictly with routing instructions issued by competent naval authority.

Subpart 97.60—[Removed]

95. Subpart 97.60 is removed.

Subpart 97.70—[Removed]

96. Subpart 97.70 is removed.

Subpart 97.75—[Removed]

97. Subpart 97.75 is removed.

PART 108—DESIGN AND EQUIPMENT

98. The authority citation for Part 108 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3102, 3306; 49 CFR 1.46.

§ 108.403 [Amended]

99. In § 108.403, the words “, water spray,” are removed from paragraph (b).

100. In § 108.425, paragraph (c) and the introductory text of paragraph (d) are revised to read as follows:

§ 108.425 Fire hoses and associated equipment.

* * * * *

(c) Each nozzle for a fire hose in a fire main system must be a combination solid stream and water spray fire hose nozzle that is approved under Subpart 162.027. Combination solid stream and water spray nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(d) A combination solid stream and water spray fire hose nozzle previously approved under Subpart 162.027 of this chapter installed in the following locations must have a low-velocity spray applicator also previously approved under Subpart 162.027 of this chapter—

* * * * *

§ 108.613 [Removed]

101. Section 108.613 is removed.

PART 109—OPERATIONS

102. The authority citation for Part 109 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 6101, 10104; 49 CFR 1.46.

§ 109.583 [Removed]

103. Section 109.583 is removed.

PART 153—SHIPS CARRYING BULK LIQUID, LIQUEFIED GAS, OR COMPRESSED GAS HAZARDOUS MATERIALS

104. The authority citation for Part 153 continues to read as follows:

Authority: 46 U.S.C. 3703; 49 CFR 1.46. Section 153.40 issued under 49 U.S.C. 1804. Sections 153.470 through 153.491, 153.1100 through 153.1132, and 153.1600 through 153.1608 also issued under 33 U.S.C. 1903(b).

105. In § 153.9, paragraph (a) introductory text is revised to read as follows:

§ 153.9 Foreign flag vessel endorsement application.

(a) Application for a vessel whose flag administration is signatory to MARPOL 73/78 and issues IMO Certificates. A person who desires a Certificate of Compliance endorsed to carry a cargo in Table 1 of this part, as described in 153.900, must request the endorsement from the cognizant Officer in Charge, Marine Inspection and have aboard the vessel copies of IMO Certificates issued by the vessel's administration and the following:

* * * * *

§ 153.16 [Amended]

106. In § 153.16, the introductory text is amended by replacing "Certificate of Compliance endorsed with the name of a cargo," with "Certificate of Compliance endorsed to carry a cargo."

§ 153.808 [Amended]

107. Section 153.808 is amended by replacing "Certificate of Compliance endorsed with the name of a cargo," with "Certificate of Compliance endorsed to carry a cargo".

108. Section 153.809 is revised to read as follows:

§ 153.809 Procedures for having the Coast Guard examine a vessel for a Certificate of Compliance.

The owner of a foreign flag vessel wishing to have the Coast Guard conduct a Certificate of Compliance examination, as required by § 153.808, must proceed as follows:

(a) Notify the Officer in Charge, Marine Inspection, for the port where the vessel is to be inspected at least seven days before the vessel arrives and arrange the exact time and other details of the examination. This notification is in addition to any other pre-arrival notice to the Coast Guard required by other regulations, but may be concurrent with the endorsement application in 153.9, and must include:

- (1) The name of the vessel's first U.S. port of call;
- (2) The date the vessel is scheduled to arrive;
- (3) The name and telephone number of the owner's local agent; and
- (4) The names of all cargoes listed in Table 1 of this part that are on board the vessel.

(b) Make certain that the following plans are on board the vessel and available to the Marine Inspector before the examination required by 153.808 is begun:

- (1) A general arrangement (including the location of fire fighting, safety and lifesaving gear);
- (2) A capacity plan;
- (3) A schematic diagram of cargo piping on deck and in tanks (including the location of all valves and pumps); and
- (4) A schematic diagram of cargo tank vent piping (including the location of relief valves and flame screens).

109. In § 153.902, paragraph (b) and (c) are revised to read as follows:

§ 153.902 Expiration and invalidation of the Certificate of Compliance.

* * * * *

(b) The endorsement of a Certificate of Compliance under this part is invalid if the ship does not have a valid IMO Certificate of Fitness.

(c) The endorsement on a Certificate of Compliance invalidated under paragraph (b) of this section, becomes valid once again when the ship has the IMO Certificate of Fitness revalidated or reissued.

PART 160—LIFESAVING EQUIPMENT

110. The authority citation for Part 160 continues to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703, and 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

Subpart 160.018—[Removed]

111. Subpart 160.018 is removed.

Subpart 160.034—[Removed]

112. Subpart 160.034 is removed.

PART 162—ENGINEERING EQUIPMENT

113. The authority citation for Part 162 continues to read as follows:

Authority: 33 U.S.C. 1321(j), 1903; 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp., p. 793; 49 CFR 1.46.

114. Subpart 162.027 is revised to read as follows:

Subpart 162.027—Combination Solid Stream and Water Spray Fire Hose nozzle Sec.

- 162.027–1 Incorporation by reference.
162.027–2 Design, construction, testing and marking requirements.
167.027–3 Approval procedures.

§ 162.027–1 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the Federal Register and make the material available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC, and at the U.S. Coast Guard, Design and Engineering Standards Division (G–MMS), 2100 Second Street and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are: American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103 ASTM F 1546–94, Standard Specification for Fire Hose nozzles, 1994–162.027–2, 162.027–3

§ 162.027–2 Design, construction, testing and marking requirements.

Each combination solid stream and water spray nozzle shall meet the requirements of ASTM F 1546–94.

§ 162.027–3 Approval procedures.

(a) All inspections and tests required by ASTM F 1546–94 shall be performed by an independent laboratory accepted by the Coast Guard under subpart 159.010 of this chapter. A list of independent laboratories accepted by the Coast Guard as meeting subpart 159.010 of this chapter may be obtained by contacting the Commandant (G–MMS).

(b) Upon completion of the testing required by ASTM F 1546–94, the independent laboratory shall prepare a report on the results of the testing and shall furnish the manufacturer with a copy of the test report.

PART 164—MATERIALS

115. The authority citation for part 164 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

Subpart 164.016—[Removed]

116. Subpart 164.016 is removed.

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

117. The authority citation for part 167 continues to read as follows:

Authority: 46 U.S.C. 3306, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 167.40–20 [Amended]

118. In § 167.40–20, the words "in addition to the ordinary deep-sea hand lead" are removed.

§ 167.40–35 [Removed]

119. Section 167.40–35 is removed.
120. In § 167.45–40, paragraphs (c–1) and (c–2) are removed and paragraphs (a), (b) and (c) are revised to read as follows:

§ 167.45–40 Fire fighting equipment on nautical schoolships using oil as fuel.

* * * * *

(a) In each boiler room and in each of the machinery spaces of a nautical school ship propelled by steam, in which a part of the fuel-oil installation is situated, two or more approved fire extinguishers of the foam type of not less than 9.5 L (2½ gallons) each or two or more approved fire extinguishers of the carbon dioxide type of not less than 33 kg (15 pounds) each shall be placed where accessible and ready for

immediate use: *Provided*, That on a nautical school ship of 1,000 gross tons and under only one of the fire extinguishers may be required.

(b) In boiler and machinery spaces, at least two fire hydrants must have a fire hose of a length that allows each part of the boiler and machinery spaces to be reached by the combination nozzle.

(c) Each fire hose under paragraph (b) of this section must have a combination solid stream and water spray nozzle that meets subpart 162.027 of this chapter. A combination nozzle and a low-velocity spray applicator previously approved under subpart 162.027 of this chapter may remain so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

* * * * *

§ 167.45-55 [Removed]

121. Section 167.45-55 is removed.

Subpart 167.50—[Removed]

122. Subpart 167.50 is removed.

123. In § 167.55-5, paragraph (i) is removed, paragraph (j) is redesignated as paragraph (i) and the new paragraph (i)(1) is revised to read as follows:

§ 167.55-5 Marking of fire and emergency equipment, etc.

* * * * *

(i) * * *

(1) All lifeboats, rigid type oars and paddles, life preservers, EPIRB and life buoys shall be painted or branded with the name of the nautical school ship.

* * * * *

§ 167.65-3 [Removed]

124. Section 167.65-3 is removed.

§ 167.65-10 [Removed]

125. Section 167.65-10 is removed.

126. Section 167.65-15 is revised to read as follows:

§ 167.65-15 Routing instructions; strict compliance with.

All licensed masters, officers, and certificated seamen on nautical school ships must comply strictly with routing instructions issued by competent naval authority.

§ 167.65-30 [Removed]

137. Section 167.65-30 is removed.

§ 167.65-45 [Amended]

128. In § 167.65-45, paragraphs (a), (b), and (c) are removed and the paragraph designation "(d)" is removed from paragraph (d).

129. Section 167.65-50 is revised to read as follows:

§ 167.65-50 Posting placards of lifesaving signals.

On all vessels to which this subpart applies there shall be readily available to the deck officer of the watch placard containing instructions for the use of the lifesaving signals set for in Regulation 16, Chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

PART 168—CIVILIAN NAUTICAL SCHOOL VESSELS

130. The authority citation for Part 168 is revised to read as follows:

Authority: 46 U.S.C. 3305, 3306; 48 CFR 1.46.

131. Subpart 168.15 is revised to read as follows:

Subpart 168.15—Accommodations

Sec.

- 168.15-1 Intent.
- 168.15-5 Locations.
- 168.15-10 Construction.
- 168.15-15 Size.
- 168.15-20 Equipment.
- 168.15-25 Washrooms.
- 168.15-30 Toilet rooms.
- 168.15-35 Hospital space.
- 168.15-40 Lighting.
- 168.15-45 Heating.
- 168.15-50 Ventilation.
- 168.15-55 Screening.
- 168.15-60 Inspection.

§ 168.15-1 Intent.

It is the intent of this subpart to provide minimum standards for the size, ventilation, plumbing, and sanitation of quarters assigned to the members of the crew, passengers, cadets, students, instructors, or any other persons at any time quartered on board any such vessel.

§ 168.15-5 Location.

(a) Quarters shall be located so that sufficient fresh air and light are obtainable compatible with accepted practice or good arrangement and construction.

(b) Quarters shall not be located forward of the collision bulkhead, nor shall such section or sections of any deck occupied by quarters be below the deepest load line except in special case.

§ 168.15-10 Construction.

(a) The accommodations provided must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat and odors.

(b) All accommodations shall be constructed and arranged so that they

can be kept in a clean, workable, and sanitary condition.

§ 168.15-15 Size.

(a) Sleeping accommodations shall be divided into rooms, no one of which shall berth more than 6 persons. The purpose for which each space is to be used and the number of persons it may accommodate, shall be marked.

(b) Each room shall be of such size that there is at least 1.8 m² (20 ft³) of deck area and a volume of at least 4.2 m³ (150 ft³) for each person accommodated. In measuring sleeping quarters, any furnishings contained therein are not to be deducted from the total volume or from the deck area.

§ 168.15-20 Equipment.

(a) Each person shall have a separate berth and not more than 1 berth shall be placed above another. The berths shall be of metal framework. The overall size of a berth shall not be less than 68 cm (27 in) wide by 190 cm (75 in) long. Where 2 tiers of berths are fitted, the bottom of the lower berth must not be less than 30 cm (12 in) above the deck, and the bottom of the upper must not be less than 76 cm (30 in) both from the bottom of the lower and from the deck overhead. The berths shall not be obstructed by pipes, ventilating ducts, or other installations.

(b) A metal locker shall be provided for each person accommodated in a room.

§ 168.15-25 Washrooms.

(a) There shall be provided 1 shower for each 10 persons or fraction thereof and 1 wash basin for each 6 persons or fraction thereof to be accommodated. The persons to be accommodated shall include all persons who do not occupy rooms to which private facilities are attached.

(b) All wash basins and showers shall be equipped with proper plumbing including hot and cold running fresh water.

§ 168.15-30 Toilet rooms.

(a) There shall be provided 1 toilet for each 10 persons or fraction thereof to be accommodated. The persons to be accommodated shall include all persons who do not occupy rooms to which private facilities are attached.

(b) The toilet rooms shall be located convenient to the sleeping quarters of the persons to which they are allotted but shall not open directly into such quarters except when they are provided as private or semiprivate facilities.

(c) Where more than one toilet is located in a space or compartment, each toilet shall be separated by partitions.

§ 168.15–35 Hospital space.

(a) Each vessel shall be provided with a hospital space. This space shall be situated with due regard for the comfort of the sick so that they may receive proper attention in all weather.

(b) The hospital shall be suitably separated from other spaces and shall be used for the care of the sick and for no other purpose.

(c) The hospital shall be fitted with berths in the ratio of 1 berth to every twelve persons, but the number of berths need not exceed 6.

(d) The hospital shall have a toilet, wash basin, and bath tub or shower conveniently located. Other necessary suitable equipment of a sanitary type such as clothes locker, table, seat, etc., shall be provided.

§ 168.15–40 Lighting.

All quarters, to include washrooms, toilet rooms, and hospital spaces, shall be adequately lighted.

§ 168.15–45 Heating.

All quarters shall be adequately heated in a manner suitable to the purpose of the space.

§ 168.15–50 Ventilation.

(a) All quarters shall be adequately ventilated in a manner suitable to the purpose of the space and route of the vessel.

(b) When mechanical ventilation is provided for sleeping rooms, washrooms, toilet rooms, hospital spaces and messrooms, these spaces shall be supplied with fresh air equal to at least 10 times the volume of the room each hour.

§ 168.15–55 Screening.

Provision shall be made to protect the quarters against the admission of insects.

§ 168.15–60 Inspection.

The Officer in Charge, Marine Inspection, shall inspect the quarters of every such vessel at least once in each month or at such time as the vessel shall enter an American port and shall satisfy himself that such vessel is in compliance with the regulations in this part.

PART 169—SAILING SCHOOL VESSELS

132. The authority citation for Part 169 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 6101; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp., p. 793; 49 CFR 1.45, 1.46; § 169.117 also issued under the authority of 44 U.S.C. 3507.

§ 169.321 [Removed]

133. Section 169.321 is removed.

§ 169.569 [Removed]

134. Section 169.569 is removed.

§ 169.742 [Removed]

135. Section 169.742 is removed.

PART 189—INSPECTION AND CERTIFICATION**PART 190—CONSTRUCTION AND ARRANGEMENT**

136–138. The authority citation for Part 190 continues to read as follows:

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

§ 190.01–13 [Removed]

139. Section 190.01–13 is removed.

140. Subpart 190.20 is revised to read as follows:

Subpart 190.20—Accommodations for Officers, Crew, and Scientific Personnel

Sec.

- 190.20–1 Application.
- 190.20–5 Intent.
- 190.20–10 Location of crew spaces.
- 190.20–15 Construction.
- 190.20–20 Sleeping accommodations.
- 190.20–25 Washrooms and toilet rooms.
- 190.20–30 Messrooms.
- 190.20–35 Hospital space.
- 190.20–40 Other spaces.
- 190.20–45 Lighting.
- 190.20–50 Heating.
- 190.20–55 Insect screens.
- 190.20–90 Vessels contracted for prior to March 1, 1968.

§ 190.20–1 Application.

(a) The provisions of this subpart, with the exception of § 190.20–90, shall apply to all vessels contracted for on or after March 1, 1968.

(b) Vessels contracted for prior to March 1, 1968, shall meet the requirements of § 190.20–90.

§ 190.20–5 Intent.

(a) It is the intent of this subpart that the accommodations provided for officers, crew, and scientific personnel on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise and free from odors.

(b) Provided the intent of this subpart is met, consideration may be given by the Officer in Charge, Marine Inspection to relax the requirements relating to the size and separation of accommodations for scientific personnel.

§ 190.20–10 Location of crew spaces.

(a) Crew quarters shall not be located farther forward in the vessel than a

vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designated summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 m (28 ft). For purpose of this paragraph the length shall be as defined in § 43.15–1 of Subchapter E (Load Lines) of this chapter. No section of the deck of the crew spaces shall be below the deepest load line, except that in special cases, the Commandant may approve such an arrangement.

(b) There shall be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, or machinery spaces.

§ 190.20–15 Construction.

All crew spaces are to be constructed in a manner suitable to the purpose for which they are intended. The accommodations provided for officers and crew on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise, heat and odors.

§ 190.20–20 Sleeping accommodations.

(a) Where practicable, each licensed officer shall be provided with a separate stateroom.

(b) Sleeping accommodations for the crew shall be divided into rooms, no one of which shall berth more than four persons.

(c) Each room shall be of such size that there are at least 2.78 m² (30 ft²) of deck area and a volume of at least 5.8 m³ (210 ft³) for each person accommodated. The clear head room shall be not less than 190 cm (75 in). In measuring sleeping accommodations any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each person shall have a separate berth and not more than one berth shall be placed above another. The berth shall be composed of materials not likely to corrode. The overall size of a berth shall not be less than 68 cm (27 in) wide by 190 cm (75 in) long, except by special permission of the Commandant. Where two tiers of berths are fitted, the bottom of the lower berth must not be less than 30 cm (12 in) above the deck. The berths shall not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker shall be provided for each person accommodated in a room.

§ 190.20–25 Washrooms and toilet rooms.

(a) There shall be provided at least one toilet, one washbasin, and one

shower or bathtub for each eight members or portion thereof in the crew to be accommodated. The crew to be accommodated shall include all members who do not occupy rooms to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms shall be located convenient to the sleeping quarters of the crew to which they are allotted but shall not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs shall be equipped with proper plumbing, including hot and cold running water. All toilets shall be installed with proper plumbing for flushing. Where more than one toilet is located in a space or compartment, each toilet shall be separated by partitions.

§ 190.20-30 Messrooms.

Messrooms shall be located as near to the galley as is practicable except where the messroom is equipped with a steam table. The messroom shall be of such size as to seat the number of persons normally scheduled to be eating at one time.

§ 190.20-35 Hospital space.

(a) Except as specifically modified by paragraph (f) of this section, each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of twelve or more, shall be provided with a hospital space. This space shall be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital shall be suitably separated from other spaces and shall be used for the care of the sick and for no other purpose.

(c) The hospital shall be fitted with berths in the ratio of one berth to every twelve members of the crew or portion thereof who are not berthed in single occupancy rooms, but the number of berths need not exceed six. Where all single occupancy rooms are provided, the requirement for a separate hospital may be withdrawn: Provided, That one stateroom is fitted with a bunk accessible from both sides.

(e) The hospital shall have a toilet, washbasin, and bath tub or shower conveniently situated. Other necessary suitable equipment of such character as clothes locker, table, seat, etc., shall be provided.

(f) On vessels in which the crew is berthed in single occupancy rooms a hospital space will not be required, Provided, That one room shall be

designated and fitted for use as a treatment and isolation room. Such room shall meet the following standards:

(1) The room must be available for immediate medical use; and

(2) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

§ 190.20-40 Other spaces.

(a) Sufficient facilities shall be provided where the crew may wash and dry their own clothes. There shall be at least one sink supplied with hot and cold fresh water.

(b) Recreation accommodations shall be provided.

§ 190.20-45 Lighting.

Berth lights shall be provided for each member of the crew.

§ 190.20-50 Heating.

(a) All crew spaces shall be adequately heated in a manner suitable to the purpose of the space.

(b) Radiators and other heating apparatus shall be so placed, and where necessary shielded, as to avoid risk of fire, danger or discomfort to the occupants. Pipes leading to radiators or heating apparatus shall be lagged where those pipes create a hazard to persons occupying the space.

§ 190.20-55 Insect screens.

Provisions shall be made to protect the crew quarters against the admission of insects.

§ 190.20-90 Vessels contracted for prior to March 1, 1968.

Existing structures, arrangements, materials, and facilities previously approved will be considered satisfactory so long as 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 construction: Provided, That in no case will a greater departure from the standards of § 190.20-5 through 190.20-55 be permitted than presently exists.

PART 193—FIRE PROTECTION EQUIPMENT

141. The authority citation for Part 193 continues to read as follows:

Authority: 46 U.S.C. 2213, 3102, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 193.05-20 [Removed]

142. Section 193.05-20 is removed.

143. In § 193.10-10, paragraphs (j) and (k) are redesignated paragraphs (l) and (m), respectively, paragraphs (i-1) and (i-2) are removed, paragraphs (d) and (i) are revised and new paragraphs (j) and (k) are added to read as follows:

§ 193.10-10 Fire hydrants and hose.

* * * * *

(d) Fire hydrants shall be of sufficient number and so located that any part of the vessel, other than main machinery spaces, may be reached with at least 2 streams of water from separate outlets, at least one of which shall be from a single length of hose. In main machinery spaces, all portions of such spaces shall be capable of being reached by at least 2 streams of water, each of which shall be from a single length of hose from separate outlets; however, this requirement need not apply to shaft alleys containing no assigned space for the stowage of combustibles. Fire hydrants shall be numbered as required by § 196.37-15 of this subchapter.

* * * * *

(i) Each fire hydrant shall have at least one length of fire hose. Each fire hose must have a combination solid stream and water spray nozzle that is approved under Subpart 162.027 of this subchapter, except 19 mm (¾ inch) hose may have a garden hose nozzle that is bronze or metal with strength and corrosion resistance equivalent to bronze. Combination solid stream and water spray nozzles previously approved under Subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(j) Each of the following must have a low-velocity water spray applicator previously approved under Subpart 162.027 of this chapter when the fire hose nozzle was also previously approved under Subpart 162.027 of this chapter.

(1) At least one length of fire hose on each fire hydrant outside and in the immediate vicinity of each laboratory.

(2) Each fire hose in each propulsion machinery space containing an oil-fired boiler, internal combustion machinery, or oil fuel unit on a vessel of 1000 gross tons or more. The length of each applicator must be 1.2 m (4 feet).

(k) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (j) of this section.

* * * * *

144. Section 193.10-90 is revised to read as follows:

§ 193.10–90 Installations contracted for prior to March 1, 1968.

Installations contracted for prior to March 1, 1968, shall meet the following requirements:

(a) Except as specifically modified by this paragraph, the requirements of §§ 193.10–5 through 193.10–15 shall be complied with insofar as the number and general type of equipment is concerned.

(b) Existing equipment, except fire hose nozzles and low-velocity water spray applicators, previously approved but not meeting the applicable requirements of §§ 193.10–5 through 193.10–15, 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 for new installations.

(c) The general requirements of § 193.10–5 (c) through (g), § 193.10–10 (d) through (m), and § 193.10–15 shall be complied with insofar as is reasonable and practicable.

(d) Each fire hose nozzle must meet § 193.10–10(i), and each low-velocity water spray applicator must meet § 193.10–10(j).

PART 196—OPERATIONS

145. The authority citation for Part 196 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306, 6101; E.O. 11735; 38 FR 21243, 3 CFR, 1971–1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

Subpart 196.03—[Removed]

146. Subpart 196.03 is removed.

Subpart 196.17—[Removed]

147. Subpart 196.17 is removed.

Subpart 196.18—[Removed]

148. Subpart 196.18 is removed.

149. In § 196.19–1, paragraphs (a), (b) and (c) are removed, paragraphs (d), (e) and (f) are redesignated as paragraphs

(a), (b) and (c), respectively, and the new paragraph (a) is revised to read as follows:

§ 196.19–1 Data required.

* * * * *

(a) The information on the maneuvering characteristics fact sheet required by 33 CFR 164.35(g) must be:

* * * * *

150. Subpart 196.23 is removed.

§ 196.27–10 [Removed]

151. Section 196.27–10 is removed.

152. Subpart 196.33 is revised to read as follows:

Subpart 196.33—Communication Between Deckhouses**§ 196.33–1 When required.**

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 m (150 ft) a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, shall be provided. Previously approved arrangements may be retained so long as they are maintained in satisfactory condition to the satisfaction of the Officer in Charge, Marine Inspection.

153. Section 196.35–3 is revised to read as follows:

§ 196.35–3 Logbooks and records.

(a) The master or person in charge of an oceanographic research vessel that is required by 46 U.S.C. 11301 to have an official logbook may maintain the logbook on Form CG–706 or in the owner's format for an official logbook. Such logs shall be kept available for a review for a period of one year after the date to which the records refer or for the period of validity of the vessel's current certificate of inspection, whichever is longer. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations

in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but shall be kept available for review by a marine inspector for a period of one year after the date to which the records refer. Separate records of tests and inspections of firefighting equipment shall be maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

§ 196.35–10 [Removed]

154. Section 196.35–10 is removed.

§ 196.37–45 [Removed]

155. Section 196.37–45 is removed.

156. Subpart 196.43 is revised to read as follows:

Subpart 196.43—Placard of Lifesaving Signals

Sec.

196.43–1 Application.

196.43–3 Availability.

§ 196.43–1 Application.

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.

§ 196.43–5 Availability.

On all vessels to which this subpart applies there shall be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in Regulation 16, Chapter V, of the International Convention for Safety of Life as Sea, 1974. These signals shall be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

Subpart 196.60—[Removed]

157. Subpart 196.60 is removed.

Subpart 196.75—[Removed]

158. Subpart 196.75 is removed.

Dated: December 8, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

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