

PART I

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Rules and Regulations

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

Subpart B—Departmental Proceedings

RULE MAKING PROCEDURES

Section 1.27 is amended to read as follows:

§ 1.27 Rule making procedures.

In all cases where notice of proposed rule making is given:

(a) The notice shall indicate the procedure to be followed in the rule making proceeding unless the procedure is prescribed by statute or by published rule of the Department. Each notice of proposed rule making shall contain a statement which will advise the public of the policy regarding availability of written submissions by indicating specifically whether paragraphs (b), (c), or (d) of this section will be applicable to submissions made pursuant to the notice.

(b) All written submissions made pursuant to notice of proposed rule making shall be made available for public inspection at such times and places and in a manner convenient to the public business.

(c) Any submission, pursuant to such notice, will be held confidential when so requested by the person making the submission upon a determination, by an official of the Department authorized to issue the rule under consideration, that he has shown that the making public of the submission may result in an adverse effect on him by reason of:

(1) disclosing trade secrets, processes, operations, style of work or apparatus, or the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures; or

(2) exposing such person to substantial disadvantage in his business or employment.

Where request is made hereunder for confidential treatment of a submission, the person making the request shall be informed promptly in the event the request is denied and afforded an opportunity to withdraw the submission. Any such request will be held confidential; however, where a determination is made to grant a request for confidential treatment under subparagraph (2) of this paragraph, a statement of the specific basis for such determination which will not be susceptible of identifying the person making the request will be made available for public inspection.

(d) Where the nature of the subject matter of the proposed rule is such that meaningful submissions cannot be expected unless they treat with matters of

the kind referred to in paragraph (c) of this section, then in that event the notice of proposed rule making shall so indicate and also contain a statement that submissions pursuant thereto will be treated as confidential: *Provided*, That such action shall have the prior approval of the Secretary, the Under Secretary, or an Assistant Secretary.

Done at Washington, D.C. this 2d day of June 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-5591; Filed, June 4, 1964;
8:50 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Report of Acreage

The regulations governing acreage and compliance determinations for farm marketing quotas, acreage allotments, and related ASCS programs, 28 F.R. 8117, as amended, are hereby further amended as follows:

Section 718.8(b) is amended by revising subparagraph (1) and adding subparagraph (6) to read as follows:

§ 718.8 Report of acreage.

(b) *Obtained by certification*—(1) *General.* Notwithstanding other provisions of these regulations requiring farm inspection and measurement, a certification of the acreage and land use made on a form prescribed for such use and signed by the farm operator may be accepted in lieu of such farm inspection and measurement under the conditions prescribed in subparagraphs (2), (3), (4), and (6) of this paragraph (b). A separate certification may be required for each allotment crop and for each conservation reserve contract, except as otherwise provided in subparagraph (5) of this paragraph (b). When a certification in lieu of inspection and measurement is accepted, the farm shall be subject to the following provisions:

(i) Spot checks to determine acreage and compliance at any time during the program year.

(ii) If, at the time of the spot check, the farm is found not to be in compliance, the acreage, as determined by the spot check measurement, will be the official acreage unless remeasurement is requested under § 718.13.

(6) *For feed grains and for diverted acres under the wheat diversion program*

under the conditions specified below for counties listed in subdivision (vii) of this subparagraph:

(i) The farm operator reports (a) the total acreage of each feed grain crop on the farm and the name and crop share of each producer interested in the feed grain crop not later than 14 days after the feed grain crop disposition date and (b) the total acres diverted from feed grains not later than 14 days after the latest feed grain disposition date.

(ii) The farm operator reports the acres diverted under the wheat diversion program not later than 14 days after the latest feed grain disposition date.

(iii) Notwithstanding the provisions of subdivision (i) and (ii) of this subparagraph (6), feed grain and diverted acres will be measured after the feed grain disposition date on the number of farms as determined by the Deputy Administrator.

(iv) If the amount of price support or diversion payment will be affected by the acreage determined by measurement, a notice of acreage shall be mailed to the farm operator in accordance with § 718.10(a).

(v) Notwithstanding other provisions in these regulations for adjustment of acreages, adjustment of acreages shall not apply when acreage is determined under subdivision (iii) of this subparagraph (6).

(vi) The county committee may accept a report of feed grain and diverted acres after the date specified in subdivision (i) of this subparagraph (6) upon receipt of satisfactory proof that the producer was prevented from reporting the acreages by the date specified because of reasons beyond his control.

(vii) Designated counties:

ALABAMA

Blount, St. Clair, Calhoun, Clay.

CALIFORNIA

Kern, Fresno, Stanislaus, Colusa, Sutter.

IDAHO

Nez Perce.

ILLINOIS

Coles, Ford, Monroe, Pike.

IOWA

Clarke, Dallas, Guthrie.

KANSAS

Gray, Barton, Wabaunsee, Nemaha, Dickinson.

NEBRASKA

Saline, Thayer, Hamilton, Box Butte, Cheyenne.

OHIO

Greene, Highland, Montgomery, Pickaway, Shelby.

PENNSYLVANIA

Bedford, Montgomery, Lycoming.

TEXAS

Dallam, Ochiltree, Moore.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 2, 1964.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-5592; Filed, June 4, 1964; 8:50 a.m.]

PART 722—COTTON

Subpart—National Domestic Acreage Allotment, Export Market Acreage and Related Determinations Under the Agricultural Act of 1964 for the 1964 Crop of Upland Cotton

NORMAL YIELDS FOR 1964 CROP OF UPLAND COTTON

This amendment to § 722.252(b) is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.), as amended by Title I of the Agricultural Act of 1964. The purpose of this amendment is to establish county normal yields for the 1964 crop of upland cotton in certain additional counties and to correct a county normal yield.

Since immediate action by State and county ASC committees is required, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

Section 722.252(b) is amended to correct the normal yield for Lamar County in the State of Georgia to read 298 pounds per acre and to establish the following additional county normal yields:

§ 722.252 Normal yields for 1964 crop of upland cotton.

(b) * * *

OKLAHOMA

Cimarron County..... 245 lbs. per acre
Harper County..... 219 lbs. per acre

TENNESSEE

Robertson County..... 352 lbs. per acre

TEXAS

Jefferson County..... 200 lbs. per acre
Val Verde County..... 500 lbs. per acre
(Sec. 301, 78 Stat. 173; 7 U.S.C. 1301)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 2, 1964.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-5593; Filed, June 4, 1964; 8:50 a.m.]

[Amdt. 8]

PART 722—COTTON

Subpart—Acreage Allotment Regulations for the 1964 and Succeeding Crops of Upland Cotton

TRANSFER OF FARM COTTON ACREAGE AFFECTED BY A NATURAL DISASTER

This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

(a) The purpose of this amendment is to designate States and counties that have been affected by a natural disaster within the meaning of section 344(n) of the Act.

(b) In order that determinations with respect to transfers of acreage for the 1964 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure requirements and the 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Paragraph (h) of § 722.226 of the acreage regulations for the 1964 and succeeding crops of upland cotton (28 F.R. 11041; 29 F.R. 2301, 5274, 5303, 5941) is amended by adding at the end thereof the following additional designated States and counties:

§ 722.226 Transfer of farm cotton acreage affected by a natural disaster.

(h) * * *

ARKANSAS

Lawrence

MISSISSIPPI

Leflore

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended, 7 U.S.C. 1344(n), 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 2, 1964.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-5594; Filed, June 4, 1964; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

PART 1485—DAIRY PRODUCTS

Subpart—Dairy Products Export Payment-in-Kind Program—Terms and Conditions (SM-7)

Exporters Agreement With CCC

The purpose of this amendment is to permit registration of sales under certain

conditions which are contingent upon foreign buyers obtaining import licenses.

The provisions of this amendment will be effective on the date of filing in the FEDERAL REGISTER.

Sections 1485.207 of Terms and Conditions (SM-7), 28 F.R. 11667, 11668, is amended to read as follows:

§ 1485.207 Exporter's agreement with CCC.

(a) The submission of a Form CCC-138 by an exporter and the assignment of a registration number by the Office of the General Sales Manager shall constitute an agreement by the exporter to export during the period shown on the Form CCC-138 to destinations in eligible countries, the quantity of dairy products shown on such Form CCC-138, except as provided in paragraph (b) of this section, and to submit satisfactory evidence of sale and exportation as required in §§ 1485.216 and 1485.217 in consideration of the undertaking by CCC to issue a certificate (Form CCC-134) to the exporter.

(b) The obligation to export the quantity shown on Form CCC-138 may be reduced by the General Sales Manager where a sale to a foreign buyer has been made contingent upon such foreign buyer obtaining an import license and such foreign buyer has been unable to obtain a license for such quantity if an application for such reduction is made by the exporter to the General Sales Manager supported by a statement by the foreign buyer showing (1) the quantity which may be imported under the import license in accordance with the contract with the exporter, or (2) that an import license for any quantity has been refused.

Issued this 4th day of June 1964.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 64-5598; Filed, June 4, 1964; 11:15 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 4; Amdt. 1]

PART 121—SMALL BUSINESS SIZE STANDARDS

Miscellaneous Amendments

On April 10, 1964, there was published in the FEDERAL REGISTER (29 F.R. 5010), a notice that the Administrator of the Small Business Administration (SBA) proposed to amend the Small Business Size Standards Regulation so that, whenever SBA determines (a) there is within an industry as defined in the Standard Industrial Classification Manual, a group of establishments manufacturing a class of products which has been given a five-digit code by the Bureau of the Census and such group of

establishments would be recognized as a separate industry except for the fact that it fails to meet the Bureau of the Budget's size of industry criterion for such recognition, and (b) the financial assistance size standard for such class of products should be 500 employees, rather than 250 employees, it will adopt a separate size standard therefor.

It also was proposed to adopt a 500 employee financial assistance size standard for Class of Product 20991, Desserts (ready-to-mix), Class of Product 20994, Baking powder and yeast, and Class of Product 35452, Precision measuring tools.

Further, it was proposed to amend the regulation so that for size standards purposes, a product shall be classified into only one industry and that SBA shall determine the SIC Industry into which particular products are classified for such purposes.

Interested persons were given an opportunity to present their comments or suggestions pertaining thereto to the Office of Economic Adviser. After consideration of all relevant matters regarding the proposal, the amendment set forth below is hereby adopted. In applying the revised § 121.3-8, the product being procured shall be classified in the industry into which it is most appropriately classified.

The Small Business Size Standards Regulation (Revision 4) (29 F.R. 86), as amended (29 F.R. 2988, 29 F.R. 3222), is hereby further amended by:

1. Deleting § 121.3-1(b) and substituting in lieu thereof new § 121.3-1(b) as follows:

§ 121.3-1 Purpose and method of establishing size standards.

(b) *Method of establishing size standards.* In defining industries, SBA uses the Standard Industrial Classification Manual, as amended, prepared and published by the Bureau of the Budget, Executive Office of the President. *Provided, however,* That, whenever SBA determines that (1) there is within an industry, as defined in the Standard Industrial Classification Manual, a group of establishments manufacturing a class of products which has been given a five-digit code by the Bureau of the Census and such group of establishments would be recognized as a separate industry except for the fact that it fails to meet the Bureau of the Budget's size of industry criterion for such recognition, and (2) the financial assistance size standard for such class of products should be 500 employees, rather than 250 employees, it shall adopt a separate size standard for such class of products and list it in Schedule A hereof. The Standard Industrial Classification Manual defines industries in accordance with the existing structure of the American economy. An industry is a group of establishments engaged in the same or similar lines of economic activity. The following factors are considered in formulating industry size standards: (i) concentration of output, (ii) coverage ratio, (iii) primary product specialization ratio, (iv) absolute number of concerns, (v) size of in-

dustry (dollar volume), (vi) employment size of industry leaders, and (vii) the SBA program for which the size standard is established. In certain instances, the loan standard and procurement standard may differ for the same industry. This is due to the fact that when establishing size standards for the purpose of Government procurement, an eighth factor, Government procurement history, is used but is not a factor in formulating a size standard for the purpose of financial assistance. SBA shall determine the SIC industry into which particular products shall be classified for size standards purposes. When making such classifications, consideration shall be given to all appropriate factors, including (a) alphabetic indices published by the Bureau of the Budget, Bureau of the Census, and the Business and Defense Services Administration, (b) description of the product under consideration, (c) previous Government procurements for the same or similar products, and (d) published information concerning the nature of companies which manufacture such product. For size standards purposes, a product shall be classified into only one industry, even though, for other purposes, it could be classified into more than one industry.

2. Deleting the fifth sentence of the introduction to § 121.3-8 in its entirety. As amended, the introduction to § 121.3-8 will read as follows:

§ 121.3-8 Definition of small business for Government procurement.

A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is not dominant in the field of operation in which it is bidding on Government contracts and can further qualify under the criteria set forth in this section. When computing the size status of a bidder or offerer, the number of employees, annual sales or receipts, or other applicable standards of the bidder or offerer and all of its affiliates shall be included. In the submission of a bid or proposal on a Government procurement, a concern which meets the criteria provided in this section may represent that it is a small business. In the absence of a written protest or other information which would cause him to question the veracity of the self-certification, the contracting officer shall accept the self-certification at face value for the particular procurement involved. If a procurement calls for more than one item, the bidder must meet the size standard for each item for which it submits a bid.

3. Deleting the category headings at the beginning of Schedule A and substituting in lieu thereof the headings as follows:

| Census classification code | Industry or class of products | Employment size standard (Number of employees) |
|----------------------------|-------------------------------|--|
|----------------------------|-------------------------------|--|

4. Adding to Schedule A the product classes and size standards as follows:

| Census classification code | Industry or class of product | Employment size standard (Number of employees) |
|----------------------------|------------------------------|--|
| 20991 | Desserts (ready-to-mix) | 500 |
| 20994 | Baking powder and yeast | 500 |
| 35452 | Precision measuring tools | 500 |

Dated: May 28, 1964.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 64-5582; Filed, June 4, 1964; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-CE-110]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Control Zone and Transition Area

On January 23, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 570) stating that the Federal Aviation Agency proposed to designate a control zone and a transition area at Russell, Kansas.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments, but no comments were received.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulation is amended, effective 0001 e.s.t., September 17, 1964, as hereinafter set forth.

1. Section 71.171 (29 F.R. 1101) is amended by adding the following control zone:

Russell, Kans.

Within a 3-mile radius of Russell Municipal Airport (latitude 38°52'25" N., longitude 98°48'45" W.), and within 2 miles each side of the Russell VOR 007° radial, extending from the 3-mile radius zone to 8 miles N of the VOR.

2. Section 71.181 (29 F.R. 1160) is amended by adding the following transition area:

Russell, Kans.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Russell Municipal Airport (latitude 38°52'25" N., longitude 98°48'45" W.), and that airspace extending upward from 1,200 feet above the surface within 5 miles E and 8 miles W of the Russell VOR 007° and 187° radials, extending from 1 mile S to 12 miles NE of the VOR.

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

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5550; Filed, June 4, 1964; 8:45 a.m.]

[Airspace Docket No. 63-CE-122]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]**Alteration of Federal Airways**

On March 20, 1964, a notice of proposed rule making was published in the *FEDERAL REGISTER* (29 F.R. 3583) stating that the Federal Aviation Agency (FAA) proposed to extend VOR Federal airway No. 161 from Prescott, Minn., intersection to Grand Rapids, Minn., and to designate a segment of VOR Federal airway No. 462 from Bemidji, Minn., via Grand Rapids to Duluth, Minn.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable. In the comments submitted by the Air Transport Association of America, it was requested that VOR Federal airway No. 161 be extended from Grand Rapids direct to Hibbing, Minn. In another comment from the Airport Manager, Grand Rapids, Minn., it was requested that V-161 be extended from Grand Rapids northward to intersect with VOR Federal airway No. 129 west alternate which is designated between Hibbing and International Falls, Minn. The FAA is presently considering a proposal for the designation of controlled airspace for the Grand Rapids terminal area. If processed as a rule, this would provide controlled airspace for the movement of IFR traffic between the Grand Rapids and Hibbing terminal area. In addition, the FAA proposes to conduct a traffic survey during the summer of 1964 to identify the extent of aircraft operations between Grand Rapids and International Falls. The designation of a VOR Federal airway between Grand Rapids and International Falls will be processed as a separate airspace action subject to the results of the traffic survey.

The substance of the proposed amendments having been published and for the reasons stated herein and in the notice, § 71.123 (29 F.R. 1009) is amended as follows:

1. In V-161 "to INT of Farmington, Minn., 077° and Minneapolis, Minn., 131° radials," is deleted and "INT of Farmington, Minn., 077° and Minneapolis, Minn., 131° radials; Minneapolis; Brainerd, Minn.; to Grand Rapids, Minn." is substituted therefor.

2. In V-462 before "From Houghton, Mich.," add "From Bemidji, Minn., via Grand Rapids, Minn.; to Duluth, Minn."

These amendments shall become effective 0001 e.s.t. July 23, 1964.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5551; Filed, June 4, 1964; 8:45 a.m.]

[Airspace Docket No. 63-SO-95]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]**Alteration of Federal Airways**

On March 11, 1964, a notice of proposed rule making was published in the *FEDERAL REGISTER* (29 F.R. 3235) stating that the Federal Aviation Agency (FAA) proposed to realign segments of VOR Federal airways Nos. 154, 209, and 1783, and to realign the western boundary of the Craig Air Force Intensive Student Jet Training Area No. 2.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matter presented. The Air Transport Association of America (ATA) stated that they concurred with the proposed airway alignments. In addition, the ATA questioned the value of the non-rule-making action which proposed realignment of the western boundary of the Craig ISJTA No. 2 and recommended in the interest of safety that the western boundary remain as it is presently established. The proposed expansion of the Craig ISJTA No. 2 by realignment of its western boundary will provide several better visual reference points which will enable participating aircraft to remain within the Craig ISJTA No. 2 and does not compromise or reduce safety.

The substance of the proposed amendments having been published and for the reasons stated herein and in the notice, the following actions are taken:

1. Section 71.123 (29 F.R. 1009) is amended as follows:

a. In V-154 "via INT of Meridian 089° and Montgomery, Ala., 282° radials; Montgomery," is deleted and "via Kewanee, Miss.; Selma, Ala.; Montgomery, Ala.," is substituted therefor.

b. V-209 is amended to read:

V-209 From Mobile, Ala., via INT of Mobile 356° and Hattiesburg, Miss., 080° radials; Kewanee, Miss. (8 miles wide from INT of Mobile 356° and Hattiesburg 080° radials to Kewanee); to Tuscaloosa, Ala.

2. Section 71.143 (29 F.R. 1049) is amended as follows:

V-1783 is amended to read:

V-1783 From Mobile, Ala., 10 miles wide INT Mobile 356°, Hattiesburg, Miss., 080° radials; 8 miles wide Kewanee, Miss.; 10 miles wide to Tuscaloosa, Ala.

These amendments shall become effective 0001 e.s.t., July 23, 1964.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5552; Filed, June 4, 1964; 8:46 a.m.]

[Airspace Docket No. 64-WE-28]

PART 73—SPECIAL USE AIRSPACE [NEW]**Revocation of Restricted Area**

The purpose of this amendment to Part 73 [New] of the Federal Aviation Regulations is to revoke Restricted Area R-6407 at Wendover, Utah.

The Department of the Air Force has indicated to the Federal Aviation Agency that continued designation of R-6407 is not necessary. Accordingly, action is taken herein to revoke this restricted area.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 73 [New] of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth:

In § 73.64 (29 F.R. 1278), R-6407 Wendover, Utah, is revoked.

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

Issued in Washington, D.C., on May 27, 1964.

CLIFFORD P. BURTON,
Acting Director,
Air Traffic Service.

[F.R. Doc. 64-5553; Filed, June 4, 1964; 8:46 a.m.]

Chapter II—Civil Aeronautics Board**SUBCHAPTER B—PROCEDURAL REGULATIONS**

[Regulation No. PR-90]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS**Subpart K—Standardized Method for Costing Proposed Changes in Authorized Operations of Local Service Carriers****RETURN ON INVESTMENT AND TAX ALLOWANCE**

Section 302.1107 of Part 302 of the Board's Procedural Regulations sets forth the method of calculating the return on investment and tax allowance for use in preparing cost estimates for submission by any party or nonparty in hearing or nonhearing proceedings which involve proposed changes in the authorized operations of specified local service air carriers. The value to be used in computing the tax allowance is set out in § 302.1107(h), and is keyed to the basic corporation income tax rate. Under the old tax rate of 52 percent, this value is set at 0.48.

The Revenue Act of 1964 (Public Law 88-272) establishes basic corporation income tax rates of 50 percent for the calendar year 1964, and of 48 percent beginning with 1965.

The following amendment establishes the value expressed in § 302.1107(h) at 0.50 for the calendar year 1964 and at

0.52 for the calendar years starting with 1965, to conform to the tax rates established in the Revenue Act of 1964.

Since this change in § 302.1107(h) is merely mechanical, does not change the purport of the regulation, is required in the public interest as expressed in the legislation referred to, and does not impose any additional reporting requirement or other burden upon any person, the Board finds that notice and public procedure hereon are unnecessary, and that the amendment may be made effective less than 30 days from the date of its publication.

In consideration of the foregoing, the Board hereby amends Part 302 of the Procedural Regulations (14 CFR Part 302), effective June 5, 1964, by amending § 302.1107(h) thereof to read as follows:

(h) If the proposed change in authorization is to become effective before December 31, 1964, divide the amount of return on equity capital as ascertained in paragraph (g) of this section by 0.50. If the proposed change in authorization is to become effective on January 1, 1965, or thereafter, divide the amount of return on equity capital as ascertained in paragraph (g) of this section by 0.52. Subtract the amount of return on equity capital from the quotient in order to obtain the tax allowance. If the annual period in which the proposed change is to become effective includes periods in which different tax rates are applicable, adjustments giving effect to the appropriate rates shall be made.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 204(a), 401 and 1001, 72 Stat. 743, 754, 788; 49 U.S.C. 1324, 1371, 1481)

Adopted on the 2d day of June 1964.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-5590; Filed, June 4, 1964;
8:50 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 5078; Amdt. 743]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Aircraft

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on May 22, 1964, and made effective immediately as to all known United States operators of Boeing Model 727 Series aircraft, requiring inspection and modification of the thrust reversers. This directive supersedes the telegraphic directive sent on May 18, 1964.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Boeing Model 727 Series aircraft by individual telegrams dated May 22,

1964, superseding the telegraphic directive sent on May 18, 1964. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 507.10(a) of Part 507 (14 CFR Part 507), to make it effective as to all persons. Provision for approval of equivalent means of compliance has been incorporated in the directive.

BOEING. Applies to all Model 727 Series aircraft.

Compliance required as indicated.

As an interim safety measure pending development and accomplishment of final corrective modifications, the following is required:

(a) Initial compliance required within 20 hours' time in service after May 19, 1964. Before each flight when the thrust reversers have been used on the previous flight, conduct a close visual inspection of each reverser to ascertain that each deflector door is in the fully closed position and that the thrust reverser indicator light is out. If the doors are not fully closed or if the indicator light is not out corrections shall be made before further flight.

(b) Within 20 hours' time in service after the effective date of this AD, unless previously accomplished, inspect the thrust reverser locking pin for freedom of action and the reverser operating light switch for proper adjustment and rigging. If the locking pin is bent or binding or if the operating light is out of adjustment, necessary corrections shall be made before further flight. (Boeing Service Bulletin No. 78-10R1 covers this subject.)

(c) Within 100 hours' time in service after the effective date of this AD, unless already accomplished, modify the thrust reverser lockout actuator rocker, including rework of the switch actuating time, in accordance with Boeing Service Bulletin No. 78-10R1.

NOTE: The original issue of this bulletin did not include information for rework of the time. This rework is necessary to prevent interference and damage to the locking pin.

(d) Prior to compliance with (b) and (c) the inspection required by (a) shall also be made before flight when any reverser is again actuated on the ground during engine run-up or during taxiing. Upon compliance with (b) and (c) the inspection of (a) need not be made when reversers are operated during taxiing if not more than 45 percent N_1 r.p.m. is used to bring the thrust reversers to the forward thrust position. If more than 45 percent N_1 r.p.m. is used for unreversing, the inspection of (a) or an FAA-approved equivalent shall be made before further flight.

(e) Approval of any equivalent means of compliance with this directive shall be processed through the Aircraft Engineering Division, FAA Western Region, Los Angeles, California.

(Boeing's telegram to all 727 operators dated May 20, 1964, covers this subject.)

This amendment shall become effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated May 22, 1964, superseding the telegram dated May 18, 1964.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 28, 1964.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-5564; Filed, June 4, 1964;
8:46 a.m.]

[Reg. Docket No. 4035; Amdt. 742]

PART 507—AIRWORTHINESS DIRECTIVES

General Dynamics Models 22, 22M, 30, and 30A Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring installation and use of an improved engine start valve open warning system on General Dynamics Models 22, 22M, 30, and 30A aircraft was published in 29 F.R. 3237.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment recommended that the starter warning lights be located on the captain's overhead panel per Convair Service Bulletin 80-1 and not be connected to the master warning light circuit.

This provision is included in the AD as an alternative.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

GENERAL DYNAMICS. Applies to all Models 22, 22M, 30, and 30A aircraft.

Compliance required within 1,500 hours' time in service after the effective date of this AD, unless already accomplished.

Inadvertent operation of the engine air turbine starter at continuous overspeeds has occurred in flight. This caused failure of the starter with resultant damage to surrounding nacelle structure and propulsion systems. To preclude starter failures of this nature, the following modifications and airplane flight manual procedures are required:

(a) Modify the Models 22, 22M, 30, and 30A starter operation warning systems to include a master warning light indication when the starter valve is in the open position in accordance with the following General Dynamics/Convair Service Bulletins or an FAA-approved equivalent:

(1) General Dynamics/Convair Service Bulletin 880 S.B. No. 80-5 for the Model 22.

(2) General Dynamics/Convair Service Bulletin 880M S.B. No. 80-2 for the Model 22M.

(3) General Dynamics/Convair Service Bulletin 990 S.B. No. 80-3 for the Models 30 and 30A.

(b) As an alternative for Models 30 and 30A aircraft, relocate the existing starter operation warning lights from the flight engineer's panel assembly to the pilot's overhead control panel per General Dynamics/Convair Service Bulletin 990 S.B. No. 80-1.

(c) FAA engineering approval of equivalent methods of complying with (a) shall be processed through the FAA, Aircraft Engineering Division, Western Region.

(d) Revise the Emergency Procedures section of the appropriate FAA approved Airplane Flight Manual to incorporate the procedure for isolating a malfunctioning starter valve in flight as set forth in the following FAA approved General Dynamics/Convair Airplane Flight Manual revisions:

(1) Revision 73 to CS 59-061 dated December 17, 1963, for Model 22-2 and Revision 74 to CS 59-019 dated December 17, 1963, for the Model 22-1.

(2) Revision 34 to CS 61-008 dated December 17, 1963, for the Model 22M.

(3) Revision 32 to CS 61-048 dated December 17, 1963, for the Model 30.

(4) Revision 14 to CS 62-046 dated December 17, 1963, for the Model 30A.

This amendment shall become effective July 6, 1964.

(Secs 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 28, 1964.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-5555; Filed, June 4, 1964;
8:46 a.m.]

*Fee. The fee to be charged for this calibration service performed by the National Bureau of Standards at its Boulder Laboratories, Boulder, Colo., is not fixed at this time. Charges will be made for actual costs incurred. Upon request, estimates will be furnished for specific tasks which should provide a close approximation of actual costs.

A. V. ASTIN,
Director.

[F.R. Doc. 64-5556; Filed, June 4, 1964;
8:46 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER A—TEST FEE SCHEDULES

PART 201—ELECTRICITY

Microwave Region

In accordance with the provisions of section 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing of these schedules and fees are unnecessary for the reason that such procedures, because of the nature of these rules, serve no useful purpose. This addition is effective from April 10, 1964.

Three items are added, two to § 201.940 and one to § 201.941; and the footnote for the tabular material of §§ 201.940 and 201.941 is revised.

1. The items added to § 201.940 read as follows:

§ 201.940 Attenuation difference measurements on variable attenuators.

| Item | Description | Fee |
|------------|---|-----|
| 201.940a-8 | Measurement of attenuation difference of direct-reading variable attenuator at an initial prescribed dial setting at a single frequency of the following waveguide size terminated with standard waveguide connectors: WR 28 (26.5-40.0 GHz)..... | (*) |
| 201.940b-8 | Calibration of dial setting versus attenuation difference for indirect reading variable attenuator at an initial prescribed attenuation difference value at a single frequency of the following waveguide size terminated with standard waveguide connectors: WR 28 (26.5-40.0 GHz)..... | (*) |

2. The item added to § 201.941 reads as follows:

§ 201.941 Insertion loss measurements on fixed attenuators.

| Item | Description | Fee |
|------------|--|-----|
| 201.941a-8 | Measurement of insertion loss of fixed attenuator at a single frequency of the following waveguide size terminated with standard waveguide connectors: WR 28 (26.5-40.0 GHz)..... | (*) |

3. The footnote for the tabular material of §§ 201.940 and 201.941 is revised to read as follows:

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER D—TRADE REGULATION RULES

PART 402—DECEPTION AS TO NON-PRISMATIC AND PARTIALLY PRISMATIC INSTRUMENTS BEING PRISMATIC BINOCULARS

The Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of Subpart F of Part 1 of the Commission's procedures and rules of practice, 28 F.R. 7083-84 (July 1963), has conducted a proceeding for the promulgation of a trade regulation rule regarding deception as to nonprismatic and partially prismatic instruments being prismatic binoculars. Notice of this proceeding, including a proposed rule, was published in the FEDERAL REGISTER on October 11, 1963 (28 F.R. 10925). Interested parties were thereafter afforded opportunity to participate in the proceeding through the submission of written data, views, and arguments and to appear at a hearing on November 15, 1963 to express their views as to the proposed rule and to suggest amendments, revisions and additions thereto.

The Commission has now considered all matters of fact, law, policy, and discretion, and the data, views, and arguments presented by interested parties in the proceeding, and has determined that the trade regulation rule set forth herein is in the public interest and should be adopted.

Sec. 402.1 Practices involved.
402.2 Trade and public understanding of "binocular."
402.3 Deceptive appearance of instruments having bulges.
402.4 Use of "binocular" with qualification.
402.5 The rule.

AUTHORITY: The provisions of this Part 402 issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58.

§ 402.1 Practices involved.

Manufacturers and distributors of nonprismatic and combination prism-mirror two-tube hand-held viewing instruments engaged in the sale of such instruments in commerce, as "commerce" is defined in the Federal Trade Commission Act, have (a) unqualifiedly described such instruments as "binocular" and "binoculars" and (b) marketed such instruments having bulges on the tubes which give the appearance of being prismatic instruments.

§ 402.2 Trade and public understanding of "binocular".

The record in this proceeding shows that neither the trade nor the consuming public has a clear understanding of the meaning of the term "binocular." Some members of the trade expressed the view that a "binocular" is any two-tubed viewing instrument, whether prismatic or nonprismatic, while others thought that the word "binocular" meant a fully prismatic instrument only. Although the record does not include any direct expression from consumers as to their understanding of the word, members of the trade and others have furnished statements based on their experience with consumer purchasers. These statements indicate that in the minds of many consumers a binocular is a viewing instrument which is fully prismatic. There is ample justification for the conclusion that a substantial portion of the consuming public understands an instrument described as a binocular to be a fully prismatic instrument.

§ 402.3 Deceptive appearance of instruments having bulges.

Prismatic binoculars characteristically have a bulge on each tube which houses or covers the prisms. Some nonprismatic and partially prismatic instruments, however, are made with bulges which give them the appearance of prismatic binoculars. By reason of such bulge construction, consumer purchasers are led to believe that nonprismatic instruments are prismatic unless there is adequate disclosure that they are nonprismatic or only partially prismatic.

§ 402.4 Use of "binocular" with qualification.

Many members of the trade and others have urged that the word "binocular" not be barred completely as descriptive of nonprismatic instruments, but that its use be permitted with appropriate qualification. The Commission has given careful consideration to the question of whether a remedy less drastic than exclusion would suffice. Upon consideration of the entire matter, the Commission has concluded that the deception would be removed and the public interest fully served if the word "binocular" were clearly qualified to disclose the fact that the instrument contains no prisms or is only partially prismatic.

§ 402.5 The rule.

(a) On the basis of the foregoing, the Commission concludes that in connection with the sale of nonprismatic and combination prism-mirror two-tube hand-held observation instruments the practices of (1) unqualifiedly describing such instruments as "binocular" or "binoculars," and (2) failing to disclose that instruments having bulges on the tubes which simulate prismatic instruments are not prismatic instruments or do not contain complete prism systems, as the case may be, have the capacity and tendency to mislead and deceive purchasers and prospective purchasers and to divert business from competitors who truthfully and properly describe and label such products. The Commission further concludes that these practices are violative of sec-

tion 5 of the Federal Trade Commission Act, and that the public interest in preventing their use is specific and substantial.

(b) Accordingly, for the purpose of preventing such unlawful practices, the Commission hereby promulgates, as a trade regulation rule, its conclusions and determination that in connection with the sale of nonprismatic or combination mirror-prismatic two-tube hand-held observation instruments in commerce, as "commerce" is defined in the Federal Trade Commission Act, it constitutes an unfair method of competition and an unfair or deceptive act or practice to:

(1) Represent in any manner that nonprismatic instruments are prismatic or that combination mirror-prismatic instruments contain complete prismatic systems; or

(2) Describe such instruments as "binocular" or "binoculars" unless clear and conspicuous disclosure is made that nonprismatic instruments do not contain prisms or that combination mirror-prismatic instruments do not contain complete prismatic systems; or

(3) Fail clearly and conspicuously to disclose the fact that nonprismatic instruments do not contain prisms or that combination mirror-prismatic instruments do not contain complete prismatic systems, when such instruments have bulges on the tubes which create the characteristic appearance of prismatic binoculars.

(c) The disclosures required by this section shall be clearly and conspicuously made in all advertising and on the product and be of such permanence as to remain legible until received by the consumer purchaser.

(d) Examples of terms acceptable as descriptive of such products under this section are:

(1) "Binocular" may be used without qualification to describe any product which is fully prismatic.

(2) "Binocular—Nonprismatic" may be used to describe any nonprismatic product coming within the purview of this section.

(3) "Binocular—Mirror-prismatic" or "Binocular—Partially Prismatic" may be used to describe products which have combination mirror and prism systems.

(4) "Binocular—Nonprismatic Mirror" may be used to describe a nonprismatic product having a mirror reflecting system.

(5) "Field Glasses" may be used to describe straight tube nonprismatic products.

(6) "Field Glasses—Nonprismatic" may be used to describe nonprismatic products having bulges on the tubes.

Effective date. This rule becomes effective on December 2, 1964.

Adopted: May 26, 1964.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-5547; Filed, June 4, 1964;
8:45 a.m.]

No. 110—Pt. I—2

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 33-4697]

PART 231—INTERPRETATIVE RELEASES RELATING TO SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

Offers and Sales of Securities by Underwriters and Dealers

In view of recent comments in the press concerning the rights and obligations of, and limitations on, dealers in connection with distributions of registered securities, the Commission takes this opportunity to explain the operation of section 5 of the Securities Act of 1933 with particular reference to the limitations upon, and responsibilities of, underwriters and dealers in the offer and sale of an issue of securities prior to and after the filing of a registration statement.

The discussion below assumes that the offering is not exempt from the registration requirements of the Act and, unless otherwise stated, that the mails or facilities of interstate or foreign commerce are used.

The period before the filing of a registration statement. Section 5 of the Securities Act prohibits both offers to sell and offers to buy a security before a registration statement is filed. Section 2(3) of the Act, however, exempts preliminary negotiations or agreements between the issuer or other person on whose behalf the distribution is to be made and any underwriter or among underwriters. Thus, negotiation of the financing can proceed during this period but neither the issuer nor the underwriter may offer the security either to investors or to dealers, and dealers are prohibited from offering to buy the securities during this period.¹ Consequently, not only may no steps be taken to form a selling group but also dealers may not seek inclusion in the selling group prior to the filing.

It should be borne in mind that publicity about an issuer, its securities or the proposed offering prior to the filing of a registration statement may constitute an illegal offer to sell. Thus, announcement of the underwriter's identity should be avoided during this period. Experience shows that such announcements are very likely to lead to illegal offers to buy. This subject will not be further discussed in this release since it has been extensively considered elsewhere.²

¹ The reason for this provision was stated in the House Report on the bill as originally enacted, as follows: " * * * Otherwise, the underwriter * * * could accept them in the order of their priority and thus bring pressure upon dealers, who wish to avail themselves of a particular security offering, to rush their orders to buy without adequate consideration of the nature of the security being offered." H.R. Report No. 85, 73d Cong., 1st Sess. (1933), p. 11.

² See Securities Act Release No. 3844, 22 F.R. 8359 (1957); Carl M. Loeb, Rhoades & Co., 38 S.E.C. 843 (1959); First Maine Corporation, 38 S.E.C. 882 (1959).

These principles, however, are not intended to restrict the normal communications between an issuer and its stockholders or the announcement to the public generally of information with respect to important business and financial developments. Such announcements are required in the listing agreements used by stock exchanges, and the Commission is sensitive to the importance of encouraging this type of communication. In recognition of this requirement of certain stock exchanges, the Commission adopted Rule 135 (§ 230.135 of this chapter), which permits a brief announcement of proposed rights offerings, proposed exchange offerings, and proposed offerings to employees as not constituting an offer of a security for the purposes of section 5 of the Act.

The period after the filing and before the effective date. After the registration statement is filed, and before its effective date, offers to sell the securities are permitted but no written offer may be made except by means of a statutory prospectus. For this purpose the statutory prospectus includes the preliminary prospectus provided for in Rule 433 (§ 230.433) as well as the summary prospectus provided for in Rules 434 (§ 230.434) and 434A (§ 230.434A). In addition the so-called "tombstone" advertisement permitted by Rule 134 (§ 230.134) may be used.

During the period after the filing of a registration statement, the freedom of an underwriter or dealer expecting to participate in the distribution, to communicate with his customers is limited only by the antifraud provisions of the Securities Act and the Securities Exchange Act, and by the fact that written offering material other than a statutory prospectus or tombstone advertisement may not be used. In other words, during this period "free writing" is illegal. The dealer, therefore, can orally solicit indications of interest or offers to buy and may discuss the securities with his customers and advise them whether or not in his opinion the securities are desirable or suitable for them. In this connection a dealer proposing to discuss an issue of securities with his customers should obtain copies of the preliminary prospectus in order to have a reliable source of information. This is particularly important where he proposes to recommend the securities, or where information concerning them has not been generally available. The corollary of the dealer's obligation to secure the copy is the obligation of the issuer and managing underwriters to make it readily available. Rule 460 (§ 230.460) provides that as a condition to acceleration of the effective date of a registration statement, the Commission will consider whether the persons making the offering have taken reasonable steps to make the information contained in the registration statement available to dealers who may participate in the distribution.

It is a principal purpose of the so-called "waiting period" between the filing

date and the effective date to enable dealers and, through them, investors to become acquainted with the information contained in the registration statement and to arrive at an unhurried decision concerning the merits of the securities. Consistently with this purpose, no contracts of sale can be made during this period, the purchase price may not be paid or received and offers to buy may be cancelled.

The period after the effective date. When the registration statement becomes effective oral offerings may continue and sales may be made and consummated. A copy of the final statutory prospectus must be delivered in connection with any written offer or confirmation or upon delivery of the security, whichever first occurs. Supplemental sales literature ("free writing") may be used if it is accompanied or preceded by a prospectus. However, care must be taken to see that all such material is at the time of use not false or misleading under the standards of section 17(a) of the Act. If the offering continues over an extended period, the prospectus should be current under the standards of section 10(a)(3). All dealers trading in the registered security must continue to employ the prospectus for the period referred to in section 4.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

MAY 28, 1964.

[F.R. Doc. 64-5557; Filed, June 4, 1964;
8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESINOUS AND POLYMERIC COATINGS

The Commissioner of Food and Drugs, having evaluated the data in petitions filed by Cook Paint and Varnish Co., Post Office Box 389, Kansas City 41, Mo. (FAP 1109), and A. Gusmer, Inc., Barron Avenue, Woodbridge, N.J. (FAP 474), and other relevant material, has concluded that § 121.2514 of the food additive regulations should be amended to provide that resinous and polymeric coatings intended for repeated food-contact use may be applied to other suitable substrates in addition to the presently permitted metal substrates, provided that the coating serves as a functional barrier between the food and the substrate, and further provided that such coatings intended for repeated food-contact use shall be thoroughly cleansed prior to their first use in con-

tact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.2514 is amended by changing the introduction to paragraph (a) and by adding a new paragraph (g), as follows:

§ 121.2514 Resinous and polymeric coatings.

(a) The coating is applied as a continuous film or enamel over a metal substrate, or the coating is intended for repeated food-contact use and is applied to any suitable substrate as a continuous film or enamel that serves as a functional barrier between the food and the substrate. The coating is characterized by one or more of the following descriptions:

(g) In accordance with good manufacturing practice, finished coatings intended for repeated food-contact use shall be thoroughly cleansed prior to their first use in contact with food.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 28, 1964.

JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.[F.R. Doc. 64-5583; Filed, June 4, 1964;
8:49 a.m.]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior REVISION OF FEES

On pages 4885-90 of the FEDERAL REGISTER of April 7, 1964, there was published

a notice and the text of proposed revisions of the fees and charges for services performed or products furnished by the Bureau of Mines, U.S. Department of the Interior. The fees and charges are prescribed by regulations in various parts of Chapter I, Title 30, Code of Federal Regulations.

In accordance with the policy of the Department of the Interior, interested persons were allowed 30 days after the date of publication of the notice in which to submit written comments, suggestions, or objections concerning the proposed revisions. No adverse criticism was received regarding the increases in fees and charges.

Three typographical corrections of the April 7, 1964 notice were printed in the April 9, 1964 issue of the FEDERAL REGISTER. Other minor editorial corrections have been made and a clarifying statement has been added to § 18.3 of Part 18. No further change has been made in the text of the amendments as proposed. Accordingly, pursuant to authority delegated by the Secretary of the Interior, 30 CFR, Chapter I is amended as set forth below.

The revised fees and charges for services performed or products furnished by the Bureau of Mines, U.S. Department of the Interior, shall apply on and after the date of publication in the FEDERAL REGISTER of these amendments, regardless of the date of application for such services or products.

MARLING J. ANKENY,
Director, Bureau of Mines.

MAY 28, 1964.

[Bureau of Mines Schedule 3C]

PART 10—COAL ANALYSIS FOR NON-FEDERAL APPLICANTS

Section 10.4 of Part 10 of Title 30 is revised to read as follows:

§ 10.4 Fees.

(a) The following fees are charged for each sample:

| | |
|--|--------|
| 1. Moisture and ash, or sulfur, or volatile matter, or free-swelling index | \$4.50 |
| 2. Proximate analysis (moisture, ash, and volatile matter) | 6.00 |
| 3. Btu determination | 7.50 |
| 4. Proximate analysis, sulfur, and Btu | 13.00 |
| 5. Ultimate analysis (moisture, ash, carbon, hydrogen, sulfur, and nitrogen) | 22.50 |
| 6. Ultimate analysis and Btu | 28.00 |
| 7. Proximate and ultimate analyses, and Btu | 29.50 |
| 8. Fusibility of ash | 10.00 |
| 9. Hardgrove grindability index | 10.00 |

(b) Fees for tests not included in the above list will be based on the cost of the services required, and the applicant will be notified accordingly. The fee shall be paid before such tests are begun.

[Bureau of Mines Schedule 13D]

PART 11—SELF-CONTAINED BREATHING APPARATUS

Section 11.3 of Part 11 of Title 30 is revised to read as follows:

§ 11.3 Fees.

| | Apparatus with separate regenerator | Oxygen-generating apparatus | Demand-type apparatus |
|---|-------------------------------------|-----------------------------|-----------------------|
| 1. Complete 2-hour self-contained breathing apparatus inspection and tests | \$1,600 | \$1,600 | \$1,600 |
| 2. Complete 1-hour self-contained breathing apparatus inspection and tests | 1,500 | 1,500 | 1,500 |
| 3. Complete 3/4-hour self-contained breathing apparatus inspection and tests | 1,500 | 1,500 | 1,500 |
| 4. Complete 1/2-hour self-contained breathing apparatus inspection and tests | 1,500 | 1,500 | 1,500 |
| 5. Separate preliminary 2-hour apparatus inspection and tests | 255 | 255 | 255 |
| 6. Separate preliminary 1-hour apparatus inspection and tests | 250 | 250 | 250 |
| 7. Separate preliminary 3/4-hour apparatus inspection and tests | 250 | 250 | 250 |
| 8. Separate preliminary 1/2-hour apparatus inspection and tests | 250 | 250 | 250 |
| 9. Separate supplementary facepiece assembly | 250 | 250 | 250 |
| 10. Separate regenerator 2-hour apparatus inspection and tests | 255 | | |
| 11. Separate regenerator 1-hour apparatus inspection and tests | 240 | | |
| 12. Separate regenerator 3/4-hour apparatus inspection and tests | 240 | | |
| 13. Separate regenerator 1/2-hour apparatus inspection and tests | 240 | | |
| 14. Special reducing valve inspection and tests, all models | 240 | 240 | 240 |
| 15. Separate auxiliary parts inspection and tests, per man-day required | 40 | 40 | 40 |
| 16. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval, will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before tests are begun. | | | |

Note: If a self-contained breathing apparatus fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the self-contained breathing apparatus is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

[Bureau of Mines Schedule 19B]

PART 12—SUPPLIED-AIR RESPIRATORS

Paragraph (c) of § 12.4 of Part 12 of Title 30 remains the same as published in the Nov. 14, 1963 issue of the FEDERAL REGISTER as amendments to Schedule 19B and reads as follows:

§ 12.4 Fees.

| | |
|---|-------|
| (c) * * * | |
| 1. Types A or AE supplied-air respirators (complete) | \$475 |
| (i) Blower, single outlet | 160 |
| (ii) Each hand-operated blower outlet more than one (at time of blower testing) | 20 |
| (iii) Each motor-operated blower outlet more than one (at time of blower testing) | 40 |
| (iv) Air-supply line (hose) | 190 |
| (v) Body harness | 35 |
| (vi) Respiratory-inlet covering (facepiece) | 130 |
| 2. Types B or BE supplied-air respirators (complete) | 355 |
| (i) Air-supply line (hose) | 145 |
| (ii) Body harness | 35 |
| (iii) Respiratory-inlet covering (facepiece) | 130 |
| 3. Types C or CE supplied-air respirators, continuous-flow class (complete) | 355 |
| (i) Air-supply line (hose) | 120 |
| (ii) Respiratory-inlet covering (facepiece) | 140 |

| | |
|--|-------|
| 4. Types C or CE supplied-air respirators, demand class (complete) | \$390 |
| (i) Air-supply line (hose) | 135 |
| (ii) Respiratory-inlet covering (facepiece) | 140 |
| 5. Types C or CE supplied-air respirators, pressure-demand class (complete) | 410 |
| (i) Air-supply line (hose) | 135 |
| (ii) Respiratory-inlet covering (facepiece) | 160 |
| 6. Additional examination and tests of respirator in connection with other tests, per man-day required | 40 |
| 7. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval, will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before the tests are begun. | |

NOTE: If a respirator fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the respirator is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

[Bureau of Mines Schedule 14F]

PART 13—GAS MASKS

Paragraph (c) of § 13.5 of Part 13 of Title 30 is revised to read as follows:

§ 13.5 Conditions under which gas masks will be tested.**(c) Fees.**

| | |
|-------------------------------------|---------|
| 1. Type A—Acid gases, complete mask | \$1,230 |
|-------------------------------------|---------|

| | |
|---|-------|
| 2. Type B—Organic vapors, complete mask | \$690 |
| 3. Type C—Ammonia, complete mask | 690 |
| 4. Type D—Carbon monoxide self-rescuer | 650 |
| 5. Type AE, BE, etc.—Dusts, fumes, mists, fogs, and smokes in combination with any of the above types. Fee in addition to that required for tests with gases or vapors | 350 |
| 6. Type AB—Acid gases and organic vapors, complete mask | 1,655 |
| 7. Complete mask with canister designed for a single gas or vapor | 690 |
| 8. Facepiece, complete | 105 |
| 9. Canister alone, fee for complete mask minus fee for facepiece | |
| 10. Extension of approval to another gas or vapor, or complete retesting with a gas or vapor in case of failure | 585 |
| 11. Type N—Universal gas mask for all gases and vapors ordinarily encountered in industry, including filters for dusts, fumes, mists, fogs, and smokes | 2,330 |
| 12. Additional examination and tests in connection with other tests, per man-day required | 40 |
| 13. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval, will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before the tests are begun. | |

NOTE: If a gas mask fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the gas mask is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

[Bureau of Mines Schedule 21A]

PART 14—FILTER-TYPE DUST, FUME, AND MIST RESPIRATORS

Paragraph (c) of § 14.4 of Part 14 of Title 30 is revised to read as follows:

§ 14.4 Conditions under which respirators will be tested.**(c) Fees.**

| | |
|--|-------|
| 1. Pneumoconiosis - producing and nuisance dusts, single-use filter, complete respirator | \$290 |
| 2. Pneumoconiosis-producing and nuisance dusts, reusable filter, complete respirator | 355 |
| 3. Toxic dusts, single-use filter, complete respirator | 320 |
| 4. Toxic dusts, reusable filter, complete respirator | 415 |
| 5. Dusts, single-use filter, complete respirator | 355 |
| 6. Dusts, reusable filter, complete respirator | 505 |
| 7. Fumes, complete respirator | 370 |
| 8. Silica mist, complete respirator | 325 |

| | |
|---|-------|
| 9. Chromic-acid mist, complete respirator | \$355 |
| 10. Facepiece, dust or mist respirator | 75 |
| 11. Facepiece, fume respirator | 90 |
| 12. Pneumoconiosis-producing and nuisance dusts and mists, complete respirator | 355 |
| 13. Pneumoconiosis-producing and nuisance dusts and chromic-acid mist, complete respirator | 415 |
| 14. Pneumoconiosis-producing and nuisance dusts and mists, and chromic-acid mist, complete respirator | 445 |
| 15. Pneumoconiosis-producing and nuisance mists, and chromic-acid mist, complete respirator | 415 |
| 16. Toxic dusts and pneumoconiosis-producing and nuisance mists, complete respirator | 385 |
| 17. Toxic dusts and chromic-acid mist, complete respirator | 415 |
| 18. Toxic dusts, pneumoconiosis-producing and nuisance mists and chromic-acid mist, complete respirator | 475 |
| 19. Dusts and pneumoconiosis-producing and nuisance mists, complete respirator | 415 |
| 20. Dusts and chromic-acid mist, complete respirator | 445 |
| 21. Dusts, pneumoconiosis-producing and nuisance mists, and chromic-acid mist, complete respirator | 505 |
| 22. Dusts, fumes, and pneumoconiosis-producing and nuisance mists, complete respirator | 525 |
| 23. Dusts, fumes, and chromic-acid mist, complete respirator | 555 |
| 24. Dusts, fumes, pneumoconiosis-producing and nuisance mists and chromic-acid mist, complete respirator | 615 |
| 25. Dusts and fumes, complete respirator | 460 |
| 26. Additional examination and tests of respirator in connection with other tests, per man-day required | 40 |
| 27. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval, will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before the tests are begun. | |

NOTE: If a respirator fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the respirator is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

[Bureau of Mines Schedule 23B]

PART 14a—NONEMERGENCY GAS RESPIRATORS (CHEMICAL CARTRIDGE RESPIRATORS, INCLUDING PAINT SPRAY RESPIRATORS)

Paragraph (d) of § 14a.5 of Part 14a of Title 30 is revised to read as follows:

§ 14a.5 Fees.

(d) The following fees are charged for testing types B and BE nonemergency gas respirators:

| | |
|--|-------|
| 1. Type B—Organic vapors, complete respirator | \$625 |
| 2. Type BE—Dusts, fumes, or mists in combination with organic vapors. Fee for filter tests in addition to that required for Type B: | |
| (i) Pneumoconiosis-producing and nuisance dusts | 155 |
| (ii) Toxic dusts | 185 |
| (iii) Dusts—combination of (i) and (ii) | 220 |
| (iv) Fumes | 220 |
| (v) Pneumoconiosis-producing and nuisance mists and chromic-acid mist | 220 |
| (vi) Mists of paints, lacquers, and enamels | 670 |
| 3. Facepiece alone | 95 |
| 4. Cartridge(s) alone | 530 |
| 5. Additional examination and tests of respirator in connection with other tests, per man-day required | 40 |
| 6. Fees for tests of unusually complicated apparatus, for unusual tests or tests not included in this list, or for tests required for extensions of approval, will be based on the actual costs of testing, which will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before the tests are begun. | |

NOTE: If a respirator fails to pass any of the required tests and the applicant notifies the Bureau to terminate further investigation or testing, the Bureau will return to the applicant any part of the fee not applied to its compensation for services. If the respirator is resubmitted for testing and approval after correcting the deficiencies, the additional fee will be determined in advance by the Bureau and the applicant will be notified accordingly. Such fee shall be paid before tests are begun.

[Bureau of Mines Schedule 1H]

PART 15—EXPLOSIVES AND RELATED ARTICLES

Sections 15.4 and 15.24 of Part 15 of Title 30 is revised to read as follows:

§ 15.4 Fees.

(a) The fee for complete tests leading to approval of an explosive as permissible is \$1,320. If the applicant withdraws an explosive, or if the explosive fails to pass any of the tests prescribed in this part, the Bureau will charge for the tests actually performed, with a minimum charge of \$100 according to the charges stated in paragraph (b) of this section. The balance of the fees will be returned to the applicant.

(b) The fees covering individual and complete (total) tests are revised to read as follows:

| | Individual test | Total |
|---|-----------------|---------|
| 1. Complete permissibility tests | | \$1,320 |
| (i) Friction | \$22 | 22 |
| (ii) Physical examination | 22 | 77 |
| (iii) Chemical analysis | 110 | 110 |
| (iv) Gap | 22 | 22 |
| (v) Ballistic mortar | 44 | 44 |
| (vi) Gallery test 4 | 33 | 330 |
| (vii) Gallery test 7 | 550 | 550 |
| (viii) Rate of detonation | 55 | 55 |
| (ix) Gaseous products | 110 | 110 |
| (x) For other tests or additional work, the costs as determined by the Bureau based on an estimate of the actual cost of the test. The Bureau will notify the applicant accordingly, and the fee shall be paid before such tests are begun. | | |

(c) If no experimental tests are required, the fee for issuance of a revised certificate of approval will be \$25.

§ 15.24 Miscellaneous tests on explosives and other hazardous materials.

(a) The Bureau conducts some tests not leading directly to approval of explosives as permissible for use in underground coal mines. Fees for these tests will be prescribed in § 15.4 and as prescribed below:

| | |
|---|------|
| (1) Impact test | \$33 |
| (2) Electrostatic spark test | 22 |
| (3) Thermal sensitivity test | 33 |
| (4) Suspended tests in the gallery (per shot) | 11 |
| (5) Gaseous products: | |
| i. Oxides of nitrogen only | 77 |
| ii. Complete analysis of gaseous products, including oxides of nitrogen | 110 |

(b) Application for miscellaneous tests shall follow the procedure prescribed in § 15.3. Applicants requesting tests shall follow the instructions under § 15.5. The applicant will be notified by the Bureau as to the quantity of material needed. No report on the results of tests made by the Bureau, or any part thereof, may be published without prior written consent of the Bureau.

[Bureau of Mines Schedule 27B]

PART 16—STEMMING DEVICES

Section 16.4 of Part 16 of Title 30 is revised to read as follows:

§ 16.4 Fees.

| | |
|--|---------|
| (a) Complete tests for approval | \$1,225 |
| (b) Individual tests: | |
| 1. Chemical | 65 |
| 2. Physical examination | 25 |
| 3. Gallery, per shot | 18 |
| 4. Rough handling | 15 |
| 5. Flammability | 40 |
| 6. Fee for tests not included in this list will be based on actual costs. | |
| (c) Fee for tests required by changes in design will be determined by the Bureau; minimum fee. | 100 |

¹Fees for additional tests, described in paragraph (c) of § 16.10, will be determined by the Bureau and will be in addition to this fee. If the applicant withdraws the stemming device after testing has begun, or if the device fails to pass any of the required tests, the Bureau will charge a minimum of

\$100 and will return to the applicant any part of the remaining fee not required to compensate the Bureau for its services.

[Bureau of Mines Schedule 26A]

PART 17—BLASTING DEVICES

Section 17.4 of Part 17 of Title 30 is revised to read as follows:

§ 17.4 Fees.

- (a) Complete tests for approval when electrical tests are not required \$1,210
- (b) Complete tests for approval when electrical tests are required \$1,450
- (c) Individual tests:
 - 1. Chemical 120
 - 2. Physical examination 60
 - 3. Gallery, per shot 15
 - 4. Pendulum friction, per sample 30
 - 5. Gaseous products, per sample 120
 - 6. Shell temperature 100
 - 7. Electrical 240
 - 8. Fee for tests not included in this list will be based on actual costs.
- (d) Fee for tests required by changes in design will be determined by the Bureau; minimum fee 500

¹If the applicant withdraws the blasting device after testing has begun, or if the device fails to pass any of the required tests, the Bureau will charge a minimum of \$500 and will return to the applicant any part of the remaining fee not required to compensate the Bureau for its services.

[Bureau of Mines Schedule 2F]

PART 18—ELECTRIC MOTOR-DRIVEN MINE EQUIPMENT, JUNCTION BOXES AND OTHER ACCESSORY EQUIPMENT

Section 18.3 of Part 18 of Title 30 is revised to read as follows:

§ 18.3 Fees.

- (a) Detailed inspection of each explosion-proof enclosure \$60
- NOTE: When less than 20 explosion tests are required, the inspection fee shall be \$30.
- (b) Explosion tests of each explosion-proof enclosure 50
- NOTE: When less than 20 explosion tests are required, the fee shall be \$25.
- (c) Each series of tests necessary to prove the adequacy of electrical clearances, insulation durability, intrinsic safety, surface temperature, or ventilation of each enclosure 50
- (d) Each field inspection of completely assembled equipment 50
- (e) Tests of portable cable
 - 1. Damage-resistance tests 40
 - 2. Development tests to determine resistance to damage by mine car running over cable will be charged at the rate of \$5 for each five runs over the cable. The minimum charge is \$10.
 - 3. Flame-resistance tests 25
 - 4. Development flame-resistance tests will be charged at the rate of \$5 per test sample. The minimum charge is \$10.
- (f) Examining and recording drawings and specifications preparatory to issuing an approval 50

- (g) Examining and recording drawings and specifications for each investigation of a motor, starter, or other individual explosion-proof unit considered independently of a complete machine assembly for certification \$30
- (h) Examining and recording drawings and specifications for an extension of approval 50
- (i) Examining and recording drawings and specifications for an extension of certification 30
- (j) No charge will be made for inspections and tests made solely for the Bureau's information.

NOTE: When investigation, inspection, or testing is required to be performed at locations other than the Bureau's premises, the applicant shall reimburse the Bureau for traveling, subsistence, and incidental expenses of its representative(s) in accordance with standard Government travel regulations. Such reimbursement shall be in addition to the fee charged for investigation, inspection, or testing.

Any funds deposited with the Bureau that exceed the fees required in accordance with the above charges will be refunded at the completion of the work or applied to future work, as directed by the applicant.

[Bureau of Mines Schedule 6D]

PART 19—ELECTRIC CAP LAMPS

Section 19.2 of Part 19 of Title 30 is revised to read as follows:

§ 19.2 Fees.

- (a) Detailed inspection \$60
- (b) Safety tests (headpiece) 90
- (c) Headpiece dropping 15
- (d) Headpiece smash 20
- (e) Battery sparking 20
- (f) Battery dropping 15
- (g) Battery spilling 40
- (h) Bulb uniformity (current consumption) 40
- (i) Bulb life 125
- (j) Light distribution 140
- (k) Discharge voltage (battery) 50
- (l) Cord slatting 50
- (m) Final examination and recording of drawings and specifications requisite to issuing an approval 50
- (n) Examining and recording of drawings and specifications requisite to issuing an extension of approval 50
- (o) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant.

[Bureau of Mines Schedule 10C]

PART 20—ELECTRIC MINE LAMPS OTHER THAN STANDARD CAP LAMPS

Section 20.4 of Part 20 of Title 30 is revised to read as follows:

§ 20.4 Fees.

- (a) Detailed inspection \$60
- (b) Safety tests in gas 90
- (c) Battery sparking 20
- (d) Battery spilling 40
- (e) Dropping 15
- (f) Bumping 50
- (g) Explosion tests 50
- (h) Final examination and recording of drawings and specifications requisite to issuing an approval 50
- (i) Examining and recording drawings and specifications requisite to issuing an extension of approval 50
- (j) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant.

¹ Applies to all lamps.

² Applies only if cord is involved.

³ Applies only to storage-battery lamps.

⁴ Applies only to trip lamps.

⁵ Applies only to units in explosion-proof housings.

[Bureau of Mines Schedule 7C]

PART 21—FLAME SAFETY LAMPS

Section 21.3 of Part 21 of Title 30 is revised to read as follows:

§ 21.3 Fees.

- (a) Detailed inspection \$60
- (b) Mechanical tests of complete lamp
 - 1. Dropping test 15
 - 2. Impact test with 5# weight 25
 - 3. Tension test with 10# weight 25
 - 4. Bonnet test (pendulum impact) 25
 - 5. Temperature of external parts 15
- (c) Mechanical tests of glasses
 - 1. Impact test with 1# weight 25
 - 2. Temperature test 15
- (d) Safety tests—moving and still mixtures 100
- (e) Safety tests—igniter 40
- (f) Time of burning 10
- (g) Detection of methane and deficiency of oxygen 50
- (h) Final examination and recording of drawings and specifications requisite to issuing an approval 50
- (i) Examining and recording drawings and specifications requisite to issuing an extension of approval 50
- (j) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant.

RULES AND REGULATIONS

[Bureau of Mines Schedule 8C]

PART 22—PORTABLE METHANE DETECTORS

Section 22.3 of Part 22 of Title 30 is revised to read as follows:

§ 22.3 Fees.

| | |
|--|------|
| (a) Detailed inspection..... | \$60 |
| (b) Safety—intrinsically safe circuits..... | 50 |
| (c) Battery spilling..... | 40 |
| (d) Battery dropping..... | 15 |
| (e) Accuracy..... | 100 |
| (f) Life tests of replaceable components..... | 50 |
| (g) Field tests..... | 40 |
| (h) Final examination and recording of drawings and specifications requisite to issuing an approval..... | 50 |
| (i) Examining and recording drawings and specifications requisite to issuing an extension of approval..... | 50 |
| (j) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

[Bureau of Mines Schedule 9B]

PART 23—TELEPHONE AND SIGNALING DEVICES

Section 23.4 of Part 23 of Title 30 is revised to read as follows:

§ 23.4 Fees.

| | |
|--|------|
| (a) Detailed inspection..... | \$60 |
| (b) Explosion tests (each compartment)..... | 50 |
| (c) Intrinsic safety..... | 50 |
| (d) Life tests of replaceable parts..... | 50 |
| (e) Final examination and recording of drawings and specifications requisite to issuing an approval..... | 50 |
| (f) Examining and recording drawings and specifications requisite to issuing an extension of approval..... | 50 |
| (g) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

[Bureau of Mines Schedule 12D]

PART 24—SINGLE-SHOT BLASTING UNITS

Section 24.1 of Part 24 of Title 30 is revised to read as follows:

§ 24.1 Fees.

| | |
|---|------|
| (a) Detailed inspection..... | \$60 |
| (b) Intrinsic safety tests..... | 50 |
| (c) Life tests of replaceable parts or complete unit..... | 50 |

| | |
|--|------|
| (d) Discharge voltage test..... | \$50 |
| (e) Firing capacity test..... | 50 |
| (f) Dropping test..... | 15 |
| (g) Final examination and recording of drawings and specifications requisite to issuing an approval..... | 50 |
| (h) Examining and recording drawings and specifications requisite to issuing an extension of approval..... | 50 |
| (i) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

[Bureau of Mines Schedule 16E]

PART 25—MULTIPLE-SHOT BLASTING UNITS

Section 25.4 of Part 25 of Title 30 is revised to read as follows:

§ 25.4 Fees.

| | |
|--|------|
| (a) Detailed inspection..... | \$60 |
| (b) Timing and energy requirement determination..... | 50 |
| (c) Safety tests in methane-air mixtures..... | 90 |
| (d) High-potential test..... | 10 |
| (e) Dropping test..... | 15 |
| (f) Life test of complete unit..... | 100 |
| (g) Firing capacity test..... | 50 |
| (h) Final examination and recording of drawings and specifications requisite to issuing an approval..... | 50 |
| (i) Examining and recording drawings and specifications requisite to issuing an extension of approval..... | 50 |
| (j) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

[Bureau of Mines Schedule 29A]

PART 26—LIGHTING EQUIPMENT FOR ILLUMINATING UNDERGROUND WORKINGS

Section 26.6 of Part 26 of Title 30 is revised to read as follows:

§ 26.6 Fees.

| | |
|--|------|
| (a) Detailed inspection..... | \$60 |
| (b) Explosion tests, each series..... | 50 |
| (c) Dropping test..... | 15 |
| (d) Temperature test..... | 15 |
| (e) High-potential test..... | 10 |
| (f) Safety tests in methane-air mixtures ¹ | 90 |
| (g) Short-circuit test ¹ | 10 |
| (h) Flame-resistance test (cable connectors)..... | 25 |
| (i) Final examination and recording of drawings and specifications requisite to issuing an approval..... | 50 |

| | |
|--|------|
| (j) Examining and recording drawings and specifications requisite to issuing an extension of approval..... | \$50 |
| (k) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

¹ Applies to cable connectors submitted for certification.

[Bureau of Mines Schedule 32]

PART 27—METHANE-MONITORING SYSTEMS

Section 27.7 of Part 27 of Title 30 is revised to read as follows:

§ 27.7 Fees.

| | |
|--|------|
| (a) Detailed inspection—each assembled component..... | \$60 |
| (b) Explosion testing—each explosion-proof enclosure..... | 50 |
| (c) Each series of tests to determine adequacy of design, materials, and/or construction..... | 50 |
| (d) Tests to determine safe operation and performance of a complete methane-monitoring system..... | 90 |
| (e) Tests to determine intrinsic safety..... | 45 |
| (f) Final examination and recording of drawings and specifications requisite to issuing a letter of certification..... | 50 |
| (g) Examining and recording drawings and specifications requisite to issuing an extension of certification, each 4 hours or fraction thereof..... | 16 |
| (h) Tests to assist an applicant in evaluating equipment intended for certification may be made at the discretion of the Bureau. Written requests for such tests shall be directed to the Chief, Branch of Electrical-Mechanical Testing. A deposit of \$100 shall be paid in advance when such tests have been authorized. The fees charged shall be in amounts proportionate to the work performed based on normal charges. Any surplus will be refunded at the completion of the work, or applied to future work, as directed by the applicant. | |

If an applicant is unable to determine the exact fee that should be submitted with his application, the information will be provided upon request, addressed to the Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, Pa., 15213; Attention: Chief, Branch of Electrical-Mechanical Testing. Any surplus from a fee submitted in excess of requirements will be refunded to the applicant upon completion or termination of the investigation or tests.

[Bureau of Mines Schedule 22]

PART 31—DIESEL MINE LOCOMOTIVES

Paragraph (c) of § 31.3 of Part 31 of Title 30 is revised to read as follows:

§ 31.3 Conditions under which approvals may be granted; preliminary steps.

(c) Fees.

1. Preliminary review of drawings, specifications, and related data—new machine..... \$40
2. Tests to determine composition of engine exhaust gases..... 500

NOTE: For preliminary or check testing that requires only carbon dioxide and carbon monoxide determinations, the fee shall be \$200.

3. Tests to determine effectiveness of engine flame arrester..... 130

NOTE: For check testing a redesigned flame arrester that requires less than 20 tests, the fee shall be \$60.

4. Detailed inspection of engine flame arrester..... 40
5. Detailed inspection of manifolds, exhaust conditioners, and other parts of intake and exhaust systems..... 50
6. Detailed inspection of electrical units—each explosion-proof enclosure..... 55

NOTE: When less than 20 explosion tests are required, the inspection fee shall be \$25.

7. Explosion tests of electrical units—each explosion-proof enclosure..... 45

NOTE: When less than 20 explosion tests are required, the fee shall be \$20.

8. Exhaust conditioner performance tests to determine rate of water consumption..... \$50
9. Surface temperature determinations and tests of safety controls..... 75
10. Each field inspection of completely assembled machine..... 90
11. Tests of exhaust-gas dilution not made concurrently with field inspections of completely assembled machine..... 60
12. Final examination and recording of drawings and specifications preparatory to issuing an approval..... 50
13. Examining and recording drawings and specifications for an extension of approval, each 4 hours or fraction thereof..... 16

NOTE: When investigation, inspection, or testing is required to be performed at locations other than the Bureau's premises, the applicant shall reimburse the Bureau for traveling, subsistence, and incidental expenses of its representative(s) in accordance with standard Government travel regulations. Such reimbursement shall be in addition to the fee charged for investigation, inspection, or testing.

[Bureau of Mines Schedule 24]

PART 32—MOBILE DIESEL-POWERED EQUIPMENT FOR NONCOAL MINES

Paragraph (c) of § 32.3 of Part 32 of Title 30 is revised to read as follows:

§ 32.3 Conditions under which approvals may be granted or tests made; preliminary steps preceding approval tests and inspections.

(c) Fees.

1. Preliminary review of drawings, specifications, and related data—each new machine..... \$40
2. Tests to determine composition of engine exhaust gases..... 400

NOTE: For preliminary or check testing that requires only carbon dioxide and carbon monoxide determinations, the fee shall be \$175.

3. Detailed inspection of exhaust-gas cooling system..... \$40
4. Detailed inspection of electrical system..... 20
5. Each field inspection of completely assembled machine..... 90
6. Exhaust-gas-dilution tests independent of field inspection..... 60
7. Final examination and recording of drawings and specifications preparatory to issuing an approval..... 50
8. Final examination and recording of drawings and specifications preparatory to issuing a certification of an engine subassembly..... 35
9. Examining and recording of drawings and specifications for an extension of approval or certification of an engine subassembly, each 4 hours or fraction thereof..... 16

NOTE: When investigation, inspection, or testing is required to be performed at locations other than the Bureau's premises, the applicant shall reimburse the Bureau for traveling, subsistence, and incidental expenses of its representative(s) in accordance with standard Government travel regulations. Such reimbursement shall be in addition to the fee charged for investigation, inspection, or testing.

[Bureau of Mines Schedule 25B]

PART 33—DUST COLLECTORS FOR USE IN CONNECTION WITH ROCK DRILLING IN COAL MINES

Paragraphs (a) and (b) of § 33.5 of Part 33 of Title 30 are revised to read as follows:

§ 33.5 Fees for investigation.

(a) The following fees are charged for inspecting, testing, and certifying dust collectors:

1. Preliminary review of drawings, specifications, and related data, each unit or system..... \$60
2. Detailed inspection to determine adequacy of design and materials, each unit or system..... 60
3. Detailed inspection to determine adequacy of design and materials relating to change subsequent to an initial investigation, per man-day or fraction thereof..... 155
4. Drilling each set of 10 test holes:
 - (i) First set of 10 test holes drilled, per investigation..... 170
 - (ii) Each additional set of 10 test holes drilled, per investigation..... 95
5. Final examination and recording of drawings and specifications, and issuing certificate of approval or certificate of performance..... 80
6. Examination and recording of drawings and specifications, and issuing extension of certificate of approval or certificate of performance..... 60
7. Design of approval plate or P/T label for certified equipment..... 25

¹ In addition the applicant shall reimburse the Bureau for necessary travel and subsistence expenses of its representative(s) according to "Standardized Government Travel Regulations" when such Bureau representative(s) is required to be away from official headquarters.

² If only a nominal amount of work is required, the fee will be \$40.

(b) Additional fees shall be charged in accordance with the provisions of Part 18 of Subchapter D of this chapter (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F) for examining and testing electrical parts of dust collectors required under § 33.38.

[Bureau of Mines Schedule 28]

PART 34—FIRE-RESISTANT CONVEYOR BELTS

Section 34.5 of Part 34 of Title 30 is revised to read as follows:

§ 34.5 Fees.

- (a) Flame test..... \$25
- (b) Drum-friction test..... 50
- (c) Fees for unusual tests, or tests not included in this list, which might be necessary, will be based on actual costs of testing, and will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before such tests are begun.

[Bureau of Mines Schedule 30]

PART 35—FIRE-RESISTANT HYDRAULIC FLUIDS

Paragraph (d) of § 35.5 of Part 35 of Title 30 is revised to read as follows:

§ 35.5 Fees for investigation.

(d) The following fees are charged for testing a hydraulic fluid—concentrate or emulsion:

1. Autogenous-ignition temperature test, each..... \$30
2. Temperature-pressure spray-ignition test, each..... 55
3. Test to determine effect of evaporation on flammability, each..... 35
4. Fees for other tests not included in the above list will be determined in advance by the Bureau. The applicant will be notified accordingly, and the fee shall be paid before such tests are begun.

[Bureau of Mines Schedule 31]

PART 36—MOBILE DIESEL-POWERED TRANSPORTATION EQUIPMENT FOR GASSY NONCOAL MINES AND TUNNELS

Paragraph (a) of § 36.7 of Part 36 of Title 30 is revised to read as follows:

§ 36.7 Fees.

(a)

1. Preliminary review of drawings, specifications, descriptions, and related data, each complete assembly..... \$40
2. Complete tests to determine composition of exhaust gas from diesel engine under various load and speed conditions..... 500

¹ Fee for partial tests shall be in proportion to the work done but the minimum shall be \$100. If the applicant requests discontinuation of the investigation after preparations for engine tests have begun, the minimum fee shall be \$100 regardless of the progress of the tests.

3. Tests to determine the effectiveness of air intake or exhaust flame arrester in an intake or exhaust system.....\$130
4. Check tests on redesigned components or equipment in item 3 above requiring less than 20 tests..... 65
5. Complete inspection of an intake or exhaust flame arrester..... 40
6. Complete inspection of manifolds, exhaust conditioners, and other components that comprise the intake and exhaust systems..... 50
7. Complete investigation of headlight, storage-battery type²..... 300
8. Complete investigation of headlight, dry-cell type²..... 175
9. Tests to determine the cooling efficiency of an exhaust conditioner and rate of water consumption..... 50
10. Surface temperature determinations and tests of safety controls..... 75
11. Each final inspection of completely assembled equipment..... 90
12. Tests of exhaust-gas dilution not made concurrently with final inspection of completely assembled equipment..... 60
13. Final examination and recording of drawings and specifications requisite to the issuance of a certificate of approval..... 50
14. Final examination and recording of drawings and specifications requisite to the issuance of a letter of certification..... 35
15. Examining and recording drawings and specifications requisite to the issuance of an extension of certification, each 4 hours or fraction thereof..... 16
16. Tests conducted in the field shall require the same fee as when conducted on the Bureau's premises. In addition the applicant shall reimburse the Bureau for such travel, subsistence, and incidental expenses as may be required by its representative(s) in accordance with the allowances stated in the "Standardized Government Travel Regulations."

² Maximum normal fee; actual fee as detailed in Part 20 of Subchapter D of this Chapter (Schedule 10, revised, the latest revision of which is Schedule 10C).

[F.R. Doc. 64-5558; Filed, June 4, 1964; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Domestic Water Supplies and Sanitary Disposal of Sewage on Privately Owned Lands

On page 3814 of the FEDERAL REGISTER of March 27, 1964, there was published a notice and text of a proposed amendment of § 7.16 of Title 36, Code of Federal Regulations. The purpose of the amendment is to establish sanitary regulations governing domestic water supplies and the disposal of sewage, including household waste, on privately owned lands within Yosemite National Park.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

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

JOHN C. PRESTON,
Superintendent,
Yosemite National Park.

§ 7.16 Yosemite National Park.

(j) *Domestic water supplies and sewage disposal systems*—(1) *Sewage disposal systems*—(i) *Construction*. Any dwelling or establishment constructed on privately owned land within Yosemite National Park for the purpose of housing one or more persons must be served by an approved sewage disposal system prior to occupancy. Such system may not be initially constructed or rebuilt without a permit issued by the Superintendent. Such permit shall be issued only after the receipt by the Superintendent of written notification by the County Health Officer that the plans for such construction or reconstruction are consistent with the requirements of the State and county health laws and ordinances applicable to systems not located on lands within the park.

(ii) *Existing systems*. Any sewage disposal system which was constructed and was in use prior to the effective date of this regulation shall be subject to inspection by the County Health Officer or his duly authorized representative for the purpose of ascertaining whether or not such existing sewage disposal system would meet the requirements of the State and county health laws and ordinances were such system not located on lands within the park. In the event such existing system is found by the Health Officer to be substandard and a hazard to health, the person, corporation, or other organization controlling the structure served by such system shall have one (1) year after service of a written notice by the Superintendent to comply with the requirements of the State and county health laws and ordinances. Such notice shall describe briefly the deficiency as noted by the County Health Officer and shall specify what steps must be taken to achieve conformity with health regulations. In the event the deficiency described in the notice is not remedied within the period set forth above, the structures affected by or served by such sewage system shall be deemed unfit for human habitation and shall be vacated until such deficiency is remedied and a certificate of approval is filed with the Superintendent.

(2) *Water supply facilities*—(i) *Construction of new facilities*. Domestic water supply facilities for the use of two (2) or more families or for use of the general public may not be con-

structed, installed, or reconstructed on the privately owned land within Yosemite National Park unless the plans for such facilities are consistent with the requirements of State and county health laws and ordinances which would be applicable if such water supply facilities were located on privately owned lands outside of the park. Facilities for such a new water supply system shall not be constructed or reconstructed without a permit issued by the Superintendent. A permit will be issued only after the receipt by the Superintendent of written notification by the County Health Officer that the plans for the construction or reconstruction of the water supply system are consistent with the requirements of the State and county health laws and ordinances applicable to structures and establishments located outside of the park.

(ii) *Existing systems*. All water supply systems for the use of two (2) or more families or for use by the general public, regardless of size and whether or not constructed and in use prior to the effective date of this regulation, shall be subject to inspection from time to time by the County Health Officer or his duly authorized representative for the purpose of ascertaining whether or not such water supply systems meet the requirements of the State and county health laws and ordinances. In the event any existing system is found by the Health Officer to be substandard and a hazard to health, the person, corporation, or other organization controlling the premises served by such system shall have one (1) year after service of a written notice by the Superintendent to comply with the requirements of the State and county health laws and ordinances. Such notice shall describe briefly the deficiency as noted by the County Health Officer and shall specify what steps must be taken to achieve conformity with health regulations. In the event the deficiency described by the notice is not remedied within the period set forth above, the structures affected by such deficiency shall be considered unfit for human habitation and shall be vacated until such deficiency is remedied and certificate of approval by the County Health Officer is filed with the Superintendent.

(3) *Inspection*. The County Health Officer or his duly authorized representative shall have the right of inspection for the purpose of ascertaining whether domestic water supplies and sewage disposal systems located on privately owned lands within Yosemite National Park meet State and county health standards. Inspection may be made by the County Health Officer to assure that construction of such systems, and facilities as may be built, rebuilt, or installed complies with approved plans.

(4) *Issuance of permits*. Permits for the construction or reconstruction of sewage or water supply systems shall be issued without charge by the Superintendent after written notification by the County Health Officer that the plans and specifications for any proposed system are deemed to be in conformity with the requirements of the State and county health laws and ordinances. Any appli-

cant or permittee aggrieved by an action of the Superintendent in refusing or in conditioning a permit for the construction or reconstruction of a sewage disposal or a water supply system may appeal to the Regional Director, Western Region, National Park Service. Such appeal shall be filed in writing within 20 days after receipt of notice by the applicant or permittee of the action of the Superintendent. A final decision of the Regional Director may be similarly appealed to the Director of the National Park Service within 15 days after receipt of notice by the applicant or permittee of the Regional Director's decision.

(5) *Permits.* Permit to construct or reconstruct domestic water facilities or a sewage disposal system authorized to be issued by the Superintendent in this paragraph shall contain general regulatory provisions as hereinafter set forth and may include such special conditions as the Superintendent deems necessary. A permit shall be in a form substantially as follows:

No. _____
UNITED STATES DEPARTMENT OF THE
INTERIOR NATIONAL PARK SERVICE
PERMIT TO CONSTRUCT, BUILD, OR REBUILD
DOMESTIC WATER SYSTEMS AND SEWAGE DIS-
POSAL SYSTEMS

Permission is hereby granted _____
to construct, build, or rebuild a
(Specify water system, sewage
disposal system)
on the following described privately owned
lands within Yosemite National Park, over
which the United States exercises exclusive
jurisdiction _____

subject to the general provisions and any
special conditions stated on the reverse
hereof.

Issued at _____ this _____ day of
_____, 19____.

(Superintendent)
The undersigned hereby accepts this permit
subject to the terms, covenants, obligations,
and reservations, expressed or implied
therein.

1 _____
Address _____

Address _____

Two witnesses to signature(s):

Address _____

Address _____

1 Sign name or names as written in body of
permit; for copartnership, permittees should
sign as "Members of firm"; for corporation,
the officer authorized to execute contracts,
etc., should sign, with title, the sufficiency
of such signature being attested by the secre-
tary, with corporate seal, in lieu of witnesses.

REVERSE OF PERMIT

GENERAL REGULATORY PROVISIONS OF THIS PERMIT

1. Permittee shall construct, build, or re-
build a domestic water system and/or a
sewage disposal system in accordance with
the standards of the Mariposa County Health
Department.

2. Permittee shall not occupy constructed
dwelling or establishment until completion
of a bona fide, operational sewage disposal
system.

3. Failure of the permittee to comply with
all State and county laws and ordinances
applicable to domestic water supplies and the

disposal of sewage, including household
waste, or with the conditions imposed by
this permit will be grounds for requiring the
permittee to vacate the dwelling or estab-
lishment until compliance.

4. Permittee shall take all reasonable pre-
cautions to prevent forest fires and shall
assist the Superintendent to extinguish forest
fires within the vicinity of the structure
herein permitted.

5. This permit may not be transferred or
assigned without the consent, in writing, of
the Superintendent.

6. The following special provisions are
made a part of this permit:

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

[F.R. Doc. 64-5559; Filed, June 4, 1964;
8:47 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 11—Coast Guard, Depart- ment of the Treasury

[CGFR 63-66]

PART 11-60—CONTRACT APPEALS

Subpart 11-60.2—Decisions Under the Disputes Clause

Pursuant to authority vested in me
as Commandant, U.S. Coast Guard by
Treasury Department Order No. 167-
17 (20 F.R. 4976) and Treasury Depart-
ment Order No. 167-50 (28 F.R. 530)
Subpart 11-60.2, 41 CFR is hereby estab-
lished under authority of 14 U.S.C. 633
and Chapter 137 of Title 10, U.S.C.

Subpart 11-60.2—Decisions Under the Disputes Clause

| Sec. | |
|-----------|--|
| 11-60.200 | Scope of subpart. |
| 11-60.201 | Contracting officer's decision. |
| 11-60.202 | Contractor's acceptance of con- tracting officer's decision. |
| 11-60.203 | Processing appeals. |
| 11-60.204 | Suggested format; decisions in ac- cordance with Disputes clause. |
| 11-60.205 | Suggested format; when a termi- nation for convenience dispute is allowed. |

AUTHORITY: The provisions of this Subpart
11-60.2 issued under 14 U.S.C. 633, 10 U.S.C.
Ch. 137.

§ 11-60.200 Scope of subpart.

This subpart sets forth policy and pro-
cedure for processing appeals under the
Disputes clause by contracting officers.

§ 11-60.201 Contracting officer's deci- sion.

(a) *Preparation of decision.* Where
mutual agreement on a question of fact
proves impossible, a findings and decision
must be prepared by the contracting
officer. This document in the format set
forth in §§ 11-60.204 and 11-60.205
should contain a simple and concise
statement of (1) the claim, (2) the deci-
sion, (3) the findings of fact which
support the decision, and (4) the refer-
ence to the Disputes clause contained in
the format. The factual determination
must be relevant to the issues and sup-
ported by documents or oral statements.

(b) *Legal advice.* All written findings
and decisions, for termination for default

will, prior to transmittal to the contrac-
tor, be referred for review and comment
to the Commandant (F), together with
pertinent documents and summaries of
anticipated testimony of all Govern-
ment witnesses. All other findings and
decisions will be submitted for review
and comment to the appropriate field
staff legal officer; if further advice is
deemed necessary, same may be re-
quested from the Commandant (F).
When referrals to the Commandant (F)
are made, the accompanying file will be
complete in all respects. The file should
contain:

(1) Copy of the contract, and all ap-
plicable amendments, specifications and
drawings;

(2) Communications relative to the
subject matter of the dispute; and

(3) Any additional information.

(c) *Transmittal to contractor.* After
referral described in paragraph (b) of
this section has been accomplished, the
findings and decisions will be reexamined
by the contracting officer in the light of
the advice and comments offered. If, in
the judgment of the contracting officer,
reexamination reveals the propriety of
modifications or additions, he will make
the appropriate changes. After such re-
examination and changes, if appropriate,
he will transmit the findings and decision
to the contractor in person, obtaining a
receipt therefor, or by certified mail, re-
turn receipt requested.

(d) *Amendment after transmittal to
contractor.* The contracting officer who
has rendered findings and a decision, or
his successor, may for good cause recom-
mend that the findings and decisions be
corrected or amended. Such recommen-
dation will be forwarded to the Com-
mandant (F), together with the file re-
quired by paragraph (b) of this section
as supplemented to support the recom-
mended correction or amendment.

§ 11-60.202 Contractor's acceptance of contracting officer's decision.

Unless the contractor appeals from the
contracting officer's decision within the
time prescribed by the Disputes clause,
the contracting officer's decision on dis-
puted questions of fact becomes final and
conclusive upon the contractor. A deci-
sion by the contracting officer that is
intended to be final but which does not
state that it is the final decision under
the Disputes clause or is so indefinitely
worded that it is not clear whether (1)
the letter is the contracting officer's final
decision in the matter, or (2) further
consideration will be allowed, may cause
unnecessary problems and delays.
Therefore, every final decision by the
contracting officer, on any disputed ques-
tion under a contract shall clearly so
state.

§ 11-60.203 Processing appeals.

When a notice of appeal in any form
has been received by the contracting offi-
cer from whose findings and decision the
appeal is taken, he will comply with
§ 11-60.108; and

(a) Obtain and forward with other re-
quired documents to the Commandant
(F) a written legal review by the staff
legal officer, when one is assigned;

RULES AND REGULATIONS

(b) Include in his rebuttal, in addition to other comments, a statement as to the reasonableness of the monetary amount of the claim based on:

(1) Cost of similar work performed in the contract, or

(2) Cost for similar work on other contracts, or

(3) Whatever other information is available.

§ 11-60.204 Suggested format; decisions in accordance with Disputes clause.

(Date of Findings and Decision)
Subject: Decision Disallowing Request of
----- under Contract
(Name of Contractor)
No. -----, Date -----

To: -----
(Name and address of contractor)
1. In accordance with the provisions of the above-numbered contract, the undersigned contracting officer has duly considered your request for (insert factual description of the request to identify clearly its nature and scope).

2. The undersigned contracting officer has decided that your request, as set forth above, is disallowed (in whole or in part, according to the fact) for the following reasons: (insert the findings of fact upon which the disallowance is based).

3. This is the final decision of the contracting officer. You may, in accordance

with the provisions of the Disputes clause, appeal from this decision to the Secretary of the Treasury. The notice of appeal must be in writing and the original with two copies must be mailed to or otherwise furnished to the contracting officer within 30 days from the date of receipt of this decision. Such notice should indicate that an appeal is intended and should refer to this decision and identify this contract by number. The Coast Guard Board of Contract Appeals is the authorized representative of the Secretary of the Treasury for hearing disputed questions of fact or other disputes which are made subject to the Disputes clause by contract procedure. The Rules of the Coast Guard Board of Contract Appeals are set forth in Title 41, CFR, Chapter 11, Subpart 60.1.

§ 11-60.205 Suggested format; when a termination for convenience dispute is allowed.

(Date of Findings and Decision)
Subject: Findings Pertaining to Termination
Claim ----- under Con-
(Name of contractor)

tract No. -----, Date -----

1. Your claim for (insert factual description of the claim to identify clearly its nature and scope) in connection with the above cited contract has been duly considered by the undersigned contracting officer.

2. In accordance with the provisions of Clause ----- (insert the title of the

pertinent termination clause) of the contract, the undersigned contracting officer finds as follows: (insert all pertinent factual data, such as, date of termination of contract, date of submission of settlement proposal, items and amounts allowed and disallowed, together with reasons therefor).

3. This is the final decision of the contracting officer. You may, in accordance with the provisions of the Disputes clause, appeal from this decision to the Secretary of the Treasury. The notice of appeal must be in writing and the original with two copies must be mailed to or otherwise furnished to the contracting officer within 30 days from the date of receipt of this decision. Such notice should indicate that an appeal is intended and should refer to this decision and identify this contract by number. The Coast Guard Board of Contract Appeals is the authorized representative of the Secretary of the Treasury for hearing disputed questions of fact or other disputes which are made subject to the Disputes clause by contract procedure. The Rules of the Coast Guard Board of Contract Appeals are set forth in Title 41, CFR, Chapter 11, Subpart 60.1.

Dated: April 30, 1964.

[SEAL]

E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 64-5578; Filed, June 4, 1964;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 1]

CUSTOMS DISTRICTS, PORTS, AND STATIONS; MUSKEGON, MICHIGAN

Proposed Change in Area

MAY 28, 1964.

The present geographical limits of the customs port of entry of Muskegon, Mich., coincide with the corporate city limits. At the same time, the Muskegon County Airport, which is located outside of the present port limits, handles a large volume of transactions requiring customs services. Since the airport is located outside the port limits of Muskegon, the salary and expenses of the customs officer providing the services must be charged to the party in interest. This same situation also affects various industrial plants located outside of the city of Muskegon, but within the area comprising metropolitan Muskegon. In order to provide the most expeditious customs services to these developed areas, it is considered desirable to include these outlying areas within the port limits of Muskegon.

Accordingly, notice is hereby given pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 2 (28 F.R. 11570), it is proposed that the geographical limits of the customs port of entry of Muskegon, Mich., in Customs Collection District No. 38 (Michigan), comprising the city of Muskegon, be extended to include the cities of Muskegon, North Muskegon, Muskegon Heights, and Roosevelt Park, and the townships of Laketon, Muskegon, Norton, and Fruitport, in Muskegon County, Mich. It is further proposed to amend § 1.1(c) of the Customs regulations to reflect this change.

Data, views, or arguments concerning the proposed extension of the geographical limits of the port of Muskegon, Mich., may be addressed in writing to the Commissioner of Customs, Bureau of Customs, Washington, D.C., 20226. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 30 days after publication of this notice in the FEDERAL REGISTER. No hearings will be held. (FM 192-38.1 S)

[SEAL]

JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 64-54579; Filed, June 4, 1964;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

APPLES

Proposed Standards for Grades

Correction

In F.R. Doc. 64-5465 appearing in the issue for Wednesday, June 3, 1964, at page 7242, the heading for § 51.302 was inadvertently omitted. Following the undesignated paragraph for § 51.301 and preceding the line reading "The requirements of this grade are the", insert:

§ 51.302 U.S. No. 1.

CIVIL SERVICE COMMISSION

[5 CFR Part 890]

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Notice of Proposed Rule Making

Notice is hereby given that under authority of the Act of September 28, 1959, as amended, 5 U.S.C. 3001 et seq., it is proposed to amend Part 890 of Title 5 of the Code of Federal Regulations.

The Commission has reviewed its policy with respect to advertising and reaffirmed its position that advertising by carriers in the Federal Employees Health Benefits Program is not in the best interests of employees or the Government and would be detrimental to the program as a whole. It proposes to amend the regulations in order to combine and clarify its existing instructions, as well as to make them more restrictive.

With respect to § 890.203a(c) of the proposed regulations: The publications of a carrier's headquarters office are widely circulated and can be expected to reach the attention of practically all enrollees of a plan. There is, therefore, no legitimate need for regional, State, or local affiliates of the carrier to reprint or restate health benefits information. Unnecessary repetition of the same information and repeated mention of a plan become advertising and solicitation in the guise of news and it is the intent of the regulation to prohibit this by limiting mention of a plan to publications controlled by a carrier's headquarters. The regulation does not preclude an employee organization from listing in recruiting literature for the organization the advantages of joining the union; this listing may include an item such as "a health benefits plan which participates in the Federal Employees Health Benefits Program." However, no further description of the plan is permitted. Characterizations of the plan, such as "the best," "one of the best," "second to none" or "the plan for you," are prohibited. A

simple legend, such as "See the official Civil Service Commission brochure for benefits and costs," is permitted.

With respect to § 890.203a(b) of the proposed regulations: This permits public mention of a plan under certain conditions because some carriers may occasionally have a legitimate need to communicate with their members on an important aspect of plan administration or health benefits program developments. For example: Members would need to be informed of a new address to which claims are to be mailed or where service may be obtained; a full disclosure of financial condition of the plan would be permitted, whereas disclosing only certain figures (e.g., claims paid), would be considered to be advertising; a carrier might want to remind employees of the right under the program to convert to a nongroup contract. It is anticipated that any program changes of interest to employees (e.g., changes in law and regulations, open seasons, etc.) will be announced by Commission news releases which carriers are permitted to reprint in full, without change, and with credit to the Commission. Attachments to news releases need not be reprinted in full. The cost of publishing such communications is not allowable as a charge to the experience of the plan but must be borne by the carrier unless the Commission has requested the publication.

In connection with its review of advertising policy, the Commission has also reaffirmed the existing authorization which permits a carrier to purchase from its own (not plan) funds, additional copies of its official brochure. These brochures may be distributed or displayed without any accompanying literature, so long as in doing so there is no violation of the regulations or policy of any Federal agency in which they may be distributed or displayed. The brochure, developed jointly with the carrier, is the best exposition of a plan's benefits, exclusions, and limitations and there is no legitimate need for a carrier to further elaborate on them in any publication. Nor is there any legitimate need for a carrier to comment in any way on another carrier's plan. This does not authorize use of official agency channels or facilities to distribute carrier-purchased brochures.

Public Law 88-284 amended the Federal Employees Health Benefits Act so as to permit the transfer of excess administrative reserves to the contingency reserves on a proportionate basis. Our present regulations provide that income on the administrative reserve will be credited to the administrative reserve. Since the enactment of Public Law 88-284, the crediting of income on investments to the administrative reserve is useless since excess administrative reserve is to be transferred in accordance with law to the contingency reserves of the plans. Consequently, it is proposed

that all investment income of the Employees Health Benefits Fund will be credited to the contingency reserves without passing through the administrative reserve.

Interested persons may submit written comments, objections, or suggestions to the Bureau of Retirement and Insurance, U.S. Civil Service Commission, Washington, D.C., 20415, within 30 days of the date of publication of this notice in the *FEDERAL REGISTER*.

Part 890 of Chapter I of Title 5, Code of Federal Regulations, is amended in the following respects:

Section 890.202(e) is revoked.

A new § 890.203a is added, as follows:

§ 890.203a Advertising and solicitation prohibited.

(a) Except as permitted by paragraph (b) of this section, a carrier shall not advertise a plan approved under the Federal Employees Health Benefits Program or the carrier's participation in the program, nor shall it solicit enrollment of employees or annuitants. Any publication through any media, by, or inspired by, a carrier, a carrier's agent, representative, affiliate, or any other person with color of authority to act in the carrier's behalf shall be considered a violation of this section if it refers to an approved plan in such fashion that it directly or indirectly advertises the plan or contains any solicitation, invitation, or suggestion that any employee enroll in the plan or if it contains any comparison of one plan with another or any indication that one plan is in any way superior to another.

(b) A carrier may make public mention in print of an approved plan only (1) to give notice of a change of the carrier's address; (2) to make full disclosure of the financial operations of the plan which must include as a minimum a statement of income and expense and a statement of financial condition; (3) to furnish general information about the Federal Employees Health Benefits Program as a whole; (4) to publish verbatim reprints of Commission news releases, with credit to the Commission; (5) to make announcements requested by the Commission; and (6), in a listing of advantages of belonging to an employee organization in recruiting literature, to make the statement: "a health benefits plan which participates in the Federal Employees Health Benefits Program", or its equivalent, with or without the statement "see the official Civil Service Commission brochure for benefits and costs", or its equivalent. A carrier shall not make any public mention, directly or indirectly, of the plan's benefits, or of any other approved plans, except for those matters covered by subparagraphs (4) and (5) of this paragraph.

(c) Public mention of an approved plan by a carrier permitted by paragraph (b) of this section shall be limited to those publications, house organs, and employee organization recruiting literature published by the headquarters office of the carrier. No mention of the plan shall appear in any local, state or regional publication of the carrier or its affiliates.

(d) Communication exclusively between a carrier and an employee or an-

nuitant enrolled in its plan is not considered advertising for the purposes of this section. Distribution of the official Civil Service Commission brochure is not considered advertising for the purposes of this section.

Section 890.503 (b) and (c)(1) are amended to read as follows:

§ 890.503 Reserves.

(b) The administrative reserve is credited with the one one-hundred-and-fourth of the enrollment charge set aside for the administrative reserve. The administrative reserve is available for payment of administrative expenses of the Commission incurred under this part, and for such other purposes as may be authorized by law.

(c)(1) The contingency reserve for each plan is credited with (i) the three one-hundred-and-fourths of the enrollment charge set aside for the contingency reserve from the enrollment charges for employees and annuitants enrolled for that plan, (ii) amounts transferred in accordance with law from other contingency reserves and the administrative reserve, (iii) income from investment of the reserve, (iv) its proportionate share of the income from investment of the administrative reserve, and (v) any return of reserves of the plan. The preferred minimum balance for the contingency reserve is 1 month's subscription charges at the average monthly rate paid from the Employees Health Benefits Fund for the plan during the most recent contract period.

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

[F.R. Doc. 64-5586; Filed, June 4, 1964;
8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 71 [New],
75 [New]]

[Airspace Docket No. 63-WE-77]

JET ROUTES, JET ADVISORY AREAS AND REPORTING POINTS

Proposed Designation and Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] and Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The FAA has under consideration the designation of two jet routes: one from the Pendleton, Ore., VORTAC via the McCall, Idaho, VOR; the Dubois, Idaho, VOR; the Crazy Woman, Wyo., VOR; the Rapid City, S. Dak., VOR; to the Sioux Falls, S. Dak., VORTAC; and the other from The Dalles, Ore., VORTAC to the McCall, Idaho, VOR.

The designation of these routes would provide an alternate route between the Chicago, Ill., metropolitan area and the Seattle, Wash./Portland, Ore., termi-

nals, which would be beneficial during inclement weather or unfavorable wind conditions on existing routes. Additionally, the FAA proposes to designate radar jet advisory area from flight level 240 to flight level 410 and within 16 miles either side of any segment of the proposed routes which would lie outside of positive control area.

The FAA also proposes to revoke the Dillon, Mont., VORTAC as a compulsory high altitude reporting point and to designate the Dubois, Idaho, VOR as a compulsory high altitude reporting point. Such action would establish a compulsory reporting point at the intersection of Jet Route No. 9 and the proposed jet route from Pendleton, Ore., to Sioux Falls, S. Dak.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5584; Filed, June 4, 1964;
8:48 a.m.]

[14 CFR Part 75 [New]]

[Airspace Docket No. 63-EA-103]

JET ROUTES AND JET ADVISORY AREAS

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

Jet Route No. 55 is presently designated in part from the Kennedy, N.Y., VORTAC via the Boston, Mass., VORTAC; intersection of the Boston VORTAC 014° and the Bangor, Maine, VORTAC 225° radials; to the Bangor VORTAC. Jet Route No. 77 is presently designated in part from the Boston VORTAC via the intersection of the Boston VORTAC 014° and the Bangor VORTAC 225° radials to the Bangor VORTAC.

The FAA is proposing to alter the alignment of Jet Route No. 55 from the Kennedy VORTAC via the intersection of the Kennedy VORTAC 050° and the Kennebunk, Maine, VOR 212° radials; Kennebunk VOR; to the Bangor VORTAC. The present alignment of J-55 results in loss by air traffic control of radar target when aircraft are directly over the radar antenna site near Boston. The proposed realignment avoids the radar antenna site and would provide continuous radar contact between Kennedy and Bangor.

The FAA is proposing to alter the alignment of Jet Route No. 77 from the Boston VORTAC via the Kennebunk VOR to the Bangor VORTAC. Such alignment would coincide northeast of Kennebunk with the realignment of J-55 as proposed herein.

Additionally, the FAA proposes to designate radar jet advisory area from flight level 240 to flight level 410 within 16 miles to either side of any segment of these proposed routes which would lie outside of positive control area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica, N.Y., 11430. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5560; Filed, June 4, 1964;
8:47 a.m.]

[14 CFR 75 [New]]

[Airspace Docket No. 64-WA-26]

JET ROUTES

Proposed Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The FAA has under consideration the designation of a jet route from the Oakland, Calif., VORTAC via existing Jet Route No. 88 to the Salinas, Calif., VORTAC, thence via the Fresno, Calif., VORTAC, the Boulder, Nev., VORTAC, the Tuba City, Ariz., VORTAC, thence via existing Jet Route No. 64 to the Alamosa, Colo., VOR, thence via existing Jet Route No. 54 to the Garden City, Kans., VORTAC, thence via the Butler, Mo., VOR, the St. Louis, Mo., VORTAC, thence via existing Jet Routes Nos. 24 and 80 to the Kennedy, N.Y., VORTAC.

Such action would provide the desired south track eastward from San Francisco, Calif., for pressure pattern flying thereby permitting use of more favorable winds aloft. The route would also help relieve congestion on existing jet routes.

The FAA is proposing an additional jet route from the Butler VOR via the Farmington, Mo., VORTAC and the Evansville, Ind., VORTAC to the Louisville, Ky., VORTAC. Such action would provide additional route flexibility east of Butler.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Regulations and Procedures Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553.

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

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5561; Filed, June 4, 1964;
8:47 a.m.]

[14 CFR Part 75 [New]]

[Airspace Docket No. 63-WA-70]

JET ROUTES

Withdrawal of Proposed Designation

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 63-WA-70 on October 30, 1963 (28 F.R. 11568), it was stated that the Federal Aviation Agency (FAA) proposed to designate a jet route from the Columbia, S.C., VOR to the Pulaski, Va., VOR to provide a more direct route for civil turbojet aircraft operating between Miami, Fla., and Pittsburgh, Pa.

United Air Lines requested designation of this jet route and schedules two flights daily which might have used the proposed route occasionally. However, since publication of the notice, authorization has been granted to United Air Lines aircraft for direct high altitude operation between Columbia and Pulaski. Furthermore, the FAA has determined that anticipated traffic between these points does not justify designation of a jet route.

In consideration of the foregoing, notice is hereby given that the proposal contained in Airspace Docket No. 63-WA-70 is withdrawn.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5562; Filed, June 4, 1964;
8:47 a.m.]

[14 CFR Part 75 [New]]

[Airspace Docket No. 63-WA-96]

JET ROUTE

Proposed Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The FAA has under consideration the designation of a jet route from the Oakland, Calif., VORTAC via the Ukiah, Calif., VORTAC; the Fortuna, Calif., VOR; the North Bend, Oreg., VOR; the Newport, Oreg., VOR; the Hoquiam, Wash., VOR; to the Seattle, Wash., VORTAC. Such action would provide an alternate route along the coastline between Oakland and Seattle when inclement weather or unfavorable wind conditions would be encountered on the existing inland route.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air-

space Regulations and Procedures Division, Federal Aviation Agency, Washington, D.C., 20553. All communications received within forty-five days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Regulations and Procedures Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553.

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

Issued in Washington, D.C., on May 28, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 64-5563; Filed, June 4, 1964;
8:47 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 141, 260]

[Docket No. R-263]

ELECTRIC UTILITIES, LICENSEES AND NATURAL GAS PIPELINE COM- PANIES

Proposed Report Forms Prescribed for Expenditures for Political Pur- poses

JUNE 1, 1964.

1. Notice is given pursuant to section 4 of the Administrative Procedure Act that the Federal Power Commission is proposing to amend its Annual Report Forms Nos. 1-F, 1-M and 2-A, prescribed respectively by §§ 141.2, 141.7, and 260.2 of its regulations, to provide for the reporting by classes C and D electric utilities and licensees, municipal electric utilities and natural gas pipeline companies of expenditures for certain civic, political and related activities.

2. The Commission, on December 18, 1963, amended Account 426, Other Income Deductions, of the Uniform System of Accounts for all classes of electric utilities, licensees and natural gas companies.¹ At the same time new sched-

ules relating to expenditures classified in Account 426 were prescribed for inclusion in FPC Forms Nos. 1 and 2 applicable to classes A and B electric utilities and natural gas companies. It is now proposed to prescribe generally similar schedules for inclusion in the report forms required to be filed by classes C and D electric and natural gas companies and municipal electric utilities.²

3. Any interested person may submit to the Federal Power Commission on or before July 22, 1964, data, views, and comments in writing concerning the amendments proposed herein. The Commission will consider these written submissions before taking any action upon the proposed amendments. An original and nine copies of any such submissions should be filed.

4. The proposed amendments to the annual report forms are to be prescribed under the authority granted by the Federal Power Act, as amended, particularly sections 4(a), 304, 309, and 311 thereof (16 U.S.C. 797(a), 825c, 825h, 825j) and by the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (15 U.S.C. 717i, 717o).

5. Accordingly, it is now proposed to amend FPC Forms Nos. 1-F, 1-M, and 2-A, prescribed respectively by §§ 141.2, 141.7, and 260.2 of Chapter I, Title 18 of the Code of Federal Regulations in the following respects:

a. A new schedule entitled "Expenditures for Certain Civic, Political and Related Activities" as set out in Attachment A hereto³ is proposed to be added to FPC Forms Nos. 1-F and 2-A, the annual reports prescribed for classes C and D public utilities, licensees and natural gas companies.

b. In the schedule "Condensed Income Statement" appearing on page 5 of FPC Forms Nos. 1-F and 2-A, lines 27, 28, and 29 would be revised to read as follows:

27—Miscellaneous income deductions * * *
28—Miscellaneous amortization * * *
29—Other income deductions (see schedule, page _____, of account 426.4) * * *

c. A new schedule entitled "Expenditures for Certain Civic, Political and Related Activities" as set out in Attachment B⁴ hereto is proposed to be added to FPC Form No. 1-M, the annual report prescribed for municipal electric utilities.

By direction of the Commission, Commissioner Woodward dissenting.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 64-5565; Filed, June 4, 1964;
8:48 a.m.]

¹ See paragraph 6 in the notice of proposed rule making, issued December 19, 1962, in Docket No. R-226, and published in the *FEDERAL REGISTER* on December 28, 1962 (27 F.R. 12839 at 12840).

² Filed as part of the original document.

³ Order No. 276, Docket No. R-226, 28 F.R. 14265 and Order No. 276-A, 29 F.R. 2494.

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3-p]

RIFLE AND PISTOL PRIMERS FROM WEST GERMANY

Fair Value Determination

MAY 28, 1964.

An allegation was received that RWS Sinoxid rifle and pistol primers from West Germany were being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that RWS Sinoxid rifle and pistol primers from West Germany are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. Information available indicates that no formal importations of these primers were made during 1963.

Customs officers are being instructed to continue to furnish reports of importations to the Bureau. If at any time information is received indicating that importations of these primers have attained significant proportions and that sales are being made in the United States at prices which are at less than fair value, the case will be reopened.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL]

JAMES A. REED,

Assistant Secretary of the Treasury.

[F.R. Doc. 64-5580; Filed, June 4, 1964; 8:49 a.m.]

[Dept. Circ. 570; 1964 Revision]

COMPANIES HOLDING CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETIES ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANIES

Correction

In F.R. Doc. 64-5370 appearing in the issue for Tuesday, June 2, 1964, at page 7156, the entry "Reliance Insurance Company, Philadelphia, Pa." should read "Reliance Insurance Company, Philadelphia, Pa."

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

BROILER AND FRYER PRICES

Request for Comments on Market News Reporting

The U.S. Department of Agriculture
in accordance with the Agricultural Mar-

keting Act of 1946 reports through its Market News Service the prices of broilers and fryers at various locations throughout the country for all major producing areas. At present, these reports include live prices for the important production areas, as well as delivered prices of ready-to-cook poultry by geographical divisions of the United States. Further refinements naming specific terminal markets are in progress.

There have been requests from time to time from many users of the service that the Department restrict its reporting of broiler and fryer prices to a ready-to-cook basis and discontinue reporting live prices. These requests are based primarily on the fact that Market News Reports should reflect price information, based on actual sales transactions resulting from active and meaningful negotiations. Some are concerned whether currently the actual sales transactions of live broilers or fryers at the farm level occur with sufficient frequency and in sufficient volume as to be indicative of the true market value of the product.

It is the responsibility of the Department to report only factual, current information which will be of assistance to orderly and efficient marketing. When any reporting activity appears to be losing this effectiveness, it is incumbent on the Department to analyze the situation carefully to determine whether the reporting level or basis should be shifted to a more meaningful one or be terminated.

The pattern of pricing broilers has materially changed over the years. Whereas some years ago price determinations for broilers and fryers generally took place at the farm between processor and grower, it is contended that the steady increase in the production of broilers and fryers under integrated or other contractual arrangements under combined management has largely eliminated price negotiations at the producer or farm level in almost every major area. There is widespread belief that free and open market sales of live poultry at farm level have become the exception, rather than the rule. It is alleged that information presently furnished by processors as representing values of live broilers and fryers has become a reflection of selling prices of ready-to-cook product. Proposals have been made that inasmuch as the trend toward establishing broiler and fryer values through negotiations on the ready-to-cook product now involves a rather substantial percentage of the fryers sold, negotiations for such product would be the logical basis upon which reporters should gather more useful and representative price information.

Through testing different approaches over the past one and one-half years, it appears practical that adequate information can be collected for ready-to-cook broiler and fryer prices based on truck lots delivered to first receivers at representative locations in the major consuming areas at the time of negotiation. It

also appears practical to publish such information in a meaningful manner. Refinements can be such factors as grade, weight range, packaging, etc. This information could be reported for the major terminal markets, such as New York, Chicago, Los Angeles, etc., or for combinations of markets where prices are not dissimilar, such as New York and Philadelphia, Detroit and Cleveland, Columbus and Indianapolis, Chicago and Milwaukee, etc.

If it appears desirable and proper to limit broiler and fryer market reporting to a ready-to-cook basis and discontinue the reporting of prices for live broilers and fryers—as a result of comments received, meetings attended, and all other pertinent information available—the Department would make such an announcement as soon as possible which would contain an effective date for discontinuance of live prices. Concurrently with the announcement and the initiation or expansion of a ready-to-cook price series, the live prices would be continued for an interim period until the effective date for their discontinuance. This period, which could be of several months' duration, would be provided to enable the industry to compare the two price series and make any changes in contractual relationships necessitated by the change in reporting basis.

In order to assure availability of complete and pertinent data, the Department solicits any comments. In addition, the Department is particularly interested in obtaining answers to the questions which follow. Frank and direct comments, including any variations from the questions or any combinations thereof, would be appreciated.

1. Should the Market News Service discontinue the reporting of all prices for live broilers and fryers?

2. Should the current method of reporting prices for live broilers and fryers be continued and modified by confining coverage to that poultry actually changing ownership through sales (i.e., excluding intracompany transfers, book sales, or other similar transactions)?

3. If live prices are discontinued and replaced by ready-to-cook prices, what period of time is required for the two series to be carried concurrently to permit necessary changes in contractual relationship and during such time, should the reporting of such live prices be confined to those actually changing ownership per item 2 above?

4. Could a reliable ready-to-cook price series serve the same purposes as the present live price series (such as grower returns basis, ready-to-cook sales basis, hatching egg prices, etc.)?

5. Can a reliable ready-to-cook price series be confined to trucklot (or carlot) sales?

6. Would a delivered ready-to-cook series of prices at time of negotiation, as discussed immediately prior to these questions (such as presently being re-

ported for Boston, New York, and Philadelphia), prove to be most meaningful and useful?

7. Would an "equivalent f.o.b. ready-to-cook price" (price series mentioned in question No. 6 reduced back to a local basis by deduction of the most common transportation cost) be a desirable refinement?

8. What frequency (specify daily, twice a week, three times a week, weekly, etc.) and on what days (if less than daily) should releases be made?

9. Should the Market News reporting of prices for broilers and fryers be discontinued entirely?

All persons or organizations desiring to submit written data, views, comments, or opinions in connection with this matter; i.e., discontinuing the reporting of live broiler prices and expanding the scope of reporting ready-to-cook broiler prices, are invited to file them with the Director, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250, not later than June 30, 1964.

Done at Washington, D.C., this 2d day of June 1964.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 64-5595; Filed, June 4, 1964;
8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2878]

RESEARCH DIRECTOR, LARAMIE RESEARCH CENTER, AND SOLICITOR, DEPARTMENT OF INTERIOR

Delegations of Authority

SECTION 1 *Research Director, Laramie Research Center.* (a) The Research Director, Laramie Petroleum Research Center, Bureau of Mines, is designated the representative of the Secretary of the Interior and may perform the functions and exercise the authority of the Secretary of the Interior under the following provisions of the Lease Agreement, dated May 1, 1964, between the United States and Colorado School of Mines Research Foundation, Inc., covering the Anvil Points facilities:

(1) In making available specified houses, and receiving and approving or disapproving the general mining plans, under Article I;

(2) In stationing observers, in receiving samples, data and technical information, in making copies and removing copies and samples, in receiving disclosure of data from locations other than Anvil Points, under section 5.01 of Article III and section 3.01 of Appendix I;

(3) In receiving reports under section 5.02 of Article III and section 3.02 of Appendix I;

(4) In exercising the right of access to the Anvil Points facilities and to inspect and to observe, under Article VI;

(5) In being responsible for access to and maintenance of the Anvil Points facilities for 60 days following the effective

date of the Lease Agreement, and for seeing to it that the sum of \$200.00 is paid Research Foundation monthly, under Article VII;

(6) In accepting return of the facilities upon termination, in approving the usage or control of the Government property, in reviewing and approving Research Foundation's property control system, in utilizing quantities of oil shale, and in receiving reports, under Article VIII;

(7) In making agreements respecting the availability of quantities of oil shale and shale oil, under Article X;

(8) In ascertaining that there is compliance with the provisions of section 301 of Executive Order 10925, as amended, relating to nondiscrimination in employment, under Article XIV and Exhibit B; and

(9) In general ascertaining that all provisions of the Lease Agreement, in addition to those specifically mentioned in this Order, are complied with.

(b) In the performance of this delegation the Research Director shall consult with the Director of the Bureau of Mines and shall submit all reports to the Secretary through the Bureau of Mines.

(c) With the approval of the Director, Bureau of Mines, the Research Director may redelegate the authority conferred upon him by this section.

SEC. 2 *Solicitor.* (a) The Solicitor of the Department of the Interior is designated the representative of the Secretary of the Interior and may perform the functions and exercise the authority of the Secretary under Article III and Appendix I of the Lease Agreement with respect to all matters relating to patents and inventions (including those in sub-contracts), patent clearances, reports on inventions, and patent applications; the preparation and receipt of instruments in connection with patents, inventions, and patent clearances; the conduct of hearings and the making of determinations as required under Article III and Appendix I. However, this section confers no authority upon the Solicitor under section 5.01 or 5.02 of Article III or section 3.01 or 3.02 of Appendix I.

(b) The Solicitor may redelegate the authority conferred upon him by this section.

STEWART L. UDALL,
Secretary of the Interior.

MAY 27, 1964.

[F.R. Doc. 64-5570; Filed, June 4, 1964;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

AMERICAN PRESIDENT LINES, LTD.

Notice of Application

Notice is hereby given that American President Lines, Ltd., has filed an application for a waiver under section 804 of the Merchant Marine Act, 1936, as amended, to permit one of its executives, George S. Hinkins, indirectly to act as agent for foreign-flag vessels which are competitive with essential U.S.-flag serv-

ice, by virtue of his relationship with and substantial stock interest in Hinkins Steamship Agency.

Any person, firm, or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Administrator should submit same in writing, in triplicate, to the Secretary, Maritime Administration, Washington, D.C., by close of business June 12, 1964.

The Maritime Administrator will consider these views and comments and take such action with respect thereto as he may deem appropriate.

By Order of the Maritime Administrator.

Dated: June 1, 1964.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64-5548; Filed, June 4, 1964;
8:45 a.m.]

DELTA STEAMSHIP LINES, INC.

Notice of Application

Notice is hereby given that Delta Steamship Lines, Inc., has filed application to modify a waiver previously granted under section 804 of the Merchant Marine Act, 1936, as amended, by changing introductory paragraph (a) of Federal Maritime Commission Agreement No. 9216, dated December 9, 1963 to add the ports of Antigua, Martinique, and Guadeloupe, to the ports of Trinidad, Barbados, Jamaica, and British Guiana. The waiver is limited to performing husbanding agency services such as are usually performed by a ship agent who does not solicit or book cargo or passengers.

Any person, firm, or corporation having an interest in this application who desires to offer views and comments thereon for consideration by the Maritime Administrator, should submit same in writing, in triplicate, to the Secretary, Maritime Administration, Washington, D.C., by the close of business on June 12, 1964. The Maritime Administrator will consider these views and comments and take such action with respect thereto as may be deemed appropriate.

By order of the Maritime Administrator.

Dated: June 1, 1964.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64-5549; Filed, June 4, 1964;
8:45 a.m.]

National Bureau of Standards

BORIC ACID

Notice of Availability of Samples

Samples of boric acid from the lot known as Argonne II are being distributed by the National Bureau of Standards as a public service. This lot of boric acid is not a standard reference material. The ratio of B¹⁰ to B¹¹ has been accurately measured. This measurement is intended to facilitate the measurement of neutron cross sections.

A list of some of the measurements which have been made on this material by various laboratories is furnished with each sample. The samples are available in two sizes at the following cost:

| | |
|--------------------|---------|
| 100-gram size----- | \$10.00 |
| 800-gram size----- | 15.00 |

(Prices include parcel post shipping costs.)

A sample may be obtained by sending a purchase order, together with check or money order made payable to NBS, Department of Commerce, to the Neutron Physics Section; Radiation Physics Division; National Bureau of Standards; Washington, D.C., 20234.

A. V. ASTIN,
Director.

[F.R. Doc. 64-5566; Filed, June 4, 1964;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration TITANIUM DIOXIDE GROUP

Notice of Filing of Petition Regarding Color Additive Titanium Dioxide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 19) has been filed by Mr. Wayne Hill, counsel for Titanium Dioxide Group, Munsey Building, 1329 E Street NW., Washington, D.C., proposing the issuance of a regulation to provide for the safe use and exemption from certification of titanium dioxide as a color for foods, drugs, and cosmetics, without quantitative limit.

Dated: June 1, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 64-5584; Filed, June 4, 1964;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14154, 15011; FCC 64-397]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order re Procedural Dates

In the matter of American Telephone and Telegraph Company, Docket No. 14154, regulations and charges for Developmental Line Switched Service; American Telephone and Telegraph Company, Docket No. 15011, charges, practices, classifications, and regulations for and in connection with Teletypewriter Exchange Service.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 6th day of May, 1964;

No. 110—Pt. I—4

The Commission having before it (1) a Joint Motion for Continuance filed by American Telephone and Telegraph Company (A.T. & T.) and The Western Union Telegraph Company (Western Union) on April 20, 1964; which was consented to by all parties including the Commission's Common Carrier Bureau; wherein it was requested that the date for the distribution of the direct written case of A.T. & T. be postponed from July 6, 1964, to September 14, 1964; (2) a Memorandum Opinion and Order of the hearing examiner released May 1, 1964 (FCC 64M-373) denying the Joint Motion; and a Petition for Review of the hearing examiner's adverse ruling filed by the Acting Chief, Common Carrier Bureau, on May 5, 1964; and

It appearing, that A.T. & T. and Western Union by joint letter dated February 28, 1964, informed the Commission's Telephone and Telegraph Committees that they intended to explore the facts as to the possibilities of Western Union's acquiring the Teletypewriter Exchange Service (TWX) of the Bell System; and

It further appearing, that A.T. & T. and Western Union believe these discussions concerning the teletypewriter exchange service would be expedited through concentration of their efforts on that matter rather than diversion of their efforts to preparations for hearing in this proceeding; and

It further appearing, that time-consuming and expensive cost and economic studies such as are required for the direct case in this proceeding would not be warranted if the proceeding were to become moot through discontinuance of the service the rates for which are under investigation herein; and

It further appearing, that the period for which continuance is requested is reasonable under the circumstances; and

It further appearing, that the novel policy considerations present in the overall problem of the acquisition of the TWX service of the Bell System by Western Union, together with the necessity of immediate resolution of the time factor, warrant the certification to the Commission on its own motion of the Petition for Review of the Acting Chief, Common Carrier Bureau;

It is ordered, That the Petition for Review is certified to the Commission on its own motion; that the Petition is granted; that the adverse ruling of the hearing examiner is reversed; and that the Joint Motion for continuance is granted and the time for filing the aforementioned written case is postponed from July 6, 1964, to September 14, 1964.

Adopted: May 6, 1964.

Released: May 11, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-5587; Filed, June 4, 1964;
8:49 a.m.]

¹ Commissioner Ford absent.

[Docket Nos. 15438, 15439; FCC 64M-482]

MARINE BROADCASTING CORP. AND ONSLOW BROADCASTING CORP.

Order Continuing Hearing

In re applications of Marine Broadcasting Corporation, Jacksonville, N.C., Docket No. 15438, File No. BPH-4190; ONSLOW Broadcasting Corporation, Jacksonville, N.C., Docket No. 15439, File No. BPH-4281, for FM construction permits.

The applicants, competing here for the single FM assignment in Jacksonville, have jointly petitioned to put off this proceeding pending action upon a rule making petition to add a second assignment to the city. The request is unopposed; good cause is sufficiently stated in the prospect for early consideration of and favorable action upon the rule making proposal and the likelihood that extended trial may be thereby avoided.

Accordingly, it is ordered, This 28th day of May 1964, that the dates for pre-hearing conference and for commencement of the hearing are rescheduled to September 2 and September 21, 1964, respectively.

Released: June 1, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-5588; Filed, June 4, 1964;
8:49 a.m.]

[Docket Nos. 15089 etc.; FCC 64M-484]

SPANISH INTERNATIONAL TELEVISION CO., INC., ET AL.

Order Continuing Hearing

In re applications of Spanish International Television Company, Inc., Paterson, N.J., Docket No. 15089, File No. BPCT-3032; Bartell Broadcasters, Inc., Paterson, N.J., Docket No. 15091, File No. BPCT-3103; Trans-Tel Corp., Paterson, N.J., Docket No. 15092, File No. BPCT-3114; for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration a letter request, dated May 28, 1964, from counsel for Bartell Broadcasters, Inc., that the hearing in the above-entitled proceeding be postponed until after the Commission's August recess; and the informal conference held in the Examiner's office on the afternoon of May 28 regarding the subject request;

It appearing, that all parties except Trans-Tel Corp., have either consented or do not object to the requested postponement;¹

It appearing further, that counsel for Spanish International and Bartell Broadcasters have conflicting hearing commitments at this time; that due to the engineering issues, and the evidence required to meet them, it was the opinion

¹ Counsel for Trans-Tel opposed continuance of the hearing. Counsel for the Commission's Broadcast Bureau neither opposed nor approved.

of some of those present at the informal conference that even if the hearing began on June 29 as presently scheduled it could not be concluded before September; that counsel will do everything they can to arrive at stipulations to shorten the hearing if postponement is granted and to that end, they have agreed upon certain deadlines specified in the ordering clause hereof; that, therefore, a sufficient showing has been made to justify granting the relief desired;²

It is ordered, This 28th day of May 1964, that the request made on behalf of Bartell Broadcasters, Inc., for postponement of the hearing is hereby granted; that the hearing shall commence on Monday, September 21, 1964, at the Commission's offices, Washington, D.C., at 10 a.m.;

It is ordered further, In accordance with the agreement of counsel, that counsel will exchange the information already informally requested of one another by no later than July 1, 1964; that, if a further prehearing conference should be required in connection with the exchange of information counsel will request that the same be scheduled at least 3 days in advance and such conference will be held not later than July 13, 1964; and that counsel will informally notify each other of the names of witnesses to be produced for cross-examination not later than July 29, 1964.

Released: June 1, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-5589; Filed, June 4, 1964;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-17960 etc.]

TURNBULL & ZOCH DRILLING CO. ET AL.

Order Severing Proceedings, Consolidating Proceedings, Cancelling Docket Numbers, Fixing Date for Prehearing Conference and Notice of Applications

MAY 28, 1964.

Turnbull & Zoch Drilling Co. (Operator), et al., Docket No. G-17960; Susanoil, Inc., Docket No. G-18212; Delhi-Taylor Oil Corporation, et al., Docket No. G-18223; Getty Oil Company (Operator), et al., Docket No. G-18378; McCurdy & McCurdy, Docket No. G-18434; Shell Oil Company, Docket No. G-18439; Herman Brown, Docket No. G-18479; M. W. Crockett, et al., Docket No. G-18522; Investors Syndicate of The Southwest, Inc., Docket No. G-18590; G. H. Vaughn, Jr., et al., Docket No. G-18678; George K. Taggart, Jr., Operator, Docket No. G-18796; V. F. Neuhaus, Docket No. G-18861; Zimet Brothers, Inc., Agent (Operator), et al., Docket No. G-18987;

Clark Fuel Producing Company (Operator), et al., Docket No. G-19052; Delhi-Taylor Oil Corporation, Docket No. G-19464; Phillips Petroleum Company, Docket No. G-19498; Diversa, Inc., et al., Docket No. G-20458; American Petrofina Co. of Texas, Docket No. CI60-134; Jonnell Gas, Incorporated (Operator), et al., Docket No. CI60-323; Delhi-Taylor Oil Corporation, Docket No. CI60-325; James A. Wood Trustee (Operator), et al., Docket No. CI60-383; Joseph E. Seagram & Sons, Inc., Docket No. CI60-506; Crescent Oil & Gas Corp., Docket No. CI60-508; Breuer & Curran Oil Co., Docket No. CI60-581; George H. Coates, Docket No. CI60-591; Jones O'Brien, Incorporated, Docket No. CI61-71; Humble Oil & Refining Company, Docket No. CI61-158; Austral Oil Company Incorporated, Docket No. CI61-427; The Atlantic Refining Co. (Operator), et al., Docket No. CI61-482; Blanco Oil Co. (Operator), et al., Docket No. CI61-618; Killam & Hurd, Docket No. CI61-626; Katz Oil Company, Docket No. CI61-631; H. J. Mosser, Docket No. CI61-694; Shell Oil Company (Operator), et al., Docket No. CI61-783; Bright & Schiff, Docket No. CI61-1541; K. D. Owen, et al., d/b/a Owen and Moss, Docket No. CI61-1579; Appell Petroleum Corp. (Operator), et al., Docket No. CI61-1591; Mayfair Minerals, Inc., Docket No. CI61-1661; Roy A. Lamb & A. G. Galt d/b/a Pan American Engineering Company, Docket No. CI62-21; J. C. Trahan Drilling Contractor, Inc., Docket No. CI62-123; Sohio Petroleum Company (Operator), et al., Docket No. CI62-826; Ramada Oil & Gas Co., Docket No. CI63-304; Tenneco Oil Company (Operator), et al., Docket No. CI63-334; McWood Corp., Docket No. CI63-751; Jonnell Gas, Incorporated (Operator), et al., Docket No. CI63-925; Sun Oil Company, Docket No. CI63-989; Pan American Petroleum Corporation, Docket No. CI63-1263; Clark Fuel Producing Company (Operator), Docket No. CI63-1495; Shell Oil Company, Docket No. CI63-1509; Delhi-Taylor Oil Corporation, Docket No. CI63-1513; Cities Service Oil Company (Operator), et al., Docket No. CI64-211; Humble Oil & Refining Company, Docket No. CI64-297; Humble Oil & Refining Company, Docket No. CI64-298; Humble Oil & Refining Company, Docket No. CI64-299; Shell Oil Company, Docket No. CI64-310; Texaco Inc., Docket No. CI64-375; Pan American Petroleum Corporation, Docket No. CI64-377; R. C. Turner (Operator), et al., Docket No. CI64-439; Sun Oil Company, Docket No. CI64-470; Shell Oil Company, Docket No. CI64-655; Shell Oil Company, Docket No. CI64-703; Lundells, Inc. (Operator), et al., Docket No. CI64-810; The Atlantic Refining Company, Docket No. CI64-837; Gulf Oil Corporation, Docket No. CI64-883; L. B. Horn (Operator), et al., Docket No. CI64-908; Ginther, Warren & Company, Docket No. CI64-916; Russell Maguire, et al., Docket No. CI64-933; Humble Oil & Refining Company, Docket No. CI64-1244; H. L. Hawkins and H. L. Hawkins, Jr., Docket No. CI64-1277; Florida Gas Transmission Company, et al., Docket No. G-18338, et al.; Natural Gas Pipeline Company of America, et al.,

Docket No. CP61-96, et al.; Jonnell Gas, Incorporated et al., Docket No. CI60-323, et al.

Each of the above-designated individual dockets, except Docket Nos. G-19464 and CI61-71 concerns an application filed pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity (or a petition to amend a certificate) authorizing the sale of natural gas produced in Texas Railroad Commission District No. 4¹ for resale in interstate commerce.² The public interest requires that these matters be heard on a consolidated record.

Nearly all of the proposed sales are presently being made under temporary authorizations.

Sixteen of the applications³ are presently consolidated with the proceedings in Florida Gas Transmission Co., et al., Docket No. G-18338, et al. These dockets will be severed from the Florida Gas Transmission Co. consolidated proceeding and consolidated with the proceeding to be instituted herein. The matters in Docket No. G-19464 are also presently consolidated with the matters in the Florida Gas Transmission proceeding, supra. The applicant in Docket No. CI61-783, Shell Oil Co. (Shell), has succeeded to the interest of the former applicant in Docket No. G-19464, Delhi-Taylor Oil Corp. (Delhi-Taylor), and Shell, by letter order of January 4, 1963, was issued a temporary certificate to continue the sale which had been initiated by Delhi-Taylor under temporary authority in Docket No. G-19464. Since Delhi-Taylor is no longer seeking a certificate, Docket No. G-19464 will be severed from the Florida Gas Transmission proceedings, supra, the temporary authorization will be terminated and Docket No. G-19464 will be cancelled.

Five of the applications⁴ are presently consolidated with the proceeding in Natural Gas Pipeline Co. of America, et al., Docket No. CP61-96, et al. These five dockets will be severed therefrom and consolidated with the proceeding to be initiated herein.

Five of the applications⁵ are presently consolidated with the proceeding in Jonnell Gas, Inc., et al., Docket No. CI60-323, et al. These five applications will be severed therefrom and consolidated herein.

The application in Docket No. CI62-123, J. C. Trahan Drilling Contractor, Inc. (Trahan), is a successor in interest to the former applicant in Docket No. CI61-71, Jones O'Brien, Inc. By letter order of September 18, 1961, the temporary authorization previously issued to Jones O'Brien, Inc. in Docket No. CI61-71 was terminated and temporary

¹ Webb, Duval, Nueces, San Patricio, Kleberg, Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy, and Cameron Counties.

² See appendix for details.

³ G-17960, G-18212, G-18378, G-18434, G-18439, G-18479, G-18522, G-18590, G-18678, G-18796, G-18861, G-18987, G-19052, G-19498, G-20458, and CI62-21.

⁴ Docket Nos. CI61-427, CI61-482, CI61-618, CI61-626, and CI61-631.

⁵ Docket Nos. CI60-323, CI60-325, CI60-506, CI60-608, and CI62-123.

² It may also be observed that the Hearing Examiner and the Bureau Counsel both have another hearing presently scheduled for July 16, 1964, in another proceeding.

authorization to continue the sale was issued to Trahan in Docket No. CI62-123. Since nothing is now pending in Docket No. CI61-71, it will be severed from the consolidated proceeding in Jonnell Gas, Inc., et al., Docket No. CI60-323, et al., and Docket No. CI61-71 will be cancelled.*

The Commission finds:

(1) It is appropriate and in the public interest to order the following:

(a) To sever the proceedings in Docket Nos. G-17960, G-18212, G-18378, G-18434, G-18439, G-18479, G-18522, G-18590, G-18678, G-18796, G-18861, G-18987, G-19052, G-19464, G-19498, G-20458, and CI62-21 from the consolidated proceeding in Florida Gas Transmission Co., et al., Docket No. G-18338, et al.

(b) To sever the proceedings in Docket Nos. CI61-427, CI61-482, CI61-618, CI61-626, and CI61-631 from the consolidated proceeding in Natural Gas Pipeline Co. of America, et al., Docket No. CI61-96, et al.

(c) To sever the proceedings in Docket Nos. CI60-323, CI60-325, CI60-506, CI60-508, CI61-71, and CI62-123 from the consolidated proceeding in Jonnell Gas, Inc., et al., Docket No. CI60-323, et al.

(d) To cancel Docket Nos. G-19464 and CI61-71.

(e) To consolidate all of the above-entitled individual dockets, except Docket Nos. G-19464 and CI61-71, for hearing on a consolidated record.

(2) The expeditious disposition of these proceedings may be effectuated by holding a prehearing conference and to that end a prehearing conference should be held on June 30, 1964, as hereinafter ordered.

*The only docket which will remain in the former consolidated proceeding in Docket No. CI60-323, et al., is Gulf Resources, Inc. and Natural Gas Gathering Co., Inc., Docket No. CI61-282. This application will be heard on a separate record.

The Commission orders:

(A) The matters in Docket Nos. G-17960, G-18212, G-18378, G-18434, G-18439, G-18479, G-18522, G-18590, G-18678, G-18796, G-18861, G-19052, G-19464, G-19498, G-20458, and CI62-21 are hereby severed from the consolidated proceeding in Florida Gas Transmission Co., et al., Docket No. G-18338, et al.

(B) The matters in Docket Nos. CI61-427, CI61-482, CI61-618, CI61-626, and CI61-631 are hereby severed from the consolidated proceeding in Natural Gas Pipeline Co. of America, et al., Docket No. CI61-96, et al.

(C) The matters in Docket Nos. CI60-323, CI60-325, CI60-506, CI60-508, CI61-71, and CI62-123 are hereby severed from the consolidated proceeding in Jonnell Gas, Inc., et al., Docket No. CI60-323, et al.

(D) The proceedings in Docket Nos. G-19464 and CI61-71 are hereby terminated and such docket numbers are hereby cancelled.

(E) All of the matters in the individual dockets listed in the caption of this order, except Docket Nos. G-19464 and CI61-71, are hereby consolidated for the purposes of hearing and decision.

(F) Pursuant to the provisions of § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before a duly designated prehearing examiner shall commence at 10 a.m., e.d.s.t., on June 30, 1964, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of effectuating the expeditious disposition of these consolidated proceedings. The purpose of such conference shall be to consider all matters at issue in the dockets consolidated herein, the manner in which evidence shall be presented, to fix the dates for the distribution of such evidence, to fix the date on which the consolidated hearing shall commence, and to consider all matters which might contribute to an expeditious disposition of the consolidated proceedings.

(G) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on a date to be fixed by the presiding examiner in accordance with paragraph (F) above, in a hearing room of the Federal Power Commission, concerning the matters involved in and the issues presented by the applications, as amended and supplemented, herein.

(H) Persons who are interveners in the individual dockets consolidated herein shall be considered interveners in this consolidated proceeding, provided that on or before June 19, 1964, they file with the Commission an original and 14 conformed copies of a statement of intention to participate in this consolidated proceeding. Such statements shall state with particularity the individual dockets in which they are interveners.

(I) Persons who have filed Protests or Petitions to Intervene in the individual dockets consolidated herein shall be considered as protestants and petitioners to intervene in this consolidated proceeding, provided that on or before June 19, 1964, they file with the Commission an original and 14 conformed copies of a statement of intention to participate in this consolidated proceeding. Such statements shall state with particularity the individual dockets in which they are seeking to intervene.

(J) Further Protests and Petitions to Intervene in this consolidated proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 19, 1964. Protestants and petitioners shall state with particularity the individual dockets in which they claim to have an interest.

By the Commission.

[SEAL]

GORDON M. GRANT,
Acting Secretary.

APPENDIX—Continued

| Docket No. | Applicant | Field and county | Purchaser | Rate schedule number and original contract date | Proposed initial rate cents/Mcf at 14.65 psia | Comments |
|------------|--|--|---------------------------------------|---|---|----------|
| G-17960 | Turnbull & Zoch Drilling Co. (OEA) | Monte Christo Field, Hidalgo County, Tex. | Florida Gas Transmission Co. | 1 | 16.0 | |
| G-18212 | Sunsanol Inc. | Sharyland Field, Hidalgo County, Tex. | do | 10-25-58 | 1 | 16.0 |
| G-18223 | Delhi-Taylor Corp., et al. | Shepherd Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 27 | 16.0 | |
| G-18378 | Getty Oil Co. (OEA) | Half Moon Reef Field, Aransas County, Tex. | Florida Gas Transmission Co. | 7 | 17.0 | |
| G-18434 | McCurdy & McCurdy | Luby Field, Nueces County, Tex. | do | 11-1-58 | 1 | 16.5 |
| G-18439 | Shell Oil Co. | East Mustang Island Field, Nueces County, Tex. | do | 3-30-59 | 201 | 16.5 |
| G-18479 | Herman Brown | North Monte Christo Field, Hidalgo County, Tex. | do | 3-20-59 | 6 | 16.0 |
| G-18522 | M. W. Crockett, et al. | Yzaguirre Field, Starr County, Tex. | do | 3-12-59 | 1 | 16.0 |
| G-18590 | Investors Syndicate of the Southwest, Inc. | North Monte Christo Field, Hidalgo County, Tex. | do | 4-8-59 | 1 | 16.0 |
| G-18678 | G. H. Vaughn, Jr., et al. | Southwest Luby, Nueces County, Tex. | do | 12-5-58 | 3 | 16.5 |
| G-18796 | George K. Taggart, Jr., Operator | Webb Field, San Patricio County, Tex. | do | 5-24-57 | 2 | 14.5 |
| G-18861 | V. F. Neuhaus | Cortez Field, Starr County, Tex. | do | 5-15-59 | 6 | 16.0 |
| G-18987 | Zimet Brothers Inc., Agent (OEA) | San Eduardo Field, Jim Hogg and Starr Counties, Tex. | do | 6-15-59 | 1 | 16.0 |
| G-19052 | Clark Fuel Producing Co. (OEA) | Cortez Field, Starr County, Tex. | do | 6-15-59 | 7 | 16.0 |
| G-19498 | Phillips Petroleum Co. | East Corpus Christi Bay Field, Nueces County, Tex. | do | 5-18-59 | 352 | 16.5 |
| | | | | 7-15-59 | | |

APPENDIX—Continued

| Docket No. | Applicant | Field and county | Purchaser | Rate schedule number and original contract date | Proposed initial rate cents/Mcf at 14.65 psia | Comments |
|------------|---|--|---------------------------------------|---|---|---|
| G-20458 | Diversa, Inc., et al | Half Moon Reef Field, Aransas County, Tex. | do | 8 | 16.5 | |
| CI60-134 | American Petrofine Co. of Texas | Shepherd Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 8-1-59 | 16.0 | |
| CI60-323 | Jonnell Gas Inc. (OEA) | Lopeno Field, Zapata County, Tex. | Tennessee Gas Transmission Co. | 11-1-58 | 17.24 | |
| CI60-325 | Delhi-Taylor Oil Corp. | do | do | 2-5-60 | 17.24 | |
| CI60-383 | James A. Wood, Trustee (OEA) | South LaReforma Field, Starr County, Tex. | do | 2-5-60 | 17.2435 | |
| CI60-506 | Joseph E. Seagram & Sons, Inc., d/b/a Frankfort Oil Co. | Northeast Lopeno Field, Zapata County, Tex. | do | 2-15-60 | 16.50 | |
| CI60-508 | Crescent Oil & Gas Corp. | do | do | 2-5-60 | 16.50 | |
| CI60-581 | Breuer & Curran Oil Co. | South Boyle Field, Starr County, Tex. | Florida Gas Transmission Co. | 2-5-60 | 16.00 | |
| CI60-591 | George H. Coates | Shepherd Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 3-30-60 | 16.00 | |
| CI61-158 | Humble Oil & Refining Co. | North Magnolia City Field, Jim Wells County, Tex. | Tennessee Gas Transmission Co. | 2-15-60 | 17.2435 | |
| CI61-427 | Austral Oil Co., Inc. | Northeast Thompsonville Field, Webb and Jim Hogg Counties, Tex. | Natural Gas Pipeline Co. of America | 6-15-60 | 20.0450 | |
| CI61-482 | The Atlantic Refining Co. (OEA) | Northeast Thompsonville Field, Webb County, Tex. | do | 9-1-60 | 20.0450 | |
| CI61-618 | Blanco Oil Co. (OEA) | do | do | 224 | 20.0450 | |
| CI61-626 | Killam & Hurd | Northeast Thompsonville Area, Webb and Jim Hogg Counties, Tex. | do | 9-1-60 | 20.0450 | |
| CI61-631 | Katz Oil Co. | East Thompsonville Field, Webb County, Tex. | do | 9-1-60 | 20.0450 | |
| CI61-694 | H. J. Mosser | Mosser Field, Starr County, Tex. | Tennessee Gas Transmission Co. | 5 | 17.24 | |
| CI61-783 | Shell Oil Co. (OEA) | Yzaguirre Field, Starr County, Tex. | Florida Gas Transmission Co. | 9-8-60 | 16.0 | Successor in interest to former applicant in Docket No. G-19464, Delhi-Taylor Oil Corp. |
| CI61-1541 | Bright & Schiff | Northeast Thompsonville Field, Jim Hogg County, Tex. | South Texas Natural Gas Gathering Co. | 274 | 18.00 | |
| CI61-1579 | K. D. Owen (EA) d/b/a Owen & Moss | El Puerto Field, Starr County, Tex. | Tennessee Gas Transmission Co. | 5-15-59 | 17.24 | |
| CI61-1591 | Appell Petroleum Corp. (OEA) | do | do | 7 | 17.24 | |
| CI61-1661 | Mayfair Minerals, Inc. | Shepherd Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 9-12-60 | 16.0 | |
| CI62-21 | Roy A. Lamb & A. G. Galt d/b/a Pan American Engineering Co. | South Driscoll Field, Nueces County, Tex. | Florida Gas Transmission Co. | 4 | 16.5 | Successor in interest to former applicant in Docket No. G-19094, Exeter Oil Co., Ltd., agent. |
| CI62-123 | J. C. Trahan Drilling Contractor, Inc. | Lopeno Field, Zapata County, Tex. | Tennessee Gas Transmission Co. | 8-28-56 | 17.24 | Successor in interest to former applicant in Docket No. CI61-71, Jones O'Brien, Inc. |
| CI62-826 | Sohio Petroleum Co. (OEA) | do | do | 17 | 17.24 | * Application herein relates to acreage dedicated under Supplement No. 8. |
| CI63-304 | Ramada Oil & Gas Co. | Northeast Loma Novia Field, Duval County, Tex. | do | 72 | 17.2435 | |
| CI63-334 | Tenneco Oil Co. | Yearly Field, Kleberg County, Tex. | South Texas Natural Gas Gathering Co. | *10-3-61 | 17.0 | |
| CI63-751 | McWood Corp. | Potrero Lopena Field, Kenedy County, Tex. | Tennessee Gas Transmission Co. | 2 | 17.2435 | * Application herein relates to acreage dedicated under Supplements 4, 5, and 6. |
| CI63-825 | Jonnell Gas, Inc. (OEA) | South Escobas Field, Zapata County, Tex. | do | Supps. 4, 5, & 6 | 16.00 | |
| CI63-989 | Sun Oil Co. | Fitzsimmons Field, Duval County, Tex. | do | *11-20-60 | 16.00 | |
| CI63-1263 | Pan American Petroleum Corp. | Luby and Petronilla Fields, Nueces County, Tex. | Valley Gas Transmission, Inc. | 11-15-62 | 15.5 | |
| CI63-1495 | Clark Fuel Producing Co. (Operator) | Sam Fordyce Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 12-31-62 | 16.0 | |
| CI63-1509 | Shell Oil Co. | McAllen Ranch and Santa Anita Fields, Hidalgo County, Tex. | do | 3-8-63 | 16.0 | |
| CI63-1513 | Delhi-Taylor Oil Corp. | McAllen Ranch Field, Hidalgo County, Tex. | do | 12-1-62 | 16.0 | |
| CI64-211 | Cities Service Oil Co. (Operator), et al | West Yearly Field, Kleberg County, Tex. | do | 297 | 16.0 | |
| CI64-883 | Gulf Oil Corp. | Ann-Mag Field, Brooks County, Tex. | Natural Gas Pipeline Co. of America | 5-8-63 | 16.0 | |
| CI64-297 | Humble Oil & Refining Co. | Willamar and Willamar, Southeast, Fields, Willacy County, Tex. | do | 5-8-63 | 16.0 | |
| CI64-298 | do | Northeast Kohle, Viggo, East, Labbe, Yegua, and Government Wells, Duval County, Tex. | Tennessee Gas Transmission Co. | 173 | 17.2435 | |
| CI64-299 | do | Sal Del Rey, LaComa, Certa and Sal Del Rey West Fields, Hidalgo County, Tex. | Natural Gas Pipeline Co. of America | 4-1-63 | 16.0 | |
| CI64-310 | Shell Oil Co. | Monte Christo Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 268 | 16.0 | |
| CI64-375* | Texaco Inc. | Eubanks and Hostetter Fields, Duval and McMullen Counties, Tex. | Natural Gas Pipeline Co. of America | 10-15-63 | 16.0 | |
| CI64-377 | Pan American Petroleum Corp. | Willamar Field, Willacy County, Tex. | do | 349 | 16.0 | |
| CI64-439 | R. C. Turner (OEA) | Escobas Field, Zapata County, Tex. | do | 7-15-63 | 16.0 | |
| CI64-470 | Sun Oil Co. | Willamar Field, Willacy County, Tex. | do | 341 | 17.2435 | |
| CI64-655 | Shell Oil Co. | Schmidt Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 8-8-63 | 16.0 | |
| CI64-703 | do | Willamar Field, Willacy County, Tex. | Natural Gas Pipeline Co. of America | 350 | 16.0 | |
| | | | | 292 | 16.0 | |
| | | | | 2-15-63 | 16.0 | |
| | | | | 319 | 16.0 | |
| | | | | 6-1-63 | 16.0 | |
| | | | | 391 | 16.0 | |
| | | | | 2-15-63 | 16.0 | |
| | | | | 1 | 16.0 | |
| | | | | 6-1-63 | 16.0 | |
| | | | | 164 | 16.0 | |
| | | | | 7-19-63 | 16.0 | |
| | | | | 298 | 16.0 | |
| | | | | 10-1-63 | 16.0 | |
| | | | | 301 | 16.0 | |
| | | | | 7-15-63 | 16.0 | |

*Application consolidated for hearing herein only insofar as it concerns sale of gas produced in Duval County.

APPENDIX—Continued

| Docket No. | Applicant | Field and county | Purchaser | Rate schedule number and original contract date | Proposed initial rate cents/Mcf at 14.65 psia | Comments |
|------------|------------------------------------|---|---------------------------------------|---|---|--|
| CI64-810 | Lundells, Inc. (OEA) | Lundell Field, Duval County, Tex. | do | 1 | 16.0 | |
| CI64-837 | The Atlantic Refining Co. | Schmidt Field, Hidalgo County, Tex. | South Texas Natural Gas Gathering Co. | 11-1-63 283 | 16.0 | |
| CI64-908 | L. B. Horn (OEA) | Seven Sisters Field, Duval County, Tex. | Tennessee Gas Transmission Co. | 12-2-63 5 *8-8-63 | 16.0 | *Date of basic contract. Horn acquired the acreage by assignment and ratified the contract by instrument dated Jan. 23, 1964. |
| CI64-916 | Ginther, Warren & Co. | Ann-Mag Field, Brooks County, Tex. | Natural Gas Pipeline Co. of America | 12 10-15-63 | 16.0 | |
| CI64-933 | Russell Maguire et al. | do | do | 12 10-15-63 | 16.0 | |
| CI64-1244 | Humble Oil & Refining Co. | **Kenedy County, Tex. | do | *3-25-64 | 16-0 | *Applicant has not filed a related rate filing. **Baretta, Candelaria Area, El Paiste, South May, Miffin, West Rita, Rita, Santa Rosa, and Sarita Fields. |
| CI64-1277 | H. L. Hawkins & H. L. Hawkins, Jr. | Santo Nino Field, Duval and Webb Counties, Tex. | South Texas Natural Gas Gathering Co. | 17 3-8-63 | 16.0 | |

[F.R. Doc. 64-5525; Filed, June 4, 1964; 8:45 a.m.]

[Docket Nos. CI60-475, etc.]

BELCO PETROLEUM CORP. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

JUNE 1, 1964.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 29, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or notice to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIE,
Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

| Docket No. and date filed | Applicant | Purchaser, field, and location | Price per Mcf | Pressure base |
|-----------------------------------|---|---|---------------|---------------|
| CI60-475 C 4-30-64 5-25-64* | Belco Petroleum Corp. | El Paso Natural Gas Co., Green River Bend Unit, Lincoln and Sublette Counties, Wyo. | 15.0 | 15.025 |
| CI61-709 D 3-9-64 | Herman Brown Estate (successor to Herman Brown). | Texas Gas Transmission Corp., acreage in Lafourche Parish, La. | Assigned | |
| CI61-709 E 4-15-64 | do | Texas Gas Transmission Corp., North Rousseau Area, Lafourche Parish, La. | 120.625 | 15.025 |
| CI62-230 D 5-21-64 | Socony Mobil Oil Co., Inc. (partial abandonment). | Arkansas Louisiana Gas Co., West Marlow Field, Stephens County, Okla. | Assigned | |
| CI63-1343 C 5-11-64 | Irving Pasternak | El Paso Natural Gas Co., acreage in Rio Arriba and Sandoval Counties, N. Mex. | 12.0 | 15.025 |
| CI64-58 C 5-25-64 | R. W. Fair (Operator), et al. | Arkansas Louisiana Gas Co., Manziel Field, Wood County, Tex. | 12.5540 | 14.65 |
| CI64-1393 A 5-20-64 | Rohde, Henderson, and Dawson. | Phillips Petroleum Co., Panhandle Field, Gray County, Tex. | (?) | 14.65 |
| CI64-1394 A 5-21-64 | Burton Development Co. | Natural Gas of West Virginia, Inc., Church Dist., Wetzel County, W. Va. | 16.0 | 15.325 |
| CI64-1395 A 5-21-64 | Fairman Drilling Co. | The Manufacturers Light & Heat Co., Cherryhill Township, Indiana County, Pa. | 27.5 | 15.025 |
| CI64-1396 A 5-21-64 | do | The Manufacturers Light & Heat Co., Center Township, Indiana County, Pa. | 27.5 | 15.025 |
| CI64-1397 A 5-21-64 | Harold H. Anderson, et al. | Panhandle Eastern Pipe Line Co., acreage in Woods County, Okla. | 17.0 | 14.65 |
| CI64-1398 A 5-21-64 | Robbins Petroleum Corp., Operator. | Lone Star Gas Co., Pone (Lower Pettit) Field, Rusk County, Tex. | 14.49 | 14.65 |
| CI64-1399 A 5-22-64 | Alma Oringderff | Michigan Wisconsin Pipe Line Co., Lovendale Field, Harper County, Okla. | 17.0 | 14.65 |
| CI64-1400 A 5-22-64 | The British-American Oil Producing Co. | T. D. Christopher, Divide Creek Area, Garfield County, Colo. | 15.0 | 15.025 |
| CI64-1401 A 5-22-64 | Northern Gas Corp. | Michigan Wisconsin Pipe Line Co., Port Huron Area, Allegan County, Mich. | 27.0 | 15.025 |
| CI64-1402 B 5-22-64 | Johnson & McCurdy (Operator), et al. | Florida Gas Transmission Co., Lockridge Field, Brazoria County, Tex. | Uneconomical | |
| CI64-1403 A 5-22-64 | T. E. L. Oil & Gas Corp. | Cities Service Gas Co., acreage in Texas County, Okla. | 13.0 | 14.65 |
| CI64-1404 A 5-25-64 | Ogden Gas Co. | Western Gas Service Co., acreage in Texas County, Okla. | 9.8262 | 14.65 |
| CI64-1405 A 5-25-64 | Steve Gose (Operator), et al. | United Fuel Gas Co., Geary Dist., Roane County, W. Va. | 23.0 | 15.325 |
| CI64-1406 A 5-25-64 | Humble Oil & Refining Co. | Arkansas Louisiana Gas Co., Kinta and Wilburton Fields, Haskell and Latimer Counties, Okla. | 15.0 | 14.65 |
| CI64-1407 A 5-22-64 | W. C. McBride, Inc. | Northern Natural Gas Co., Coynosa Field, Pecos County, Tex. | 16.0 | 14.65 |
| | | Oklahoma Illinois Gas Pipeline Co., Red Oak-Norris Field, Latimer County, Okla. | 18.0 | 14.65 |

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.

¹ Settlement rate approved by order issued 12-26-63 in Docket Nos. G-13221, et al.
² Amendment previously noticed 5-20-64 in Docket Nos. G-6073, et al. at a rate of 13.0 cents Mcf.
³ Price is 8.5 cents Mcf plus 2.5 cents compression charge.
⁴ Authorization granted to H. L. Hawkins and H. L. Hawkins, Jr. (Operator), et al. in Docket No. G-18077.
⁵ Supplement to 4-30-64 filing.

[F.R. Doc. 64-5567; Filed, June 4, 1964; 8:48 a.m.]

[Docket Nos. CI62-508, etc.]

CITIES SERVICE OIL CO. ET AL.

Notice of Postponement of Hearing

JUNE 1, 1964.

Cities Service Oil Co. (formerly Cities Service Petroleum Co.), Docket No. CI62-508; Shell Oil Co., Docket No. CI62-547; McAlester Fuel Co., Docket No. CI62-1044; Humble Oil and Refining Co., Docket No. CI62-1275; Socony Mobil Oil Co., Inc., Docket No. CI63-172.

Notice is hereby given that the hearing on the above-docketed matters now scheduled for June 9, 1964, is postponed until further notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-5568; Filed, June 4, 1964;
8:48 a.m.]

[Docket No. G-20072]

EAST TENNESSEE NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

JUNE 1, 1964.

Take notice that on April 28, 1964, East Tennessee Natural Gas Co. (East Tennessee) tendered for filing proposed changes to its FPC Gas Tariff, Third Revised Volume No. 1, to become effective as of April 1, 1964. The proposed changes reflect decreases in rates and charges in the following rate schedules: G-1, G-2, G-3, G-4, I-1, I-2, and S.

The proposed changes in filed rates reflect the change in the Federal corporate income tax from 52 percent to 50 percent effective as of January 1, 1964, and the effect of the reduction in purchased gas cost resulting from Tennessee Gas Transmission Company's reduced rates, and result in a reduction of \$102,878 per annum from jurisdictional sales based on deliveries made during the 12-month period ending December 31, 1963.

Copies of the proposed rate changes have been served upon all customers and interested State Commissions by East Tennessee. Comments may be filed with the Commission on or before June 22, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-5569; Filed, June 4, 1964;
8:48 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN PORTUGAL

Levels of Restraint Regarding Entry for Consumption and Withdrawal From Warehouse for Consumption

JUNE 1, 1964.

There is published below a letter of June 1, 1964, from the Chairman of the President's Cabinet Textile Advisory

Committee to the Commissioner of Customs, directing that cotton textile products in Category 46, exported from Portugal to the United States on or prior to May 28, 1964, be permitted entry for consumption and withdrawal from warehouse for consumption, even though these may be in excess of the level of restraint designated for Category 46, as adjusted to reflect prior entries.

This letter constitutes an amendment to the directive of March 25, 1964, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, published in the FEDERAL REGISTER on March 31, 1964 (29 F.R. 4176), concerning cotton textiles from Portugal.

JAMES S. LOVE, JR.,
Chairman, Interagency Textile
Administrative Committee,
and Deputy to the Secretary
of Commerce for Textile
Programs.

THE DEPUTY TO THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

Washington 25, D.C.
JUNE 1, 1964.

COMMISSIONER OF CUSTOMS,
DEPARTMENT OF THE TREASURY,
Washington, D.C.

DEAR MR. COMMISSIONER: This directive supplements and amends my previous directive to you of March 25, 1964, which designated levels of restraint effective March 30, 1964, and for the period extending through December 31, 1964, for cotton textiles and cotton textile products in certain categories including Category 46, produced or manufactured in Portugal.

Following consultations under Article 8 of the Bilateral Agreement with Portugal, the United States has agreed to permit entry for consumption and withdrawal from warehouse for consumption of any cotton textile products in Category 46 exported from Portugal to the United States on or prior to May 28, 1964.

The purpose of this letter is to direct you to permit entry for consumption and withdrawal from warehouse for consumption of any cotton textile products in Category 46, exported from Portugal to the United States on or prior to May 28, 1964, even though these may be in excess of the level specified in my directive of March 25, 1964, as adjusted to reflect previous entries.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551), and amendments thereto on March 24, 1964 (29 F.R. 3679).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to Portugal and with respect to imports of cotton textiles and cotton textile products from Portugal have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of section 4 of the Admin-

istrative Procedure Act. This letter will be published in the FEDERAL REGISTER.
Sincerely yours,

FRANKLIN D. ROOSEVELT, JR.,
Acting Secretary of Commerce, and
Acting Chairman, President's Cab-
inet Textile Advisory Committee.

[F.R. Doc. 64-5577; Filed, June 4, 1964;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 993]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 2, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66631. By order of May 25, 1964, The Transfer Board approved the transfer to Robert Wenzl, doing business as Wenzl Truck Line, Plainville, Kans., of Certificate in No. MC 119847, issued March 31, 1961, to Leo Goodale, doing business as Goodale Truck Line, Smith Center, Kans., authorizing the transportation of: Processed mill feeds, from Omaha, Nebr., and St. Joseph and Kansas City, Mo., to points in Ellis, Norton, Rooks, Osborne, and Smith Counties, Kans. John E. Jandera, 641 Harrison, Topeka, Kans., attorney for applicants.

No. MC-FC 66809. By order of May 25, 1964, The Transfer Board approved the transfer to Roland Cash, doing business as Atlas Haulers Co., Dallas, Tex., of the operating rights claimed in No. MC 56794 (Sub-No. 2) under the "grandfather" clause of section 206(a)(7), Interstate Commerce Act by Atlas Haulers, Inc., Dallas, Tex., and the substitution of transferee as applicant for a certificate of registration from this Commission, corresponding to the grant of intrastate authority to transferor issued by the Railroad Commission of Texas in No. 6035. James W. Hightower, 136 Wynnewood Professional Building, Dallas 24, Tex., attorney for applicants.

No. MC-FC 66839. By order of May 26, 1964, The Transfer Board approved the transfer to Houston Lines, Inc., Houston, Tex., of the operating rights issued by the Commission February 5, 1963, under Certificate in No. MC 99776 (Sub-No. 1) to Action Truck Lines, Inc., Houston, Tex., authorizing the transportation, over irregular routes, of machinery, equipment, materials, and sup-

plies used in connection with natural gas and petroleum and their products, and with the servicing of pipelines, between Houston, Tex., on the one hand, and, on the other, points in Louisiana; between points in Oklahoma, Kansas, and Texas; between points in Tulsa County, Okla., on the one hand, and, on the other, points in Arkansas and Louisiana; machinery and equipment; materials and supplies used in connection with the distribution, etc., of sulphur, between Houston, Tex., on the one hand, and, on the other, points in Louisiana; between points in Oklahoma, Kansas, and Texas; between points in Tulsa County, Okla., on the one hand, and, on the other, points in Louisiana; and machinery, equipment, materials, and supplies used in, or in connection with, the drilling of water wells, between Houston, Tex., on the one hand, and, on the other, points in Louisiana; between points in Oklahoma, Kansas, and Texas; and between points in Tulsa County, Okla., on the one hand, and, on the other, points in Arkansas and Louisiana. W. T. Brunson, 419 NW. Sixth Street, Oklahoma City, Okla., attorney for applicants.

No. MC-FC 66893. By order of May 25, 1964, The Transfer Board approved the transfer to Bryant Trucking Co., Inc., Warrenton, Va., of the operating rights issued by the Commission February 14, 1941, under Certificate No. MC 40042, to J. W. Bryant, Warrenton, Va., authorizing the transportation, over irregular routes, of fertilizer, lime, feed, and seed, from Baltimore, Md., to Warrenton, Va., and points in Virginia within 45 miles of Warrenton; livestock, from points in Prince William, Loudoun, Fauquier, Frederick, Rappahannock, and Culpeper Counties, Va., to Baltimore, Md.; hardware, building materials, and building construction supplies, and paint, from Baltimore, Md., to Midland, Va.; lumber, from Warrenton, Va., to Baltimore, Md., and hardware and building materials, from Baltimore, Md., to Warrenton, Va. Paul A. Sherier, 601 Warner Building, Washington, D.C., attorney for applicants.

No. MC-FC 66898. By order of May 25, 1964, The Transfer Board approved the transfer to Metropolitan Freight Carriers, Inc., Newark, N.J., of the operating rights issued by the Commission February 9, 1962, under Certificate No. MC 123810, to Harry Schildhaus, doing business as Metropolitan Freight Carriers, Hillside, N.J., authorizing the transportation, over irregular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between New York, N.Y., on the one hand, and, on the other, Newark and Harrison, N.J., and points within 3 miles of Harrison. James J. Farrell, 201 Montague Place, South Orange, N.J., practitioner for applicants.

No. MC-FC 66902. By order of May 26, 1964, The Transfer Board approved the transfer to Matty's Motor Express, Inc., Delhi, N.Y., applicant in No. MC 19933 (Sub-No. 2), BOR-99 filed in the name of Matty's Motor Express, Inc., jointly with Tracy N. Matthews, doing business as Matty's Motor Express,

Delhi, N.Y., for certificate of registration to operate in interstate or foreign commerce, authorizing operations under the former second proviso of section 206(a) (1) of the Act, supported by New York Certificate No. 1524, authorizing the transportation of powdered milk, from the village of Walton (Delaware County) to New York City; household goods, between all points in Delaware County on the one hand, and, on the other, all points in Broome, Delaware, Oneida, Otsego, Schenectady, Suffolk, and Tioga Counties, New York (as restricted); general commodities, between Binghamton and Delhi (Delaware County); including service to and from Deposit and all intermediate points easterly of Deposit along the route described, and the off-route points of Fleischmanns, Arkville, Bovina, Meredith, Meridale, all in Delaware County; animal and poultry feed, and ingredients thereof, in bulk, from Buffalo to Caughdenoy (Oswego County) and to all the following points in Delaware County: Andes, Delhi, Franklin, Hobart, Margaretville, Stamford, and Walton, Bovina Center, Grand Gorge, Merrickville, Roxbury, and South Kortright; and refused, returned, and damaged commodities on return. Gerald G. Matthews, 2 Bridge Street, Delhi, N.Y., representative for applicants.

No. MC-FC 66924. By order of May 25, 1964, The Transfer Board approved the transfer to Crolle Trucking, Inc., Wanaque, N.J., of the operating rights in Certificates in Nos. MC 119664 and MC 119664 (Sub-No. 2), issued May 11, 1960, and September 27, 1960, to Julius Crolle, doing business as Crolle Trucking, Wanaque, N.J., authorizing the transportation, over irregular routes, of: General commodities, except household goods, commodities in bulk, and other specified commodities, and authorizing the transportation of certain specified commodities of a general commodity nature, between designated points and areas in New York, New Jersey, and Connecticut. Morton E. Kiel, 140 Cedar Street, New York 6, N.Y., attorney for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.[F.R. Doc. 64-5575; Filed, June 4, 1964;
8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learn-

ing periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Albany Manufacturing Corp., Albany, Ky.; effective 5-11-64 to 5-10-65 (boys' shirts and girls' blouses).

Blue Bell, Inc., Seminole, Okla.; effective 5-14-64 to 5-13-65 (men's and boys' dungarees).

Camp Hill Sportswear Co., Inc., Camp Hill, Ala.; effective 5-15-64 to 5-14-65. Learners may not be employed at special minimum wage rates in the production of skirts (women's shorts).

Decaturville Sportswear Co., Inc., Decaturville, Tenn.; effective 5-16-64 to 5-15-65 (ladies' surfers, capris, and pedal pushers).

Gainesboro Manufacturing Co., Gainesboro, Tenn.; effective 5-11-64 to 5-10-65 (ladies' and girls' pants).

Landress-Smith Corp., Hoschton, Ga.; effective 5-18-64 to 5-17-65 (men's and boys' sport slacks).

Loris Manufacturing Co., Loris, S.C.; effective 5-28-64 to 5-27-65. Learners may not be employed at special minimum wage rates in the production of skirts (ladies' blouses).

Lyons Manufacturing Co., Lyons, Ga.; effective 5-18-64 to 5-17-65 (men's shirts).

Putnam Manufacturing Co., Sparta Road; Cookeville, Tenn.; effective 5-16-64 to 5-15-65 (men's work pants).

Reed Manufacturing Co., Inc., 307 South Spring Street, Tupelo, Miss.; effective 5-15-64 to 5-14-65 (boys' slacks, shorts, dungarees; men's work pants and shirts).

H. E. Spont Co., 12-18 East Coal Street, Shenandoah, Pa.; effective 5-14-64 to 5-13-65 (men's outerwear jackets).

Stadium Manufacturing Co., Inc., Freedom Factory, Edwards Street at Tuscan Avenue, Hattiesburg, Miss.; effective 5-15-64 to 5-14-65 (men's and boys' cotton pajamas).

Levi Strauss and Co., Alverson Building, Murphy, N.C.; effective 5-14-64 to 5-13-65 (men's and youths' casual trousers).

Twin Cities Manufacturing Co., White Hall, Ill.; effective 5-19-64 to 5-18-65 (women's, misses', and juniors' dresses).

Wellington Manufacturing Co., Okolona, Miss.; effective 5-23-64 to 5-22-65 (ladies' and men's slacks).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Aalfs Manufacturing Co., Spencer, Iowa, effective 5-18-64 to 5-17-65; 10 learners (boys' denim jeans).

Bur-Mac Corp., 364 North Thomas Street, Athens, Ga.; effective 5-13-64 to 5-12-65; 10 learners (men's and boys' slacks and shorts).

Cur-Ann Fashions, Inc., 4904 Jonestown, Road, Harrisonburg, Pa.; 5-11-64 to 5-10-65; 10 learners (women's dresses).

Mill Apparel Co., Inc., Corner of State and Walnut Streets, Millville, Pa.; effective 5-13-64 to 5-12-65; 10 learners (women's dresses).

Monroe Garment Co., Monroe, N.C.; effective 5-14-64 to 5-13-65; 5 learners (men's and ladies' dress shirts).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

G. B. H. Garment Co., Inc., Box H H, s/s Highway 58, Nashville, N.C.; effective 5-14-64 to 11-13-64; 10 learners (children's dresses).

Gainesboro Manufacturing Co., Gainesboro, Tenn.; effective 5-11-64 to 11-10-64; 165 learners (ladies' and girls' pants).

Loris Manufacturing Co., Loris, S.C.; effective 5-28-64 to 11-27-64; 25 learners. Learners may not be employed at special minimum wage rates in the production of skirts (ladies' blouses).

Millboro Manufacturing Corp., Millboro, Va.; effective 5-16-64 to 11-15-64; 25 learners. Learners may not be employed at special minimum wage rates in the production of skirts (women's pants).

Roanoke Manufacturing Co., Anniston, Ala.; effective 5-25-64 to 11-24-64; 50 learners (men's and boys' sport shirts, ladies' tailored blouses).

Levi Strauss and Co., Alverson Building, Murphy, N.C.; effective 5-14-64 to 11-13-64; 100 learners (men's and youths' casual trousers).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Di Lu Lingerie, Inc., 659 North 13th Street, Easton, Pa.; effective 5-15-64 to 5-14-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special

minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 22d day of May 1964.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 64-5571; Filed, June 4, 1964; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—JUNE

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VOLUME 29 NUMBER 110

Washington, Friday, June 5, 1964

Department of the Treasury

Coast Guard

•—————•

Vessel Inspection Regulations

Rules and Regulations

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 64-19]

VESSEL INSPECTION REGULATIONS

Miscellaneous Amendments

Pursuant to the notices of proposed rule making published in the FEDERAL REGISTER of January 30, 1964 (29 F.R. 1572-1586), and February 1, 1964 (29 F.R. 1646), and the Merchant Marine Council Public Hearing Agenda, dated March 23, 1964 (CG-249), the Merchant Marine Council held a public hearing on March 23, 1964, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items I to XVI, inclusive. The public hearing was attended by over 117 persons representing maritime and allied interests. In addition, 531 written comments were submitted. Altogether, over a thousand suggestions for changes in the proposals were received.

The Merchant Marine Council recommendations that final consideration be postponed for certain items pending final action and allowing further written comments to be submitted are approved as follows:

Item I—Bulk dangerous cargoes—those portions pertaining to qualifications for personnel, manning of barges, labelling or placarding of barges in Items Ia, Ib, and Id—for 120 days.

Item VII—Intrinsically safe equipment and circuits—for 90 days.

Item VIII—Pressure gauge or device on dry chemical extinguishers—for 90 days.

Item X—Lights and fog signals on structures of Outer Continental Shelf and adjacent waters—for 120 days.

Item XII—Implementing 1960 Safety of Life at Sea Convention—postponed indefinitely until actions are taken to place the 1960 Safety of Life at Sea Convention into effect.

Final consideration and actions on the following items have been postponed indefinitely to permit further study and consideration or they are withdrawn:

Item II—Qualified members of engine department rating list and pumpman/tanker-man requirements—postponed indefinitely.

Item VIg—Sound-powered telephone and voice tube systems—withdrawn.

Item VIIa—Hatch covers—withdrawn.

Item IXa—Hot work on waterfront facility or vessels—withdrawn.

Item IXb—Power-operated equipment on waterfront facility—postponed indefinitely.

Item XV—Proper lookout—postponed indefinitely.

The first document, CGFR 64-16, contained amendments based on Items III and XVI regarding stability considerations, subdivision and midsummer seasonal load lines for the Great Lakes. It was published in the FEDERAL REGISTER of April 14, 1964 (29 F.R. 5085).

The second document, CGFR 64-17, contained amendments based on Items

IXc and IXd regarding advance notice or arrival of vessels and ammonium nitrate products handled and stored on waterfront facility. It was published in the FEDERAL REGISTER of April 17, 1964 (29 F.R. 5276).

This document is the third of a series regarding the regulations and actions considered in this public hearing and annual session of the Merchant Marine Council. This document contains final actions taken with respect to the following:

ITEM I—BULK DANGEROUS CARGOES

a. Tank barges carrying certain bulk inflammable or combustible dangerous cargoes (CG-249, pages 1-7) (partial).

b. Barges carrying certain other bulk dangerous cargoes (CG-249, pages 8-15) (partial).

c. Vessels carrying liquid chlorine in bulk (CG-249, pages 16, 17).

ITEM IV—INSPECTION AND CERTIFICATION OF VESSELS

a. Permit to proceed to another port for repairs for tank vessel (CG-249, page 33).

b. Pumprooms on tank vessels (CG-249, page 34).

c. Drydocking requirements for tanks, cargo and miscellaneous vessels (CG-249, pages 35-37).

d. Certificate of inspection amendment for small passenger vessels (CG-249, page 38).

ITEM V—MARINE ENGINEERING

a. Fuel oil and cargo oil systems (CG-249, page 39).

b. Means of sounding oil and water tanks (CG-249, page 40).

c. Steering apparatus (CG-249, page 41).

d. Electrical steering and steering control systems (CG-249, pages 47-53).

ITEM VI—ELECTRICAL ENGINEERING

a. Electric power-operated watertight doors (CG-249, page 54).

b. Power supplies for electric power-operated watertight doors (CG-249, page 55).

c. Multi-speed motors, overcurrent protection for motors, direct-current exciters, ground detection, and hook-up wire (CG-249, pages 56-61).

d. Receptacle outlets (CG-249, page 62).

e. Feeder and branch circuit cables (CG-249, pages 63, 64).

f. Emergency electrical systems (CG-249, pages 65, 66).

ITEM VII—REQUIREMENTS AND SPECIFICATIONS FOR LIFESAVING DEVICES, EXTINGUISHERS, AND BACKFIRE FLAME ARRESTERS

b. Unicellular polyethylene foam buoyant vests (CG-249, pages 87-92).

c. Unicellular polyethylene foam material (CG-249, pages 93-96).

e. Backfire flame control on uninspected vessels (motorboats) (CG-249, pages 98, 99).

ITEM XIII—COMBUSTIBLE GAS DETECTORS ON TANK VESSELS

ITEM XIV—RENEWAL OF OPERATORS' AND OCEAN OPERATORS' LICENSES—EXERCISE ON RULES OF THE ROAD

The proposals designated Items Ic, IV, VIa, VIb, VIc, VIe, VIg, and VIIe in the above list are approved as published in the Agenda (CG-249) and the regulations are set forth in this document. Those proposals designated Items Ia (partial), Ib (partial), V, VIc, VIId, VIIc, XIII, and XIV, as revised, are approved and set forth in this document.

The proposals in Items Ia and Ib for bulk dangerous cargoes in barges, as well as the corollary proposals for manning, qualifications of personnel, and special operating requirements for such barges, were commented on extensively and indicated a great divergence in views. Therefore, only the proposals regarding barges, constructed or converted on or after July 1, 1964, and for independent tanks in barges are adopted and set forth herein. Changes were made in the proposals designated §§ 32.63-5 and 98.03-7, regarding barge hull classifications; in §§ 32.63-8 and 98.03-8, regarding alternative arrangements; in §§ 32.63-10 and 98.03-15, regarding rakes and coamings; in §§ 32.63-15 and 98.03-20, regarding subdivision and stability; and in §§ 32.63-25(b) and 98.03-30(b), regarding cargo tanks and supports. The portions of the proposals in Item Ia and Ib not acted upon at this time are designated in the Agenda as 46 CFR 32.63-1(b), 35.01-50, 98.03-5(c), 98.03-35, and 98.03-40 (CG-249, pages 3, 6, 7, 10, 13, 14, and 15), and are being studied further. The submission of additional written comments on these proposals is authorized for a period of 120 days.

The proposals regarding oil systems in Items Va and Vb are revised and reflect changes based on comments received. In order to have uniformity in requirements, necessary changes are made in 46 CFR 55.10-35(f), 55.10-65(a), 59.10-1(e), and 182.20-25(a) (5).

The requirements regarding steering apparatus in 46 CFR Subpart 57.25 are reprinted in their entirety due to the many changes therein. Changes were made in the proposals in Items Vc and Vd for §§ 57.25-45(a), 57.25-50(a), 57.25-55(b) (1), and 111.65-55 (a), (c) (2) and (3).

The proposals in Item VIc, regarding electrical engineering, are revised as a result of comments received and changes are made in the proposals designated § 111.05-15(g) (3), regarding ground detection; and § 111.45-5(b) (2), regarding protective devices; while the proposal designated § 111.45-5(n), regarding rating of protective device, was withdrawn.

The proposals in Items VIIb and VIIc, regarding specifications for unicellular polyethylene foam vest, were revised as a result of comments received. Minor changes are made in the proposals designated §§ 160.060-1(b), 160.060-5(b), (c), 160.060-6(b), (c), 160.060-7(e) (2), 160.060-8(b), 164.013-3(c), and 164.013-4(a).

The proposals in Item XIII, regarding combustible gas detectors, were revised in line with comments received and § 35.30-15 was limited to combustible gas indicators for use on United States flag tank vessels and manned barges.

The fourth document, CGFR 64-20, contains amendments based on Item VIII, regarding dangerous cargoes. It was published in the FEDERAL REGISTER of May 23, 1964.

The fifth document, CGFR 64-21, contains amendments based on Item XI, regarding Rules of the Road. It was published in the FEDERAL REGISTER of April 30, 1964 (29 F.R. 5731).

The sixth document, CGFR 64-30, contains amendments based on Item VIIa, regarding special purpose water safety buoyant devices.

The provisions of section 372 of Title 46, U.S. Code, require a uniform administration of the inspection laws, rules and regulations. Various amendments and editorial changes have been included in this document in order that the various requirements will be as uniform as possible. The amendments to 46 CFR Chapter I, which were not described in the notices of proposed rule making published in the FEDERAL REGISTER of January 30 and February 1, 1964 (29 F.R. 1572, 1646), are considered to be revised requirements to agree with existing regulations, or relaxations of previous requirements, or changes in procedures, or changes which are editorial in nature. Therefore, it is found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedures thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

The provisions in § 2.01-13 describe inspection requirements for certain foreign vessels and references to this section are in §§ 30.01-5(f), 70.05-3(c), 90.05-1(b), and 146.02-2(i). In order that the regulations will be in agreement, the word "or" is inserted between the words "construction" and "whose" in the first sentence of the references.

The amendments to 46 CFR 2.01-1(a), 31.01-15(b), 71.20-5, 71.25-5, 91.20-5, 91.25-5, and 167.15-10 bring up to date the form number and title of the application required to be submitted by the owner, operator or agent of a U.S. vessel required to be inspected and certificated by the Coast Guard. The new form CG-3752 (Rev. 9-63) replaces two forms presently used, i.e., Form CG-833, Application for Inspection of Vessel, and Form CG-3752, Application for Inspection of Small Passenger Vessel. The use of existing Form CG-833 or Form CG-3752 (prior edition) may be continued until the present supply has been exhausted. These blank forms are available upon

request from the nearest Coast Guard Marine Inspection Office.

The amendment to 46 CFR 10.02-7(e) (1) is to permit the Public Health Service to use pseudochromatic plate test in testing an applicant for raise of grade of license as master, mate or pilot, which is in addition to the "Stillings" test or the "Williams" lantern test. When the various regulations governing the physical examinations of applicants for licenses as deck and engineer operators were amended in January 1963 the provisions on color sense for applicants seeking a raise of grade of licenses was overlooked. This amendment will remove an inconsistency in the regulations.

The amendments to 46 CFR 10.05-33 (a) (3) (ii), 10.10-21(a) (3) (ii), and 10.10-23(a) (3) (ii), regarding service qualifications for licenses as third mate and third assistant engineer, substitute a reference to "nautical schoolship" approved by the Commandant for a reference to the Act of March 4, 1911, which has been repealed.

Many comments have been made regarding use of the obsolete word "inflammable" in the proposals in Item I, and that it should be changed to "flammable". The fact that the Interstate Commerce Commission's placards no longer use the word "inflammable" was also noted. The Tank Vessel Act (46 U.S.C. 391a) and the Tank Vessel Regulations use the word "inflammable" extensively. Therefore, a definition of the words "flammable" and "inflammable", similar to 46 CFR 146.03-9, is included in this document as a new section designated 46 CFR 30.10-21, and provides that these words are synonymous and may be used interchangeably.

In comparing regulations published in pamphlet form by the Coast Guard and the regulations published in 46 CFR Chapter I, a number of variations were noted. The amendments to 46 CFR 25.15-1(a), 30.10-35, 30.10-36, 32.40-1(a), 33.15-15(a), 33.40-5(a), 35.01-1(d), 35.07-10(b) (7) and (c) (1), 50.10-25, 71.25-20(a) (3), 71.60-1(d), 72.20-90(a) (1), 73.45-10(a), 75.33-15(b), 75.43-90(a) (1), 76.05-25, 76.17-5(b) (1) (i), 76.23-10(b) (1), 78.37-5(a) (2), 91.50-1(b) (2) and (d), and 110.10-1(d) are in effect editorial so that requirements in the Code of Federal Regulations and regulations distributed and followed by the public will be the same.

In the Marine Engineering Regulations are many references to specification standards published by private organizations and generally used by industry. The changes in §§ 51.23-1(a), 51.24-1(a), 51.25-1(a), 51.34-1(a), 51.46-1, 51.49-1, 51.58-1(a), 51.61-1, 52.05-10(a), and 55.07-15(e) (1) are to bring references to specification standards up-to-date.

The amendment to § 167.30-10 provides the same gas free inspection testing for alterations or repairs for nautical schoolships as when making similar alterations or repairs on cargo vessels. This has been an administrative practice for many years. The Maritime Academies were contacted and advised that the administrative practice was to be incorporated into the regulations and no objection was indicated.

The amendment to § 162.028-4(a) provides that future marking of marine type portable fire extinguishers will contain a reference to the applicable Coast Guard specification in 46 CFR Part 162 so that the approval number will be similar to that used on other equipment required to be approved. This change in labeling requirements has been agreed to by the Underwriters Laboratories, Incorporated, and will be furnished in labels supplied specific manufacturers of approved fire extinguishers. The revised marking is desirable from an enforcement standpoint and it will assist the public in identifying approved equipment while the manufacturers should have little if any increased costs requirements. It is not intended nor required to have existing marine type fire extinguishers remarked as approved. Equipment will be accepted so long as it is in good and serviceable condition.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Order 120, dated July 31, 1950 (15 F.R. 6521), and others specifically listed with the regulations below, the following actions are ordered:

1. The vessel inspection regulations shall be amended in accordance with the changes in this document.

2. The amendments to 46 CFR 32.63-1 to 32.63-25, inclusive, and 98.03-1 to 98.03-30, inclusive, regarding barges carrying certain dangerous bulk cargoes, shall be effective July 1, 1964.

3. The amendment to 46 CFR 162.028-4(a), regarding the marking on the marine type label for portable fire extinguishers, shall be effective January 1, 1965.

4. The new specifications designated 46 CFR 160.060-1 to 160.060-9, inclusive, and 164.013-1 to 164.013-5, inclusive, regarding buoyant vest using unicellular polyethylene, shall be effective on date of publication in the FEDERAL REGISTER.

5. Regulations containing specific effective dates shall become effective on and after such dates.

6. Unless specifically specified otherwise, the regulations in this document shall become effective on and after the 90th day following the date of publication of this document in the FEDERAL REGISTER.

7. The regulations in this document may be complied with during the interim period prior to the effective dates specified in lieu of existing requirements; however, the new or revised requirements in this document shall be met no later than the effective dates specified herein.

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 2—VESSEL INSPECTIONS

Subpart 2.01—Inspecting and Certificating of Vessels

1. Section 2.01-1(a) (1) is amended to read as follows:

§ 2.01-1 Applications for inspections.

(a) *Application forms.* (1) Applications for the inspections of vessels required to be inspected by the Coast

Guard by 46 U.S.C. 362, 363, 367, 390a, 391, 391a, 392, 395, 404, 405, 526, 1333, or 50 U.S.C. 198, shall be made by the master, owner or agent on the following Coast Guard forms which are obtainable from the Officer in Charge, Marine Inspection, at any local Marine Inspection Office, U.S. Coast Guard.

(i) CG-3752—Application for Inspection of U.S. Vessel.

(ii) CG-986—Application for Inspection of Foreign Vessel.

(R.S. 4421, as amended, 4453, as amended; 46 U.S.C. 399, 435; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

Subpart 10.02—General Requirements for All Deck and Engineer Officers' Licenses

1. Section 10.02-7(e) (1) is amended to read as follows:

§ 10.02-7 Requirements for raise of grade of licenses.

(e) *Physical requirements.* (1) No license as master, mate, or pilot shall be raised in grade except upon the official certificate of a medical officer of the United States Public Health Service that the color sense of the applicant is normal. Applications for raise in grade of engineer's licenses shall not be subjected to such examination. In exceptional cases where an applicant would be put to great inconvenience or expense to appear before a medical officer of the United States Public Health Service, the physical examination and certification may be made by another reputable physician. The color sense will be tested by means of a pseudochromatic plate test, but any applicant who fails this test will be eligible if he can pass the "Williams" lantern test or equivalent. A person failing the pseudochromatic plate test shall, if the Public Health Station at which he is undergoing test is not equipped with a lantern, pay his own expenses to journey to such station as is equipped with same.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4441, as amended, 4442, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 5, 49 Stat. 1935, as amended, sec. 302, 49 Stat. 1992, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 230, 231, 233, 225, 237, 367, 672a, 1132, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R.

6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

2. Section 10.05-33(a) (3) (ii) is amended to read as follows:

§ 10.05-33 Third mate of ocean steam or motor vessels.

(a) * * *

(3) * * *

(ii) The deck class of a nautical schoolship approved by and conducted under rules prescribed by the Commandant and listed in Part 166 of Subchapter R (Nautical Schools) of this chapter;

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 214, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

Subpart 10.10—Professional Requirements for Engineer Officers' Licenses (Inspected Vessels)

3. Section 10.10-21(a) (3) (ii) is amended to read as follows:

§ 10.10-21 Third assistant engineer; steam vessels.

(a) * * *

(3) * * *

(ii) The engineering class of a nautical schoolship approved by and conducted under rules prescribed by the Commandant and listed in Part 166 of Subchapter R (Nautical Schools) of this chapter;

4. Section 10.10-23(a) (3) (ii) is amended to read as follows:

§ 10.10-23 Third assistant engineer; motor vessels.

(a) * * *

(3) * * *

(ii) The engineering class of a nautical schoolship approved by and conducted under rules prescribed by the Commandant and listed in Part 166 of Subchapter R (Nautical Schools) of this chapter;

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4441, as amended, 4443, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 229, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894)

SUBCHAPTER C—UNINSPECTED VESSELS

PART 25—REQUIREMENTS

Subpart 25.15—Foghorns

1. Section 25.15-1(a) is amended by changing the phrase "Pilot Rules" to "Rules of the Road", so that it reads as follows:

§ 25.15-1 Vessels other than motorboats.

(a) All vessels other than motorboats shall be equipped with an efficient foghorn as prescribed by the Rules of the Road applicable to the waters on which the vessel is navigated. On vessels in ocean or coastwise service, the foghorn shall be sounded by mechanical means.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-32, Sept. 23, 1958, 23 F.R. 7605)

Subpart 25.35—Backfire Flame Control

2. The title of Subpart 25.35 is amended to read as set forth above.

3. Section 25.35-1 is amended to read as follows:

§ 25.35-1 Requirements.

(a) Every gasoline engine installed in a motorboat or motor vessel after April 25, 1940, except outboard motors, shall be equipped with an efficient means of backfire flame control. Installations made before November 19, 1952, need not meet the detailed requirements of this subpart and may be continued in use as long as they are in good condition.

(b) The following are acceptable means of backfire flame control for gasoline engines:

(1) A backfire flame arrestor constructed in accordance with the specifications contained in Subpart 162.015 of Subchapter Q (Specifications) of this chapter and specifically approved by the Commandant. The flame arrestor shall be suitably secured to the air intake with flame tight connection.

(2) An engine air and fuel intake system which provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an approved flame arrestor. A gasoline engine which has such an air and fuel intake system and which is to be operated without an approved flame arrestor shall be tested and labeled in accordance with the specifications contained in Subpart 162.015 of Subchapter Q (Specifications) of this chapter and specifically approved by the Commandant.

(3) Any attachment to the carburetor or location of the engine air intake by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the vessel in such a way that the flames will not endanger the vessel or persons on board. All attachments shall be of metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire. Such installations do not require formal approval but will be accepted by Coast

Guard law enforcement officers on the basis of this subpart.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-32, Sept. 23, 1958, 23 F.R. 7605)

SUBCHAPTER D—TANK VESSELS

PART 30—GENERAL PROVISIONS

Subpart 30.01—Administration

§ 30.01-5 [Amended]

1. In order to have text agree with § 2.01-13, § 30.01-5 *Application of regulations—TB/ALL*, paragraph (f), is amended by inserting after the word "construction" the word "or".

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4472, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 170, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026)

Subpart 30.10—Definitions

2. Subpart 30.10 is amended by inserting after § 30.10-19 a new § 30.10-21, reading as follows:

§ 30.10-21 Flammable or inflammable—TB/ALL.

The words "flammable" and "inflammable" are interchangeable or synonymous terms for the purpose of the regulations in this subchapter.

§ 30.10-35 [Amended]

3. Section 30.10-35 *Headquarters—TB/ALL* is amended by adding at the end thereof the zip code number "20226".

§ 30.10-36 [Amended]

4. The head note for § 30.10-36 *International voyage—TB/ALL* is amended by adding at the end thereof the phrase "—TB/ALL."

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4472, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 170, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026)

PART 31—INSPECTION AND CERTIFICATION

Subpart 31.01—General

§ 31.01-15 [Amended]

1. Section 31.01-15 *Application for inspection—TB/ALL*, paragraph (b), is amended by changing the number and title of the described form from "Form CG-833, Application for Inspection of Vessel" to "Form CG-3752, Application for Inspection of U.S. Vessel."

Subpart 31.10—Inspections

2. Section 31.10-20(a) is amended to read as follows:

§ 31.10-20 Drydocking or hauling out—TB/ALL.

(a) Except for extensions as authorized by the Commandant, each steel

hull tank vessel shall be placed in a drydock or on a slipway or hauled out for examination within the periods set forth in this paragraph, depending upon the service.

(1) Each tank vessel shall be drydocked or hauled out at intervals not to exceed 18 months if it operates in salt water an aggregate of more than 9 months in the 18-month period since it was last drydocked or hauled out.

(2) Each tank vessel shall be drydocked or hauled out at intervals not to exceed 36 months if it operates in salt water an aggregate of more than 3 months but not more than 6 months in each 12-month period since it was last drydocked or hauled out. When a tank vessel exceeds this aggregate amount of service in salt water in any 12-month period since it was last drydocked or hauled out, it shall be drydocked or hauled out within 6 months after the end of that period or within the 36-month interval, whichever is earlier.

(3) Each tank vessel shall be drydocked or hauled out at intervals of 48 months if it operates in salt water an aggregate of more than one month but not more than 3 months in each 12-month period since it was last drydocked or hauled out.

(4) Each tank vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates in salt water an aggregate not exceeding one month in each 12-month period since it was last drydocked or hauled out.

(5) Tank barges used in fresh water service exclusively need not be drydocked or hauled out during the first 60-month interval after date of build, but shall be drydocked or hauled out between that time and the end of the 120th month after date of build, and at least once in each 60-month interval thereafter.

3. Section 31.10-35 is amended to read as follows:

§ 31.10-35 Permit to proceed to another port for repair—TB/ALL.

(a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repair, Form CG-948, to a vessel if in his judgment it can be done with safety even if the certificate of inspection of the vessel has expired or is about to expire.

(b) Such permit will only be issued upon the written application of the master, owner or agent of the vessel.

(c) The permit will state upon its face the conditions under which it is issued and whether or not the vessel is permitted to carry freight or passengers. Passengers may not be carried if the certificate of inspection has expired.

(d) The permit shall be carried in a manner similar to that described in § 31.05-5 for a certificate of inspection.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675, 46 U.S.C. 481, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp.)

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

Subpart 32.40—Accommodations

§ 32.40-1 [Amended]

1. Section 32.40-1 *Crew accommodations on tank ships of 100 gross tons or over constructed after January 1, 1938—T/ALL*, paragraph (a), is amended by changing the phrase "upper bunks" to "upper bunk" in the last sentence.

Subject 32.60—Hull Requirements for Tank Vessels Constructed on and After July 1, 1951

2. Section 32.60-20 is amended by revising paragraphs (a) and (d) to read as follows:

§ 32.60-20 Pumprooms on tank vessels carrying Grade A, B, C, D and/or E liquid cargo—TB/ALL.

(a) *Cargo pumps.* In tank vessels carrying Grade A, B, C, or D liquid cargo, cargo pumps shall be isolated from source of vapor ignition by gastight bulkheads. A gastight bulkhead between the pumproom and the pump engine room may be pierced for drive shaft and pump engine control rods provided such openings are fitted with stuffing boxes or other approved gland arrangement. A steam driven pump shall not be considered a source of vapor ignition provided the steam temperature does not exceed 500° F.

(d) *Access.* The access to a cargo pumproom in a tank vessel carrying Grade A, B, C, or D liquid cargo shall be from the open deck.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.)

3. Part 32 is amended by inserting after § 32.60-45 a new Subpart 32.63, consisting of §§ 32.63-1 to 32.63-25, inclusive, reading as follows:

SUBPART 32.63—HULL AND CARGO TANK REQUIREMENTS FOR TANK BARGES CONSTRUCTED OR CONVERTED ON OR AFTER JULY 1, 1964, AND CARRYING CERTAIN DANGEROUS BULK CARGOES

| Sec. | |
|----------|-----------------------------------|
| 32.63-1 | Application—B/ALL. |
| 32.63-5 | Barge hull classifications—B/ALL. |
| 32.63-8 | Alternative arrangements—B/ALL. |
| 32.63-10 | Rakes and coamings—B/ALL. |
| 32.63-15 | Subdivision and stability—B/ALL. |
| 32.63-20 | Hull structure—B/ALL. |
| 32.63-25 | Cargo tanks and supports—B/ALL. |

AUTHORITY: The provisions of this Subpart 32.63 issued under R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952, Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.

§ 32.63-1 Application—B/ALL.

(a) The requirements of this subpart shall apply to all barges, the construction or conversion of which is started on or after July 1, 1964, and carrying bulk cargoes as follows:

(1) Liquefied inflammable gases (Part 38 of this subchapter).

(2) Inflammable or combustible liquids having lethal characteristics (Class B or C poisons) (Part 39 of this subchapter).

(3) Certain inflammable or combustible dangerous cargoes in bulk (Part 40 of this subchapter).

(4) Inflammable liquids having a Reid vapor pressure in excess of 25 pounds per square inch, absolute, in independent tanks (Part 32).

§ 32.63-5 Barge hull classifications—B/ALL.

(a) Each barge subject to the provision of this subpart shall be assigned a hull type number. The Commandant will designate the barge hull types to be used for carrying cargoes in order to insure that the vessel is designed consistent with the degree and nature of the hazard of the commodity carried.

(b) For this purpose the barge hull types shall be as follows:

(1) *Type I barge hull.* Barge hulls classed as Type I are those designed to carry products which require the maximum preventive measures to preclude the uncontrolled release of the cargo to the waterways and/or atmosphere.

(2) *Type II barge hull.* Barge hulls classed as Type II are those designed to carry products which require substantial preventive measures to preclude uncontrolled release to the atmosphere, but whose uncontrolled release to the waterways does not constitute a longlasting public or operating personnel hazard, though local and temporary pollution may occur.

(3) *Type III barge hull.* Barge hulls classed as Type III are those designed to carry products of sufficient hazard to require a moderate degree of control.

§ 32.63-8 Alternative arrangements—B/ALL.

(a) Alternative arrangements, differing from those specifically required by this subpart, may be considered and approved by the Commandant, if it is demonstrated to his satisfaction that a degree of safety is obtained which is consistent with the intent of this subpart.

§ 32.63-10 Rakes and coamings—B/ALL.

(a) Each barge hull shall be constructed with a suitable bow form (length, shape, and height of headlog) to protect against diving at the maximum speed at which the barge is designed to be towed. In any integrated tow, only the lead barge need comply with this requirement. In any case, the operator of the towing vessel shall be guided by appropriate speed limitations.

(b) All open hopper type barge hulls shall be provided with coamings around

the hopper space and, additionally, a 36-inch minimum height plowshare breakwater on the forward rake. Coamings shall have a minimum height of 36 inches forward graduated to a minimum height of 24 inches at midlength and 18 inches thereafter.

§ 32.63-15 Subdivision and stability—B/ALL.

(a) *General.* In addition to complying with the requirements of § 31.10-30 of this subchapter as applicable, Types I and II barge hulls shall comply with the applicable provisions of this section.

(b) *Types I and II barge hulls.* (1) Types I and II barge hulls shall be constructed with a complete watertight deck, or if of "open hopper type", of such construction that positive buoyancy and stability will be maintained when the barge is fully loaded and the hopper space is flooded to the height of the main deck. Credit may be given for the buoyancy, if any, of the immersed portion of the full cargo tanks when an effective arrangement for securing the tanks is provided.

(2) (i) Type I barge hulls shall retain positive buoyancy and stability after holing the bottom or side shell plating anywhere on its girth, including the intersection of a transverse and a longitudinal watertight bulkhead.

(ii) Type I box barge hulls, specifically designed for operation in an integrated tow, shall retain positive buoyancy and stability after holing the bottom shell plating anywhere on its girth, except in way of a transverse watertight bulkhead, or after holing the side shell plating in way of a transverse watertight bulkhead.

(3) Type II barge hulls shall retain positive buoyancy and stability after holing the bottom or side shell plating anywhere on its girth except in way of a transverse watertight bulkhead.

§ 32.63-20 Hull structure—B/ALL.

(a) *General.* In addition to complying with the requirements of § 32.60-1, as applicable, barge hulls of Types I and II shall comply with the provisions of this section.

(b) *Types I and II barge hull.* Under an assumed grounding condition such that the forward rake bulkhead rests upon a pinnacle at the water surface, the maximum hull bending stress shall not exceed the following limits:

(1) Independent tanks may be installed in such a manner that they do not contribute to the strength and stiffness of the barge. In such case, the hull stress shall not exceed either 50 percent of the minimum ultimate tensile strength of the material or 70 percent of the yield strength when specified, whichever is greater.

(2) The Commandant may consider a reduction in hull stress when independent tanks are installed in such a manner as to contribute to the strength and stiffness of the barge and this is accounted for in determining the effective section modulus of the barge. In such case, the hull stress shall not exceed the percent-

age stress values prescribed in subparagraph (1) of this paragraph multiplied by the quantity $(1.5 - \frac{SWT}{UTS})$, where

SWT is the stress calculated without including the effect of the tanks, and UTS is the minimum ultimate tensile strength of the material. The value SWT, however, shall in no case be more than 75 percent of UTS.

§ 32.63-25 Cargo tanks and supports—B/ALL.

(a) *General.* Saddles and hold-down securing straps for independent cargo tanks shall be designed to prevent tank failure due to loads induced in the saddles or straps by barge deflection.

(b) *Collision protection.* (1) All independent cargo tanks installed on Type I and Type II barge hulls shall be protected with suitable collision chocks or collision straps to withstand a longitudinal collision load of one and one-half times the weight of the tank and cargo. All other independent cargo tanks shall be provided with suitable collision chocks or collision straps to withstand a longitudinal collision load equal to the weight of the tank and cargo.

(2) All cargo tanks shall be so located as to reduce the likelihood of their being damaged in the event of collision. This protection shall be obtained by locating the cargo tanks not less than 4 feet from the side shell and box-end for Type I hulls and 3 feet for Type II barge hulls, and not less than 25 feet from the headlog at the bow for both types.

(c) *Cargo tank design.*—(1) *Types I and II barge hulls.* In addition to requirements provided for in applicable regulations for a specific commodity, cargoes subject to the provisions of this subpart shall be transported in cargo tanks meeting the requirements of this paragraph. Pressure vessel-type cargo tanks shall have sufficient additional strength so as to limit the maximum combined tank stress, including saddle horn and bending stresses, to 1.5 times the maximum allowable hoop stress in still water, and to the yield strength of the tank material or 70 percent of the minimum ultimate tensile strength of the tank material, if less, in the grounded condition as required by § 32.63-20(b).

(ii) *Gravity type cargo tanks* shall have sufficient additional strength to limit the maximum combined tank stress, including saddle horn and bending stresses, to the yield strength of the tank material or 70 percent of the minimum ultimate tensile strength of the tank material, if less, in the grounded condition as required by § 32.63-20(b).

(2) *Type III barge hulls.* In addition to the requirements of this paragraph, pressure vessel-type cargo tanks shall have sufficient additional strength so as to limit the maximum combined stress, including saddle horn and bending stresses, to 1.5 times the maximum allowable hoop stress.

PART 33—LIFESAVING APPLIANCES

Subpart 33.15—Equipment for Lifeboats, Liferafts, or Buoyant Apparatus

§ 33.15-15 [Amended]

1. Table 33.15-15(a) in § 33.15-15 Required equipment for rigid type liferafts and buoyant apparatus—TB/LBR, paragraph (a), is amended by inserting in the third column under "Great Lakes" a reference to footnote two (2) opposite letter identification "d" and "oars (units)".

Subpart 33.40—Ring Life Buoys and Water Lights

§ 33.40-5 [Amended]

2. Table 33.40-5(a) in § 33.40-5 Number required on tank ships—T/ALL, paragraph (a) is amended by correcting in column 5 opposite "400 and under 600" the number from "2" to "9", and opposite "600 and under 800" the number from "19" to "12".

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 391a, 416, 481)

PART 35—OPERATIONS

Subpart 35.01—Special Operating Requirements

§ 35.01-1 [Amended]

1. Section 35.01-1 Inspection and testing required when making alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions—TB/ALL, paragraph (d), is amended by revising in the last sentence the phrase from "gas chemist" to "marine chemist."

Subpart 35.07—Logbook Entries

§ 35.07-10 [Amended]

2. The last sentences of § 35.07-10 Actions required to be logged—TB/ALL, paragraphs (b) (7) and (c) (1), are amended by revising the reference from "of this chapter" to "of this subchapter."

Subpart 35.30—General Safety Rules

3. Subpart 35.30 is amended by inserting after § 35.30-10 a new § 35.30-15 reading as follows:

§ 35.30-15 Combustible gas indicator—TB/ALL.

(a) The provisions of this section shall only apply to United States flag vessels.

(b) Manned tank barges and tank ships shall be provided with a combustible gas indicator suitable for determining the presence of explosive concentrations of the cargo carried. An indicator which bears the label of Underwriters' Laboratories, Inc., Factory Mutual Engineering Division, or other organizations acceptable to the Commandant will be accepted as meeting this requirement.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675, 46 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950; 15 F.R. 6521; 167-14, Nov. 24, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER F—MARINE ENGINEERING

PART 50—GENERAL PROVISIONS

Subpart 50.10—Definition of Terms Used in This Subchapter

Section 50.10-25 is amended by changing the zone number to the ZIP Code number so that it reads as follows:

§ 50.10-25 Headquarters.

The term "headquarters" means the office of the Commandant, United States Coast Guard, Washington, D.C., 20226. (R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

PART 51—MATERIALS

Subpart 51.23—Corrosion Resisting Steel Plate, Sheet and Strip for Unfired Pressure Vessels

1. Section 51.23-1(a) is amended by revising Table 51.23-1 to read as follows:

§ 51.23-1 Scope.

(a) * * *

TABLE 51.23-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|----------------------|----------------|-------------------|
| A240-63 | Type 302 | Type 302. |
| A240-63 | Type 304 | Type 304. |
| A240-63 | Type 304L | Type 304L. |
| A240-63 | Type 309S | Type 309S. |
| A240-63 | Type 310S | Type 310S. |
| A240-63 | Type 316 | Type 316. |
| A240-63 | Type 316L | Type 316L. |
| A240-63 | Type 317 | Type 317. |
| A240-63 | Type 321 | Type 321. |
| A240-63 | Type 347 | Type 347. |
| A240-63 | Type 348 | Type 348. |
| A240-63 | Type 405 | Type 405. |
| A240-63 | Type 410 | Type 410. |
| A240-63 | Type 410S | Type 410S. |
| A240-63 | Type 430A | Type 430A. |
| A240-63 | Type 430B | Type 430B. |

Subpart 51.24—Materials for Low Temperature Service

2. Section 51.24-1(a) is amended by revising Table 51.24-1 to read as follows:

§ 51.24-1 Scope.

(a) * * *

TABLE 51.24-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | Materials |
|----------------------|---|
| A300-68 | Steel plates for pressure vessels for service at low temperatures. |
| A333-63T | Seamless and welded steel pipe for low temperature service. |
| A334-63T | Seamless and welded steel tubes for low temperature service. |
| A350-61T | Forged or rolled carbon and alloy steel flanges, forged fittings, and valves and parts for low temperature service. |
| A352-60T | Ferritic steel castings for pressure containing parts suitable for low temperature service. |

Subpart 51.25—Carbon and Alloy Steel and Wrought Iron Tubes

3. Section 51.25-1(a) is amended by revising Table 51.25-1(a) to read as follows:

§ 51.25-1 Scope.

(a) * * *

Table 51.25-1(a)—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|------------------------|---|-------------------|
| Carbon-steel and iron: | | |
| A83-63T | Low-carbon seamless steel | T83 |
| A178-63T | A (low-carbon electric-resistance welded steel). | T178-A |
| A178-63T | C (medium-carbon electric resistance welded steel). | T178-C |
| A170-63T | Low-carbon seamless steel condenser tubes. | T179 |
| A192-63T | Low-carbon seamless steel | T192 |
| A210-63T | Medium-carbon seamless steel. | T210 |
| A226-63T | Electric resistance welded steel. | T226 |
| Alloy steel: | | |
| A209-63T | T1 | T1 |
| A209-63T | T1a | T1a |
| A209-63T | T1b | T1b |
| A213-63T | T2 | T2 |
| A213-63T | T5 | T5 |
| A213-63T | T5b | T5b |
| A213-63T | T7 | T7 |
| A213-63T | T9 | T9 |
| A213-63T | T11 | T11 |
| A213-63T | T12 | T12 |
| A213-63T | T17 | T17 |
| A213-63T | T21 | T21 |
| A213-63T | T22 | T22 |
| A213-63T | TP304 | T304 |
| A213-63T | TP304L | T304L |
| A213-63T | TP310 | T310 |
| A213-63T | TP316 | T316 |
| A213-63T | TP316L | T316L |
| A213-63T | TP321 | T321 |
| A213-63T | TP321H | T321H |
| A213-63T | TP347 | T347 |
| A213-63T | TP348 | T348 |
| A250-63T | T1 | T1 |
| A250-63T | T1a | T1a |
| A250-63T | T1b | T1b |
| A423-63T | | |

Subpart 51.34—Carbon and Alloy Steel and Wrought Iron Pipe

4. Section 51.34-1(a) is amended by revising Table 51.34-1 to read as follows:

§ 51.34-1 Scope.

(a) * * *

TABLE 51.34-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|------------------------|---------------------------------------|-------------------|
| Carbon-steel and iron: | | |
| A53-63T | Butt-welded steel | P53-BW |
| A53-63T | A (seamless steel) | P53-A |
| A53-63T | B (seamless steel) | P53-B |
| A53-63T | A (electric resistance welded steel). | P53-RW-A |
| A53-63T | B (electric resistance welded steel). | P53-RW-B |
| A106-63T | A (seamless steel) | P106-A |
| A106-63T | B (seamless steel) | P106-B |
| A106-63T | C (seamless steel) | P106-C |
| A135-63T | A (electric resistance welded steel). | P135-A |
| A135-63T | B (electric resistance welded steel). | P135-B |
| A72-62T | Lap-welded wrought iron. | P72-LW |
| A72-62T | Butt-welded wrought iron. | P72-BW |
| Alloy steel: | | |
| A312-63T | TP304 | P304 |
| A312-63T | TP304L | P304L |
| A312-63T | TP309 | P309 |
| A312-63T | TP310 | P310 |
| A312-63T | TP316 | P316 |
| A312-63T | TP316L | P316L |
| A312-63T | TP317 | P317 |
| A312-63T | TP321 | P321 |
| A312-63T | TP347 | P347 |
| A312-63T | TP348 | P348 |
| A335-63T | P1 | P1 |
| A335-63T | P2 | P2 |
| A335-63T | P5 | P5 |
| A335-63T | P5C | P5C |
| A335-63T | P7 | P7 |
| A335-63T | P9 | P9 |
| A335-63T | P11 | P11 |
| A335-63T | P12 | P12 |
| A335-63T | P15 | P15 |
| A335-63T | P21 | P21 |
| A335-63T | P22 | P22 |

Subpart 51.46—Steel Forgings

5. Section 51.46-1 is amended by revising Table 51.46-1 to read as follows:

§ 51.46-1 Scope.

TABLE 51.46-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|----------------------|----------------|-------------------|
| Carbon-steel: | | |
| A105-61T | I | F105-I |
| A105-61T | II | F105-II |
| A181-61T | I | F181-I |
| A181-61T | II | F181-II |
| Alloy-steel: | | |
| A182-61T | F1 | F1 |
| A182-61T | F5 | F5 |
| A182-61T | F5a | F5a |
| A182-61T | F6 | F6 |
| A182-61T | F7 | F7 |
| A182-61T | F9 | F9 |
| A182-61T | F11 | F11 |
| A182-61T | F12 | F12 |
| A182-61T | F21 | F21 |
| A182-61T | F22 | F22 |
| A182-61T | F304 | F304 |
| A182-61T | F304L | F304L |
| A182-61T | F310 | F310 |
| A182-61T | F316 | F316 |
| A182-61T | F316L | F316L |
| A182-61T | F321 | F321 |
| A182-61T | F347 | F347 |
| A182-61T | F348 | F348 |
| A234-59T | WPB | WPB |
| A234-59T | WPC | WPC |
| A234-59T | WPI | WPI |
| A234-59T | WP12 | WP12 |
| A234-59T | WP11 | WP11 |
| A234-59T | WP22 | WP22 |
| A234-59T | WP5 | WP5 |
| A336-62T | F1 | F1 |
| A336-62T | F2 | F2 |
| A336-62T | F5 | F5 |
| A336-62T | F5a | F5a |
| A336-62T | F6 | F6 |
| A336-62T | F22 | F22 |
| A336-62T | F8 | F8 |
| A336-62T | F8M | F8M |
| A336-62T | F8C | F8C |
| A336-62T | F8T | F8T |
| A336-62T | F25 | F25 |
| A403-61T | WP304 | WP304 |
| A403-61T | WP304L | WP304L |
| A403-61T | WP309 | WP309 |
| A403-61T | WP310 | WP310 |
| A403-61T | WP347 | WP347 |
| A403-61T | WP316 | WP316 |
| A403-61T | WP316L | WP316L |
| A403-61T | WP317 | WP317 |
| A403-61T | WP321 | WP321 |
| A403-61T | WP348 | WP348 |

Subpart 51.49—Carbon and Alloy-Steel Bolting and Nut Material

6. Section 51.49-1 is amended by revising Table 51.49-1 to read as follows:

§ 51.49-1 Scope.

TABLE 51.49-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|------------------------------|-----------------------------|-------------------|
| Carbon-steel bolting: | | |
| A307-63T | B | B |
| Alloy-steel bolting: | | |
| A193-62T | B5 (5 Cr-0.50 Mo) | B5 |
| A193-62T | B6 (12 Cr) | B6 |
| A193-62T | B7 (1 Cr-0.20 Mo) | B7 |
| A193-62T | B14 (1 Cr-0.35 Mo-0.25 Va.) | B14 |
| A193-62T | B16 (1 Cr-0.55 Mo-0.30 Va.) | B16 |
| A193-62T | B8C (18 Cr-8 Ni+Co) | B8C |
| A193-62T | B8T (18 Cr-8 Ni+Ti) | B8T |
| Carbon and alloy steel nuts: | | |
| A194-62T | 1 (carbon-steel) | 1 |
| A194-62T | 2 (carbon-steel) | 2 |
| A194-62T | 2H (carbon-steel) | 2H |
| A194-62T | 3 (5 Cr-0.50 Mo-0.10 Si) | 3 |
| A194-62T | 4 (0.15 Si-0.20 Mo) | 4 |

Subpart 51.58—Steel Castings

7. Section 51.58-1(a) is amended by revising Table 51.58-1 to read as follows:

§ 51.58-1 Scope.

(a) * * *

TABLE 51.58-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|----------------------|----------------------------|-------------------|
| Carbon-steel: | | |
| A216-63T | WCA | WCA |
| A216-63T | WCB | WCB |
| Alloy-steel: | | |
| A217-60T | WC1 (C-Mo) | WC1 |
| A217-60T | WC4 (1 Ni-0.55 Cr-0.50 Mo) | WC4 |
| A217-60T | WC5 (0.80 Ni-0.70 Cr-1 Mo) | WC5 |
| A217-60T | WC6 (1.25 Cr-0.50 Mo) | WC6 |
| A217-60T | WC9 (2.25 Cr-1 Mo) | WC9 |
| A217-60T | C5 (5 Cr-0.50 Mo) | C5 |
| A217-60T | C12 (9 Cr-1 Mo) | C12 |
| A351-63T | CA15 | CA15 |
| A351-63T | CF8 | CF8 |
| A351-63T | CF8M | CF8M |
| A351-63T | CF8C | CF8C |
| A351-63T | CH20 | CH20 |
| A351-63T | CK20 | CK20 |

Subpart 51.61—Iron Castings

8. Section 51.61-1 is amended by revising Table 51.61-1 to read as follows:

§ 51.61-1 Scope.

(a) * * *

TABLE 51.61-1—MATERIAL SPECIFICATIONS

| A.S.T.M. designation | A.S.T.M. grade | Coast Guard grade |
|----------------------|---------------------------|-------------------|
| Nodular iron: | | |
| A395-61 | 60-45-15 | 60-45-15 |
| Malleable iron: | | |
| A47-61 | 32510 | A1 |
| A47-61 | 35018 | A2 |
| A197-47 | Cupola | B |
| Cast iron: | | |
| A126-61T | Class A (regular) | C |
| A126-61T | Class B (higher strength) | D |
| A126-61T | Class C (high test) | E |
| A278-62T | Class No. 20 | No. 20 |
| A278-62T | Class No. 25 | No. 25 |
| A278-62T | Class No. 30 | No. 30 |
| A278-62T | Class No. 35 | No. 35 |
| A278-62T | Class No. 40 | No. 40 |
| A278-62T | Class No. 50 | No. 50 |
| A278-62T | Class No. 60 | No. 60 |

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 52—CONSTRUCTION

Subpart 52.05—Cylindrical Shells

§ 52.05-10 [Amended]

Section 52.05-10 Computations, is amended by revising certain items in

Table 52.05-10(a) in paragraph (a) as follows:

a. For "pipes and tubes" made of "seamless carbon steel" under Subpart 51.25 and A.S.T.M. designation A83 (first line), in the third column under "A.S.T.M." grade, delete the letter "A", and in the fourth column, under "C.G." grade, change the designation from "T83-A" to "T83."

b. For "pipes and tubes" made of "electric-resistance-welded pipe" under Subpart 51.25 delete the entire second line for "A.S.T.M. designation A178, Grade A.S.T.M. 'B', C.G. 'T178-B'," etc. (R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 55—PIPING SYSTEMS AND APPURTENANCES

Subpart 55.07—Detail Requirements

1. Section 55.07-15(e) (1) is amended by revising Table 55.07-15(e) 1) to read as follows:

§ 55.07-15 Joints and flange connections.

(e) (1) * * *

TABLE 55.07-15(e1)—STANDARDS FOR FLANGED, BUTT-WELDING, AND SOCKET-WELDING VALVES, FITTINGS, AND PIPE FLANGES

| Type | Pressure rating | Standard | Notes |
|-----------|-----------------|-----------------|-------|
| Cast iron | 125 | ASA B16.1-1960 | (1) |
| Do | 250 | ASA B16.2-1960 | (2) |
| Bronze | 150 | ASA B16.24-1962 | (3) |
| Do | 300 | ASA B16.24-1962 | (3) |
| Steel | 150 | ASA B16.5-1961 | (4) |
| Do | 300 | ASA B16.5-1961 | (4) |
| Do | 400 | ASA B16.5-1961 | (4) |
| Do | 600 | ASA B16.5-1961 | (4) |
| Do | 900 | ASA B16.5-1961 | (4) |
| Do | 1,500 | ASA B16.5-1961 | (4) |
| Do | 2,500 | ASA B16.5-1961 | (4) |
| Do | | ASA B16.9-1958 | (5) |
| Do | | ASA B16.11-1946 | (6) |

¹ American Standard Cast Iron Pipe Flanges and Flanged Fittings, Class 125, published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

² American Standard Cast Iron Pipe Flanges and Flanged Fittings, Class 250, published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

³ American Standard Brass or Bronze Flanges and Flanged Fittings, 150- and 300-lb., published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

⁴ American Standard Steel Pipe Flanges and Flanged Fittings, published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

⁵ American Standard Steel Butt-Welding Fittings, published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

⁶ American Standard Steel-socket Welding Fittings, published by the American Society of Mechanical Engineers, 345 East 47th St., New York, N.Y., 10017.

Subpart 55.10—Pumping Arrangements and Piping Systems

1. Section 55.10-35(f) is amended to read as follows:

§ 55.10-35 Fuel oil and cargo oil systems.

(f) Outlets for drawing fuel or draining water from the fuel oil system are not permitted in machinery spaces. Test cocks shall not be fitted to fuel or cargo oil tanks.

2. Section 55.10-65 is amended by revising the heading and by revising paragraph (a) to read as follows:

§ 55.10-65 Sounding devices.

(a) All tanks shall be provided with a suitable means of determining liquid level. In lieu of sounding pipes, tanks for the carriage of Grade E or lower liquids which are separate from the hull may be provided with a reliable liquid level indicating device. Where such devices are attached to tanks for combustible liquids, they shall be of heat resistant materials, adequately protected from mechanical damage and shall be provided at the tank connections with devices which will automatically close in the event of rupture of the gage or gage lines. Except for main cargo tanks on tank vessels, all integral hull tanks and compartments, which are not at all times accessible under service conditions shall be fitted with sounding pipes.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 57—MAIN AND AUXILIARY MACHINERY

Subpart 57.25—Steering Apparatus

Subpart 57.25, consisting of §§ 57.25-1 to 57.25-60, inclusive, is amended to read as follows:

- Sec.
57.25-1 Steering apparatus; existing installations.
57.25-5 Steering apparatus; new installations.
57.25-10 Rudder movement.
57.25-15 Plan approval.
57.25-20 Power driven steering gear.
57.25-25 Auxiliary means of steering.
57.25-30 Steadying the rudder.
57.25-35 Rudder stops.
57.25-40 Buffers.
57.25-45 Pilothouse steering gear controls.
57.25-50 Alternative steering station steering gear controls.
57.25-55 Duplicate pilothouse steering gear controls systems.
57.25-60 Arrangement of steering wheels.
57.25-65 Special steering apparatus.
57.25-70 Steering gear piping.

AUTHORITY: The provisions of this Subpart 57.25 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4472, as amended, 4491, as amended; sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat.

305, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 346, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 404-409, 411, 412, 435, 481, 489, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857.

§ 57.25-1 Steering apparatus; existing installations.

(a) All existing vessels subject to inspection by the Coast Guard shall be provided with suitable steering apparatus. Extra steering apparatus consisting of relieving cables, or of auxiliary power- or hand-steering gear attached to the rudder stock independent of the regular steering gear, shall be provided.

(b) Replacements of steering apparatus on existing vessels shall be in accordance with this subpart for new installations.

§ 57.25-5 Steering apparatus; new installations.

(a) All new vessels subject to inspection by the Coast Guard, except certain towed barges, shall be provided with main and auxiliary steering apparatus in accordance with §§ 57.25-10 to 57.25-70, inclusive.

(b) The main steering gear shall be of adequate strength and of sufficient capacity to steer the vessel at maximum service speed. The main steering gear and rudder stock shall be so designed that they are not damaged at maximum astern speed.

(c) The auxiliary steering gear shall be independent of the main steering gear and shall be of adequate strength and of sufficient capacity to steer the vessel at navigable speed and capable of being brought speedily into action in an emergency.

(d) When the steering gear is power operated, the exact position of the rudder shall be indicated at the main steering station.

§ 57.25-10 Rudder movement.

(a) The main steering gear shall be capable of putting the rudder over from 35 degrees on one side to 35 degrees on the other side with the vessel running ahead at the maximum continuous rated shaft R.P.M. The timing may be conducted from 35 degrees on one side through 30 degrees on the other side, and the average rate of the rudder shall be not less than $2\frac{1}{2}$ degrees per second.

(b) The auxiliary steering gear where power driven shall be capable of putting the rudder over from 15 degrees on one side to 15 degrees on the other side in 60 seconds with the vessel running ahead at half speed, or 7 knots, whichever is greater.

§ 57.25-15 Plan approval.

(a) General arrangement plans of the main and auxiliary steering arrangements and piping systems shall be submitted to the Commandant (MMT), U.S. Coast Guard, Washington, D.C., 20226, for approval.

§ 57.25-20 Power driven steering gear.

(a) The main steering gear shall be power driven for vessels over 250 feet in length or when the required upper rudder stock diameter is over 9 inches. However, power-driven main steering gear shall be required for any vessel where the hand steering gear is not considered capable of effectively complying with the requirements of § 57.25-10.

(b) The auxiliary steering gear shall be power driven when the required upper rudder stock diameter is over 9 inches for passenger vessels and over 14 inches for cargo vessels.

§ 57.25-25 Auxiliary means of steering.

(a) An auxiliary means of steering will not be required where the main gear is of the dual-power hydraulic type, having two independent pumps and connections and separate leads to the pump prime movers from the source of power, and each independent steering gear power unit has the required capacity for a main steering gear in order to meet the requirements of § 57.25-10(a). In such cases the attachment to the rudder stock shall be designed for strength in excess of that of the rudder stock.

(b) A suitable arrangement of block and tackle will be acceptable as an auxiliary steering means, and when arranged for operation by means of power driven winches or similar machinery, will be considered an auxiliary power steering gear.

(c) An auxiliary means of steering will not be required on double-ended ferryboats where independent steering gears are fitted at each end of the vessel, and two sources of power are provided where the gear is power driven.

§ 57.25-30 Steadying the rudder.

(a) All oceangoing vessels requiring power gears shall be provided with arrangements for steadying the rudder in the event of an emergency and when a change of gear is required. On hydraulic type steering gears a suitable arrangement of stop valves in the main piping may be considered as a means of steadying the rudder.

§ 57.25-35 Rudder stops.

(a) Main power steering gear shall be provided with positive arrangements for stopping the gear before the rudder stops are reached. These arrangements shall be synchronized with the rudder stock or the position of the gear itself, rather than with the steering gear control system.

(b) Strong and effective rudder stops are to be fitted. Where adequate positive stops are provided within the gear, structural stops will not be required.

§ 57.25-40 Buffers.

(a) On vessels in ocean, coastwise, and Great Lakes service, steering gears other than the hydraulic type shall be designed with suitable buffer arrangements to relieve the gear from shocks to the rudder.

§ 57.25-45 Pilothouse steering gear controls.

(a) Control of the main steering gear shall be provided from the pilothouse by mechanical, hydraulic, electrical, or other

approved means. The arrangement of the control system and steering gear components shall provide full followup control of the rudder. Supplementary steering control not employing full followup may also be provided from the pilothouse.

(b) Any power required for the pilothouse steering control systems shall be supplied from the steering gear room. Means shall be provided in the steering gear room to disconnect the steering control system from the power source.

§ 57.25-50 Alternative steering station steering gear controls.

(a) An alternative steering station shall be provided from which control of the main steering gear can be effected by mechanical, hydraulic, electrical, or other approved means. The alternative steering station shall be located on the after weather deck unless duplicate pilothouse control means are provided in accordance with § 57.25-55. The arrangement of the alternative steering control system and the steering gear components shall provide full followup control of the rudder unless a suitable rudder angle indicator is provided at the alternative steering station.

(b) Means shall be provided to enable orders to be transmitted from the pilothouse to the alternative steering station.

(c) Components of the alternative steering station control system shall be completely separate and independent of the pilothouse steering control system. The shafting, piping, or electrical cable associated with the control means at the alternative steering stations shall be run as widely separated as practicable from the shafting, piping, or electrical cable of the pilothouse steering control systems.

(d) Any power required for the alternative steering control means shall be supplied from the steering gear room. Means shall be provided in the steering gear room to disconnect the alternative steering means from the source of power and, if necessary, from the associated steering gear.

(e) Where it is not practicable to comply with the requirements of this section because of the arrangement of the vessel or the type of steering gear installed, other types of steering gear control systems may be considered. Such systems shall provide steering gear control equivalent to that required by this section. Ease of maintenance, accessibility, and location and arrangement of components, as well as the type of control system, will be among the factors evaluated when determining equivalency.

§ 57.25-55 Duplicate pilothouse steering gear controls systems.

(a) Two separate and independent steering control systems shall be provided for controlling the steering gear from the pilothouse when the alternative steering means is not located on the after weather deck.

(b) Duplicate pilothouse steering gear controls, when installed, shall comply with the following requirements:

(1) Where the steering gear is power driven, the arrangements of the equip-

ment shall be such that full followup control of the rudder is provided with either of the control systems in use. Supplementary steering control not employing followup may be incorporated.

(2) Means shall be provided in the pilothouse to select either of the two control systems to be in control of the rudder. An "off" position which will disconnect power to both systems may be provided in the pilothouse. Interlocks shall be provided for this control system selector so that only one may be in use at a time.

(3) Any power required for the pilothouse steering control systems shall be supplied from the steering gear room. Means shall be provided in the steering gear room to disconnect remote steering gear control systems from the source of power.

(4) The shafting, piping, or electric cables of the two pilothouse steering control systems shall be run as widely separated as practicable throughout their length between the pilothouse and the steering gear room.

(c) Where only the main steering gear is power driven, arrangements shall be such that either steering control system may be connected to control the main steering gear. Where both the main and auxiliary steering gears are power driven, one steering control system shall control the main steering gear and the other shall control the auxiliary steering gear.

(d) For dual-power hydraulic type steering gears, of such a type that an auxiliary means of steering is not required, one control system shall control one hydraulic unit and the other control system shall control the other hydraulic unit.

§ 57.25-60 Arrangement of steering wheels.

(a) Steering wheels, including "trick wheels" which are used as the alternative steering means, shall turn in a clockwise direction for "right rudder" and counterclockwise for "left rudder." The ship's heading shall be to the right, following clockwise movement of the wheel.

(b) The arrangement of steering stations shall be such that the helmsman is abaft the wheel. However, if a wheel is fitted in the steering gear room, and is intended solely for warming up and testing the gear, the helmsman need not stand abaft the wheel. The rims of the wheels shall be plainly marked with arrows and lettering for right and for left rudder, or a suitable notice indicating these directions shall be posted directly in the helmsman's line of vision.

§ 57.25-65 Special steering apparatus.

(a) Where no regular rudder is fitted and steering action is obtained by a change of setting of the propelling unit, auxiliary steering is not required, nor will the requirements of this subpart be generally applicable. Special consideration will be given by the Commandant for such installations.

(b) When tiller bars instead of wheels are installed in the pilothouse, they shall be fore and aft when the rudders are amidships. A pointer shall be fitted to the forward end of the bar which shall

point directly ahead when the rudders are amidships, and shall point to the right when the bow of the ship moves to the right, and shall point to the left when the bow of the ship moves to the left.

§ 57.25-70 Steering gear piping.

(a) The arrangement of piping for hydraulic steering gears shall be such that a change from the main to the auxiliary gear can be readily effected.

(b) A relief valve shall be provided for the protection of the hydraulic system.

(c) Pressure piping shall meet the requirements of Part 55 of this subchapter.

PART 59—INDEPENDENT INTERNAL COMBUSTION ENGINE FUEL TANKS

Subpart 59.10—Diesel Fuel Tanks

Section 59.10-1(e) is amended to read as follows:

§ 59.10-1 Construction.

(e) All nozzles for pipe connections shall be securely riveted, welded, brazed or soldered to the tank. Where liquid level indicating devices are attached to the tank, they shall be of heat resistant materials adequately protected from mechanical damage and provided at the tank connections with devices which will automatically close in the event of rupture of the gage or gage lines.

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, 49 Stat. 1544, as amended, secs. 3, 17, 54 Stat. 347, as amended, 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 368, 363, 367, 526p, 1333; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

Subpart 70.05—Application

§ 70.05-3 [Amended]

1. In order to have text agree with § 2.01-13, paragraph (c) of § 70.05-3 *Foreign vessels subject to the requirements of this subchapter*, is amended by inserting after the word "construction" the word "or".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 71—INSPECTION AND CERTIFICATION

Subpart 71.20—Initial Inspection

§ 71.20-5 [Amended]

1. Paragraph (a) of § 71.20-5 *When made*, is amended by changing the reference from "Form CG-833" to "Form CG-3752, Application for Inspection of U.S. Vessel."

Subpart 71.25—Annual Inspection**§ 71.25-5 [Amended]**

2. Paragraph (a) of § 71.25-5 *When made*, is amended by changing the name and title of a form from "Form CG-833, Application for Inspection of Vessel," to "Form CG-3752, Application for Inspection of U.S. Vessel."

§ 71.25-20 [Amended]

3. Paragraph (a)(3) of § 71.25-20 *Fire detecting and extinguishing equipment*, is amended by changing the first three words from "On all fire" to "All fire."

Subpart 71.60—Special Operating Requirements**§ 71.60-1 [Amended]**

4. Paragraph (d) of § 71.60-1 *Inspection and testing required when making alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions*, is amended by changing in the last sentence the phrase from "gas chemist" to "marine chemist."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 72—CONSTRUCTION AND ARRANGEMENT**Subpart 72.20—Accommodations for Officers and Crew****§ 72.20-90 [Amended]**

Paragraph (a)(1) of § 72.20-90 *Vessels contracted for prior to November 19, 1952*, is amended by changing in the last sentence the phrase "made of the same standard" to "made to the same standard."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 73—WATERTIGHT SUBDIVISION**Subpart 73.15—Rules for Subdivision—Vessels in Services Other Than Ocean or Coastwise and Vessels Under 150 Gross Tons in Ocean or Coastwise Service and Not on an International Voyage****§ 73.15-5 [Amended]**

1. Paragraph (f) of § 73.15-5 *Compartmentation of all vessels other than ferry vessels*, is amended in the first sentence by changing the word from "persons" to "passengers."

Subpart 73.35—Watertight Bulkhead Doors

2. Section 73.35-20(c)(2) is amended to read as follows:

§ 73.35-20 Door operating requirements.

(c) * * *

(2) There shall be at least two independent power sources capable of opening and closing all the doors under control, each of them capable of operating

all the doors simultaneously. Operations will be regarded as simultaneous if all doors can be closed in not more than 60 seconds after actuation of a single master control. The power source shall have indicating lights at the central control station to indicate which power source is available for use. The power supply sources for the operation of electric power operated watertight doors shall meet the requirements of § 111.65-30(c) in Subchapter J (Electrical Engineering) of this chapter. In the case of hydraulic operation, each power source shall consist of a pump capable of closing all doors within the foregoing time limit. In addition, there shall be, for the whole installation, hydraulic accumulators of sufficient capacity to operate all the doors at least three times, i.e., closed-open-closed. In the case of combination electric hydraulic systems utilizing individual electrically driven hydraulic actuators on each door, a duplication of these actuators and drives is not required. The fluid used in hydraulic systems shall be one which retains adequate operational fluidity at any temperature liable to be encountered by the vessel during its service.

Subpart 73.45—Watertight Integrity Above the Margin Line**§ 73.45-10 [Amended]**

3. Paragraph (a) of § 73.45-10 *Side openings*, is amended in the second sentence by changing the phrase from "cargo and cooling ports" to "cargo and coaling ports."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 482, 483, 395, 363, 85a, 88a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 75—LIFESAVING EQUIPMENT**Subpart 75.33—Blocks and Falls****§ 75.33-15 [Amended]**

1. Paragraph (b) of § 75.33-15 *Installations where lifeboat winches are not used*, is amended in the first sentence by changing the phrase from "covered tubes" to "covered tubs."

Subpart 75.43—Ring Life Buoys and Water Lights**§ 75.43-90 [Amended]**

2. Paragraph (a)(1) of § 75.43-90 *Vessels contracted for prior to November 19, 1952*, is amended in the last sentence by changing the phrase "newer installations" to "new installations."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 76—FIRE PROTECTION EQUIPMENT**Subpart 76.05—Fire Detecting and Extinguishing Equipment, Where Required**

1. Section 76.05-25 is amended by revising the heading to read as follows:

§ 76.05-25 Hand portable fire extinguishers and semi-portable fire extinguishing systems.

Subpart 76.17—Foam Extinguishing Systems, Details**§ 76.17-5 [Amended]**

2. Paragraph (b)(1)(i) of § 76.17-5 *Quantity of foam required*, is amended by changing the phrase from "form systems" to "foam systems."

Subpart 76.23—Manual Sprinkling System, Details**§ 76.23-10 [Amended]**

3. Paragraph (b)(1) of § 76.23-10 *Quantity, pipe sizes, and discharge rates*, is amended by changing in the first sentence the phrase "three-eighth inch" to "three-eighths inch."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 78—OPERATIONS**Subpart 78.37—Log Book Entries****§ 78.37-5 [Amended]**

Paragraph (a)(2) of § 78.37-5 *Actions required to be logged*, is amended by changing at the end thereof a reference from "§ 78.17-1" to "§ 78.17-3."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS**PART 90—GENERAL PROVISIONS****Subpart 90.05—Application****§ 90.05-1 [Amended]**

In order to have text agree with § 2.01-13, paragraph (b) of § 90.05-1 *Vessels subject to requirements of this subchapter*, is amended by inserting after the word "construction" the word "or".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 91—INSPECTION AND CERTIFICATION**Subpart 91.20—Initial Inspection****§ 91.20-5 [Amended]**

1. Section 91.20-5 *When made*, paragraph (a), is amended by changing a reference from "Form CG-833" to "Form CG-3752, Application for Inspection of U.S. Vessel."

Subpart 91.25—Inspection for Certification**§ 91.25-5 [Amended]**

2. Section 91.25-5 *When made*, paragraph (a), is amended by changing the number and title of a form from "Form

CG-833, Application for Inspection of Vessel" to "Form CG-3752, Application for Inspection of U.S. Vessel."

Subpart 91.40—Drydocking

3. Section 91.40-1(a) is amended by revising subparagraphs (3) and (4) to read as follows:

§ 91.40-1 When required.

(a) * * *

(3) Each vessel shall be drydocked or hauled out at intervals of 48 months if it operates in salt water an aggregate of more than one month but not more than 3 months in each 12-month period since it was last drydocked or hauled out.

(4) Each vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates in salt water an aggregate not exceeding one month in each 12-month period since it was last drydocked or hauled out.

§ 91.40-5 [Corrected]

4. The designation of the section following § 91.40-1 is changed from "§ 91.40-5" to "§ 91.40-5 Notice by owner".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 404, 405, 411, 435, 481, 366, 395, 363, 367, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

Subpart 91.50—Special Operating Requirements

§ 91.50-1 [Amended]

In § 91.50-1 *Inspection and testing required when making alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions:*

5. Paragraph (b)(2) is amended in the "except" clause by changing the phrase from "such cargo and tanks" to "such cargo tanks."

6. Paragraph (d) is amended in the last sentence by changing the phrase from "gas chemist" to "marine chemist."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

Subpart 98.03—Barges Carrying Dangerous Cargoes

1. Subpart 98.03, consisting of §§ 98.03-1 to 98.03-10, inclusive (§ 98.03-10 continued without change), is amended to read as follows:

- Sec.
98.03-1 Application.
98.03-5 Effective dates for certain requirements.
98.03-7 Barge hull classifications.
98.03-8 Alternative arrangements.
98.03-10 Special operating requirements for open hopper type barges while carrying dangerous cargoes in bulk.
98.03-15 Rakes and coamings.
98.03-20 Subdivision and stability.
98.03-25 Hull structure.
98.03-30 Cargo tanks and supports.

AUTHORITY: The provisions of this Subpart 98.03 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4472, as amended; 46 U.S.C. 391a, 170. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

§ 98.03-1 Application.

(a) All barges carrying in bulk any of the dangerous cargoes specifically noted in this part shall be subject to the applicable provisions of this subpart.

§ 98.03-5 Effective dates for certain requirements.

(a) The special operating requirements in § 98.03-10 for all open hopper type barges while carrying in bulk any of the dangerous cargoes specifically noted in this part shall be in effect on and after March 1, 1963.

(b) All barges, the construction or conversion of which is started on or after July 1, 1964, shall conform to the requirements of §§ 98.03-7, 98.03-8, 98.03-15, 98.03-20, 98.03-25, and 98.03-30.

§ 98.03-7 Barge hull classifications.

(a) Each barge constructed or converted in conformance with this subpart shall be assigned a hull type number. The Commandant will designate the barge hull types to be used for carrying cargoes in order to insure that the vessel is designed consistent with the degree and nature of the hazard of the commodity carried.

(b) For this purpose the barge hull types shall be defined as follows:

(1) *Type I barge hull.* Barge hulls classed as Type I are those designed to carry products which require the maximum preventive measures to preclude the uncontrolled release of the cargo to the waterways and/or atmosphere.

(2) *Type II barge hull.* Barge hulls classed as Type II are those designed to carry products which require substantial preventive measures to preclude uncontrolled release to the atmosphere, but whose uncontrolled release to the waterways does not constitute a longlasting public or operating personnel hazard, though local and temporary pollution may occur.

(3) *Type III barge hull.* Barge hulls classed as Type III are those designed to carry products of sufficient hazard to require a moderate degree of control.

§ 98.03-8 Alternative arrangements.

(a) Alternative arrangements, differing from those specifically required by this subpart, may be considered and approved by the Commandant, if it is demonstrated to his satisfaction that a degree of safety is obtained which is consistent with the intent of this subpart.

§ 98.03-10 Special operating requirements for open hopper type barges while carrying dangerous cargoes in bulk.

(a) All open hopper type barges, while carrying in bulk any of the dangerous cargoes specifically noted in this part, shall be operated in conformance with the provisions in this section. However, the provisions in this section are not applicable to such barges when empty (not necessarily cleaned or gas-freed).

(b) (1) Except as otherwise provided in this section, no such open hopper type barge shall be placed as lead barge in any tow. Such barges shall be placed in protected positions within the tow so that the danger from diving or swamping will be minimized. Where, due to operating conditions, compliance with this subparagraph is impossible, the provisions of subparagraph (3) of this paragraph apply. The person in charge of the towing vessel shall be responsible for compliance with this subparagraph.

(2) No such open hopper type barge shall be moved from a loading facility unless all void spaces and bilges are substantially free of water. Periodic inspections and necessary pumping shall be carried out to insure the maintenance of such water-free conditions, in order to minimize the free surface effect in both the longitudinal and transverse directions. Except when otherwise considered necessary for inspection or pumping, all hatch covers and other hull closure devices for void spaces and hull compartments shall be closed and secured at all times. In the case of unmanned barges, the person in charge of the towing vessel shall be deemed to be in charge of the barge, and all requirements to be carried out on the barge shall be carried out by or under the direction of such person.

(3) When an open hopper type barge is in an exposed position, such that protection from swamping provided by adjoining barges cannot be obtained from location within the tow alone, it shall be the responsibility of the person in charge of the towing vessel to control speed so as to insure protection against diving and swamping of the barge, having regard to its design and freeboard, and other operating conditions.

(c) To show that special operating requirements apply to a specific open hopper type barge, additional placards or signs shall be displayed in at least four different locations on the barge when the cargoes subject to this part are carried in any form in the cargo tanks. The placards or signs shall be posted on the barge approximately amidships on each side and near the centerline of each end, facing outboard. Racks, or other suitable means, for mounting such placards or signs shall be so arranged as to provide clear visibility and shall be protected from becoming readily damaged or obscured. The placards or signs shall be at least equal in dimensions to the ICC standard tank car "Dangerous" placard (10½ inches square or larger), and shall display a circle (10 inches in diameter or larger) with alternating quadrants of white and red, and so mounted that the red quadrants are

centered on the vertical axis. The shipper and/or owner of the barge shall be responsible for the installation of the required placards or signs, including maintenance of them while such barge is in temporary storage with cargo aboard. The person in charge of the towing vessel shall be responsible for the continued maintenance of the placards or signs while such barge is in transit.

§ 98.03-15 Rakes and coamings.

(a) Each barge hull shall be constructed with a suitable bow form (length, shape and height of headlog) to protect against diving at the maximum speed at which the barge is designed to be towed. In any integrated tow, only the lead barge need comply with this requirement. In any case, the operator of the towing vessel shall be guided by appropriate speed limitations.

(b) All open hopper type barges shall be provided with coamings around the hopper space and a 36-inch minimum height plowshare breakwater on the forward rake. Coamings shall have a minimum height of 36 inches forward graduated to a minimum height of 24 inches at midlength and 18 inches thereafter.

§ 98.03-20 Subdivision and stability.

(a) *General.* In addition to complying with the requirements of Part 93 of this subchapter as applicable, Types I and II barge hulls shall comply with the provisions of this section.

(b) *Types I and II barge hulls.* (1) Types I and II barge hulls shall be constructed with a complete watertight deck, or if of "open hopper type", with such construction that positive buoyancy and stability will be maintained when the barge is fully loaded and the hopper space is flooded to the level of the main deck. Credit may be given for the buoyancy, if any, of the immersed portion of the full cargo tanks when an effective arrangement for securing the tanks is provided. (2) (i) Type I barge hulls shall retain positive buoyancy and stability after holing the bottom or side shell plating anywhere on its girth including the intersection of a transverse and a longitudinal watertight bulkhead.

(ii) Type I box barge hulls, specifically designed for operation in an integrated tow, shall retain positive buoyancy and stability after holing the bottom shell plating anywhere on its girth, except in way of a transverse watertight bulkhead, or after holing the side shell plating in way of a transverse watertight bulkhead.

(3) Type II barge hulls shall retain positive buoyancy and stability after holing the bottom or side shell plating anywhere on its girth except in way of a transverse watertight bulkhead.

§ 98.03-25 Hull structure.

(a) *General.* In addition to complying with the structural requirements of Part 92 of this subchapter as applicable, Types I and II barge hulls shall comply with the provisions of this section.

(b) *Types I and II barge hulls.* Under an assumed grounding condition such

that the forward rake bulkhead rests upon a pinnacle at the water surface, the maximum hull bending stress shall not exceed the following limits:

(1) Independent tanks may be installed in such a manner so that they do not contribute to the strength and stiffness of the barge. In such case, the hull stress shall not exceed either 50 percent of the minimum ultimate tensile strength of the material or 70 percent of the yield strength when specified, whichever is greater.

(2) The Commandant may consider a reduction in hull stress when independent tanks are installed in such a manner as to contribute to the strength and stiffness of the barge and this is accounted for in determining the effective section modulus of the barge. In such case, the hull stress shall not exceed the percentage stress values prescribed in subparagraph (1) of this paragraph, multiplied

by the quantity $\left(1.5 - \frac{SWT}{UTS}\right)$, where SWT

is the stress calculated without including the effect of the tanks, and UTS is the minimum ultimate tensile strength of the material. The value SWT, however, shall in no case be more than 75 percent of UTS.

§ 98.03-30 Cargo tanks and supports.

(a) *General.* Saddles and hold-down securing straps for independent cargo tanks shall be designed to prevent tank failure due to loads induced in the saddles or straps by barge deflection.

(b) *Collision protection.* (1) All independent cargo tanks installed on Type I and Type II barge hulls shall be protected with suitable collision chocks or collision straps to withstand a longitudinal collision load of one and one-half times the weight of the tank and cargo. All other independent cargo tanks shall be provided with suitable collision chocks or collision straps to withstand a longitudinal collision load equal to the weight of the tank and cargo.

(2) All cargo tanks shall be so located as to reduce the likelihood of their being damaged in the event of collision. This protection shall be obtained by locating the cargo tanks not less than 4 feet from the side-shell and box-end for Type I barge hulls and 3 feet for Type II barge hulls, and not less than 25 feet from the headlog at the bow for both types.

(c) *Cargo tank design.*—(1) *Types I and II barge hulls.* (i) In addition to requirements provided for in applicable regulations for a specific commodity, cargoes subject to the provisions of this subpart shall be transported in cargo tanks meeting the requirements of this paragraph. Pressure vessel type cargo tanks shall have sufficient additional strength so as to limit the maximum combined tank stress, including saddle horn and bending stresses, to 1.5 times the maximum allowable hoop stress in still water, and to the yield strength of the tank material or 70 percent of the minimum ultimate tensile strength of the tank material, if less, in the grounded condition as required by § 98.03-25(b).

(ii) Gravity type cargo tanks shall have sufficient additional strength to limit the maximum combined tank stress, including saddle horn and bending stresses, to the yield strength of the tank material or 70 percent of the minimum ultimate tensile strength of the tank material, if less, in the grounded condition as required by § 98.03-25(b).

(2) *Type III barge hulls.* In addition to the requirements of this paragraph, pressure-vessel-type cargo tanks shall have sufficient additional strength so as to limit the maximum combined stress, including saddle horn and bending stress, to 1.5 times the maximum allowable hoop stress.

Subpart 98.20—Liquid Chlorine in Bulk

2. Section 98.20-30 is amended by revising paragraphs (b), (c) and (g), and by canceling paragraph (h) and these revised paragraphs read as follows:

§ 98.20-30 Valves, fittings, and accessories.

(b) Each tank shall be provided with safety relief valves and with liquid and vapor connections fitted with manually operated shutoff valves. All valves shall be bolted to the cover or covers specified in § 98.20-10(c)(1), and shall be protected against mechanical damage by a suitable protective metal housing. Other openings in tanks are prohibited. A drain connection shall be provided from the protective housing and led overboard just above the deepest load line.

(c) All liquid and vapor connections, except safety relief valves, shall be fitted with automatic excess flow valves, which shall be located on the inside of the tank.

(g) Bypass openings are not permitted in excess flow valves.

(h) [Cancelled]

§ 98.20-35 [Cancelled]

3. Section 98.20-35 *Filling and discharge pipes* is cancelled.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 110—GENERAL PROVISIONS

Subpart 110.10—Reference Specifications, Standards, and Codes

§ 110.10-1 [Amended]

Section 110.10-1 *General*, paragraph (d) is amended by revising the name and address in the introductory sentence from "American Institute of Electrical Engineers, 33 West 39th Street, New York 18, N.Y.," to "Institute of Electrical and Electronic Engineers, Box A, Lenox Hill Station, New York, N.Y., 14481."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

PART 111—ELECTRICAL SYSTEM; GENERAL REQUIREMENTS

Subpart 111.05—General Requirements

1. Section 111.05-15(g) is amended by adding at end thereof a subparagraph (3) reading as follows:

§ 111.05-15 General considerations.

(g) Means for ground detection.

(3) For dual-voltage, grounded-neutral, alternating current distribution systems, an ammeter shall be provided to indicate current flowing in the ground connection. The ammeter shall have a full scale range of 10 amperes. An ammeter switch of the spring return to "on" (ammeter read) type shall be provided. Where the ammeter is located remote from the ground connection and a current transformer is used, a suitable protective device shall be provided near the current transformer to prevent high voltage in the event of an open circuit. The ammeter and associated equipment shall be capable of sustaining without damage the maximum fault current available.

Subpart 111.10—Generators

2. Section 111.10-10(a) is amended to read as follows:

§ 111.10-10 Excitation.

(a) General. (1) Direct-current rotating exciters shall conform to all the applicable requirements for direct-current generators.

Subpart 111.25—Motors

3. Section 111.25-5(b) is amended by deleting the word "and" at the end of subparagraph (7); and by changing the period (.) to a semicolon ";" and by adding the word "and" at the end of subparagraph (8); and by adding a new subparagraph (9) reading as follows:

§ 111.25-5 Nameplates.

(b) For multi-speed motors, amperes at rated load for each winding or winding connection.

4. Section 111.25-35(a), but not Table 111.25-35(a), is amended to read as follows:

§ 111.25-35 Current ratings.

(a) For continuous duty motors, the current values given in the Table 111.25-35(a) shall be used for the purpose of determining the current-carrying capacity of conductors, switches, branch-circuit overcurrent devices, etc., in lieu of the actual current ratings marked on the motor nameplate. For multi-speed motors, for motors of unusual speeds, and for other than continuous duty motors, the nameplate current values shall be used. The motor-running overcurrent protection shall be based on the motor nameplate current rating or ratings.

Subpart 111.45—Motor Circuits and Controllers

5. Section 111.45-5 is amended by revising paragraphs (b) (including subparagraphs), (k), and (p) to read as follows:

§ 111.45-5 Motor overcurrent protection.

(b) Continuous duty motors more than one horsepower. Each continuous duty motor rated more than one horsepower shall be protected against overcurrent by one of the means covered in this paragraph. For multi-speed motors each separate winding or winding connection shall be considered separately.

(1) A separate overcurrent device which is responsive to motor current. This device shall be rated or set at not more than 115 percent of the motor full-load current rating. For multi-speed motors this device shall be rated or set at not more than 115 percent of the full-load current rating of each separate winding or winding connection. This value may be modified as permitted by paragraph (g) of this section.

(2) A thermal protector integral with the motor, approved for use with the motor which it protects on the basis that it will prevent dangerous overheating of the motor due to overload or failure to start. If the motor current interrupting device is separate from the motor and its control circuit is operated by a protective device integral with the motor, it shall be so arranged that the opening of the control circuit will result in interruption of current to the motor.

(3) For sealed (hermetic-type) refrigeration motors the protective device specified in subparagraph (1) or (2) of this paragraph shall be rated or set to trip at not more than 125 percent of the motor full-load line.

(k) Number of conductors disconnected by overcurrent devices. Motor-running protective devices, other than fuses, thermal cutouts, or thermal protectors, shall simultaneously open a sufficient number of ungrounded conductors to interrupt current flow to the motor.

(p) Steering gear motors. Main steering gear motors and motors associated with steering control systems shall not be provided with a motor-running protective device. In lieu of a motor-running overcurrent protection, the motor starter shall be fitted with a protective device responsive to motor current, motor temperature, or to both current and temperature which will operate an indicating light at the propulsion control station in case of overload which would cause overheating of the motor. This device shall follow as closely as practicable the temperature of the motor.

6. Section 111.45-10(b) (4) is amended by correcting the cross reference so that it will read as follows:

§ 111.45-10 Remote control, electrical interlock, and indicator circuits.

(b) Overcurrent protection. (4) For overcurrent protection of steering gear control and indicator light circuits see § 111.65-55(d) (2).

7. Section 111.45-20(h) is amended by revising the paragraph heading, and by revising subparagraphs (1) and (5) and by cancelling subparagraph (6), so that subparagraphs (1) and (5) read as follows:

§ 111.45-20 Motor-branch-circuit overcurrent protection.

(h) Steering gear motor branch circuits—(1) General. In lieu of the requirements of paragraphs (a) to (f), inclusive, of this section, each steering gear branch circuit shall be protected only by a circuit breaker with instantaneous trip located on the switchboard from which it emanates.

(5) General considerations. The requirements of this paragraph contemplate the following conditions:

(i) When two steering gear main motors are provided, one is a standby which normally runs only when started preparatory to change-over, and then without load.

(ii) Auxiliary motors (servo, replenishing and filling pumps, etc.), if and as required, have an aggregate rating of not more than 10 percent of the main steering gear motor rating.

(6) [Cancelled]

Subpart 111.50—Distribution and Circuit Loads

8. Section 111.50-5(d) is amended to read as follows:

§ 111.50-5 Ship's service power circuits.

(d) Steering gear circuits. Electric and electro-hydraulic steering gear shall be served by two circuits from the ship's service switchboard except in special cases where the length of circuit is very short. One of the circuits may be taken from the emergency switchboard if the rating of the emergency generator is sufficient to supply the steering gear in addition to the emergency loads. The circuits shall be separated throughout their length as widely as practicable. Each circuit shall have adequate current-carrying capacity for supplying all motors and control equipment normally connected to it and which operate simultaneously.

9. Section 111.50-15(f) (1) is amended by deleting the last sentence so that the revised paragraph reads as follows:

§ 111.50-15 Lighting branch circuits and lighting requirements.

(f) Receptacle outlets. (1) A sufficient number of receptacle outlets shall be located throughout crew's accommodations to permit the use of electric razors,

radios, and the like without using portable cords of excessive length.

10. Section 111.50-20(b) is amended by adding a new subparagraph (5) reading as follows:

§ 111.50-20 Circuit loads and demand factors.

(b) Motor branch circuits. * * *

(5) Individual multi-speed motors. For multi-speed motors the conductors between the controller and the motor windings or winding connections shall have a current-carrying capacity of not less than 125 percent of the full-load current rating of the associated winding or winding connection.

Subpart 111.60—Wiring Methods and Materials

11. Section 111.60-5 is amended by adding at the end thereof a new paragraph (j) reading as follows:

§ 111.60-5 Portable electric cord and fixture wire.

(j) Hook-up wire, application. Hook-up wire for use within the components of alarm panels, IC equipment, and electronic control equipment shall be in accordance with § 113.05-10 of this subchapter.

12. Section 111.60-15 is amended by revising paragraph (a) and by adding paragraph (f) to read as follows:

§ 111.60-15 General requirements and wiring methods.

(a) Feeder and branch continuity. Each feeder and each branch circuit cable supplying a single energy consuming appliance, shall be continuous throughout their lengths, except that a cable of large size or exceptional length may be spliced in a suitable junction box to effect greater ease of installation and except for cables that may be extended as permitted by paragraph (f) of this section.

(f) Extending feeder and branch circuit cables. Existing feeder and branch circuit cables may be extended for vessels receiving major alterations provided the requirements of this paragraph are met.

(1) The cables shall be spliced in suitable junction boxes.

(2) Each vital and emergency circuit shall be spliced in individual, suitable junction boxes.

(3) Circuits of different voltages shall not be extended by means of a common cable or junction box.

(4) Existing cables of less than 25 feet in length shall not be extended but shall be replaced.

Subpart 111.65—Special Requirements for Certain Locations and Systems

13. Section 111.65-30(c) (2) is amended by adding a sentence at the end thereof so this subparagraph reads as follows:

§ 111.65-30 Special requirements for electric power-operated water-tight door system.

(c) Power supplies. * * *

(2) If the peak current resulting from the simultaneous starting of all doors is too great for the temporary or final source of supply, the control shall be so arranged that when the central master switch is put to "close" the doors will start to close serially at intervals of not more than 3 seconds, preference being given to the doors starting with those in the lowest part of the vessel. The total time for all doors to be closed shall not exceed 60 seconds.

14. Subpart 111.65 is amended by adding after § 111.65-50 a new § 111.65-55 reading as follows:

§ 111.65-55 Special requirements for electric steering gears.

(a) General. This section contains requirements for steering gear installations where the main or both the main and auxiliary steering means is electric power driven and where the steering control means is electric powered. Where two steering gear power motors and two separate and independent means for controlling the rudder from the pilothouse are provided, there will be two steering systems, each consisting of a power motor, control system, and steering gear feeder. In general these two systems are to be separate on a port and starboard basis. For any different arrangement of the steering gear system, special consideration and approval will be required with the intent of obtaining a steering installation which will be equivalent to the one covered in this section.

(b) Disconnecting and switching means. (1) The steering gear power motors and control systems shall be connected to the respective steering gear branch circuits in the steering gear room. Separate means shall be provided in the steering gear room for disconnecting the motor and control systems from the power source.

(2) If a means of transfer is provided in the steering gear room so arranged that either steering gear power motor and associated control system can be connected to either of the two steering gear branch circuits, interlocks shall be provided to prevent both steering systems from being connected to the same branch circuit simultaneously.

(c) Control of steering gear motors and steering control systems. (1) Means shall be provided in the steering gear room for starting and stopping the steering gear power motors and any motors that are part of the pilothouse control system.

(2) Where two separate and independent steering control systems are installed, the means of switching shall be provided in the pilothouse to select the steering control system which is to be used for steering. This selection shall be accomplished by one operating handle

but the switches for each system shall be in separate enclosures or shall be separated by suitable fire-resistant barriers. The handle shall have positions for "port control", "off", and "starboard control" with such an arrangement to necessitate the passing through the "off" position when transferring from one steering system to the other.

(3) The selecting means in the pilothouse shall be so arranged that the steering gear power motor for the steering system selected will automatically be started if not already running. Any ancillary device necessary to activate the selected remote means for controlling the rudder shall be automatically operated upon starting the steering gear power motor.

(d) Overcurrent protection for steering systems. (1) Short circuit protection only shall be provided for the control circuits of controllers of steering gear power motors and motors used for control systems. This protection shall be instantaneous and rated at 400-500 percent of the current-carrying capacity of the conductors.

(2) Indicating and alarm circuits associated with steering installations shall be provided with overcurrent protection in accordance with § 111.45-10(b) (2). Pilothouse steering control systems and any other electric means for controlling the rudder remote from the steering gear room shall be provided with short circuit protection only. The protection shall be instantaneous and rated at 400-500 percent of the current-carrying capacity of the control system conductors. The protection means shall be located in the steering gear room just after the disconnecting means required by paragraph (b) (1) of this section.

(e) Indicating and alarm systems for steering installations. (1) A pilot light for each steering gear power motor and each auxiliary motor vital to the control of the rudder shall be provided at the propulsion control station, and other locations if desired, to indicate when the motors are energized.

(2) For the requirements pertaining to overload indicating lights for steering gear pilot motors, see § 111.45-5(p) (1).

(3) The opening of a steering gear branch-circuit circuit breaker shall automatically be indicated at the propulsion control station by the sounding of an audible alarm.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 366, 395, 363, 369, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 112—EMERGENCY LIGHTING AND POWER SYSTEM

Subpart 112.05—General Requirements

1. Section 112.05-5(d) is amended to read as follows:

§ 112.05-5 Emergency source of supply.

(d) The emergency source of supply shall be located aft of the collision bulkhead and outside the machinery casing.

(1) On passenger vessels the emergency source of supply shall be located above the bulkhead deck or above the freeboard deck, whichever is the higher.

(2) On cargo and miscellaneous vessels, including tankships and barges, the emergency source of supply shall be located above the freeboard deck, or above the uppermost continuous deck, whichever is the higher.

Subpart 112.55—Storage Battery Installation

2. Section 112.55-5(a) is amended to read as follows:

§ 112.55-5 Emergency lighting loads.

(a) When supplying emergency lighting loads, the storage battery initial voltage shall not exceed the standard system voltage by more than 5 percent.

3. Section 112.55-15(a) is amended to read as follows:

§ 112.55-15 Capacity of storage battery.

(a) The capacity of a storage battery shall be ample to close each watertight door three times and to open each watertight door two times, and to carry the remaining emergency loads continuously for the duration of time required by § 112.05-5(a), at the end of which time the potential of the storage battery shall be not less than 87.5 percent of standard system voltage. The nominal potential of a lead-acid storage battery will be taken as 2.0 volts per cell; the nominal potential of nickel-alkaline storage batteries will be taken as from 1.2 to 1.4 volts per cell.

4. Subpart 112.55 is amended by adding after § 112.55-15 a new section reading as follows:

§ 112.55-20 Diesel engine cranking batteries.

(a) Batteries used for starting emergency diesel engine generator sets shall be either the lead-acid or nickel-cadmium type.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 366, 395, 363, 369, 367, 1333, 50 U.S.C. 198;

E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 113—COMMUNICATION AND ALARM SYSTEMS AND EQUIPMENT

Subpart 113.05—General Provisions

Subpart 113.05 is amended by adding after § 113.05-5 a new section reading as follows:

§ 113.05-10 Wiring.

(a) Hook-up wire for use within the components of the equipment specified in this part shall be of soft stranded annealed copper of suitable cross section to provide ample and safe current carrying capacity and mechanical strength. Hook-up wire shall be in accordance with MIL-W-76, MIL-W-16878 types B, C, D, E, EE, and FF, or with Subpart 111.60 of this subchapter.

(b) All external wiring and wiring between components shall be in accordance with Subpart 111.60 of this subchapter.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 366, 395, 363, 369, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56-28, July 24, 1956, 21 F.R. 4894; 167-38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER Q—SPECIFICATIONS

PART 160—LIFESAVING EQUIPMENT

Subpart 160.060—Buoyant Vests, Unicellular Polyethylene Foam, Adult and Child, for Motorboats of Classes A, 1, or 2 Not Carrying Passengers for Hire

Part 160 is amended by inserting after § 160.056-7 a new Subpart 160.060, consisting of §§ 160.060-1 to 160.060-9, inclusive, reading as follows:

| Sec. | |
|-----------|--|
| 160.060-1 | Applicable specifications and plans. |
| 160.060-2 | Types and models. |
| 160.060-3 | Materials—Type I vest. |
| 160.060-4 | Materials—Type II vest. |
| 160.060-5 | Construction—Type I vest. |
| 160.060-6 | Construction—Type II vest. |
| 160.060-7 | Inspections and tests—Types I and II vests. |
| 160.060-8 | Marking—Types I and II vests. |
| 160.060-9 | Procedure for approval—Types I and II vests. |

AUTHORITY: The provisions of this Subpart 160.060 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

§ 160.060-1 Applicable specifications and plans.

(a) *Specifications.* The following specifications, of the issue in effect on the date buoyant vests are manufactured, form a part of this subpart:

(1) Federal specifications.

V-T-276—Thread, Cotton.
CCC-T-191b—Textile Test Methods.
DDD-S-751—Stitches; Seams; and Stitching.

(2) Military specifications.

MIL-W-530—Webbing, Textile, Cotton, General Purpose Natural or in Colors.

(3) Coast Guard specification.

164.013—Foam, unicellular polyethylene (buoyant, slab, slitted trigonal pattern).

(b) *Plans.* The following plans, of the issue in effect on the date buoyant vests are manufactured, form a part of this subpart:

Dwg. No. 160.060-1:

Sheet 1—Cutting Pattern and General Arrangement, Model AY.
Sheet 2—Cutting Pattern and General Arrangement, Model CYM.
Sheet 3—Cutting Pattern and General Arrangement, Model CYS.
Sheet 4—Insert Pattern, Model AY.
Sheet 5—Insert Pattern, Model CYM.
Sheet 6—Insert Pattern, Model CYS.

(c) *Copies on file.* Copies of the specifications and plans referred to in this section shall be kept on file by the manufacturer together with the Certificate of Approval.

(1) The Coast Guard specifications and plans may be obtained upon request from the Commandant, United States Coast Guard, Washington, D.C., 20226.

(2) The Federal specifications may be purchased from the Business Service Center, General Services Administration, Washington, D.C., 20407.

(3) The military specifications may be obtained from the Commanding Officer, Naval Supply Depot, Scotia, N.Y., 13147.

§ 160.060-2 Types and models.

(a) Buoyant vests specified by this subpart shall be of the following types and models:

(1) Type I—Standard.

Model AY—Adult.
Model CYM—Child, Medium (For children weighing approximately 45 to 90 pounds).
Model CYS—Child, Small (For children weighing less than approximately 50 pounds).

(2) Type II—Non-standard.

Model 1—Adult.
Model 1—Child, Medium (For children weighing approximately 45 to 90 pounds).
Model 1—Child, Small (For children weighing less than approximately 50 pounds).

§ 160.060-3 Materials—Type I vests.

(a) *General.* The requirements for materials specified in this section are minimum requirements, and consideration will be given to the use of alternate

¹ Model designations for Type II, non-standard vests to be assigned by individual manufacturers. Designations shall differ from those of the standard models.

materials in lieu of those specified. Detailed technical data and samples of all proposed alternate materials shall be submitted for approval prior to being incorporated in the finished product.

(b) *Unicellular polyethylene foam.* The unicellular polyethylene foam shall be all new material complying with Subpart 164.013 of this subchapter, and for each lot of the foam used the vest manufacturer shall obtain from the manufacturer of the foam a certification that it complies with these requirements.

(c) *Envelope.* The buoyant vest envelope, or cover, shall be made from 39", 2.85 cotton jeans cloth, with a thread count of approximately 96 x 64. The finished goods shall weigh not less than 4.2 ounces per square yard, shall have thread count of not less than 94 x 60, and shall have a breaking strength of not less than 85 pounds in the warp and 50 pounds in the filling. Other cotton fabrics having a weight and breaking strength not less than the above will be acceptable. There are no restrictions as to color, but the fastness of the color to laundering, water, crocking, and light shall be rated "good" when tested in accordance with Federal Specification CCC-T-191b, Methods 5610, 5630, 5650, and 5660.

(d) *Tie tapes and straps.* The tie tapes and body strap loops for both adult and child sizes shall be 3/4" cotton webbing meeting the requirements of Specification MIL-W-530 for Type I webbing. The body straps for adult size vests shall be 1" Type I webbing, and the body straps for child size shall be 3/4" Type I webbing.

(e) *Dee rings and snap hooks.* The dee rings and snap hooks shall be of a size consistent with the webbing on which they are used and shall be of corrosion-resistant material or protected against corrosion by a corrosion-resistant plating.

(f) *Thread.* The thread shall be Type IB, No. 20, 4-ply cotton thread conforming to the requirements of Federal Specification V-T-276.

§ 160.060-4 Materials—Type II vests.

(a) *General.* All materials used in non-standard Type II buoyant vests shall be at least equivalent to those specified in § 160.060-3 for standard Type I vests.

§ 160.060-5 Construction—Type I vests.

(a) *General.* This specification covers buoyant vests which essentially consist of a fabric envelope in which are enclosed inserts of buoyant material arranged and distributed so as to provide the flotation characteristics and buoyancy required to hold the wearer in an upright or slightly backward position with head and face out of water. The buoyant vests are also fitted with straps and hardware to provide for proper adjustment and close and comfortable fit to the bodies of various size wearers.

(b) *Envelope.* The envelope or cover shall be made of three pieces. Two pieces of fabric shall be cut to the pattern shown on Dwg. No. 160.060-1, Sheet 1 for the adult size, and Sheets 2 and 3 for child sizes, and joined together with

a third piece which forms a 2 1/4" finished gusset strip all around. Reinforcing strips of the same material as the envelope shall be stitched to the inside of the front piece of the envelope in way of the strap attachments as shown by the drawings.

(c) *Buoyant inserts.* The unicellular plastic foam buoyant inserts shall be cut and formed as shown on Dwg. No. 160.060-1, Sheets 4, 5, and 6 for the adult, child medium, and child small sizes, respectively.

(d) *Tie tapes, straps, and hardware.* The tie tapes, straps, and hardware shall be arranged as shown on the drawings and attached to the envelope with the seams and stitching indicated.

(e) *Stitching.* All stitching shall be short lock stitch conforming to Stitch Type 301 of Federal Specification DDD-S-751, and there shall be not less than 7 nor more than 9 stitches to the inch.

(f) *Pockets.* Pockets are not required on buoyant vests, but may be placed on them if desired, provided they do not interfere with the adjustment or fit of the vest.

(g) *Workmanship.* Buoyant vests shall be of first-class workmanship and shall be free from any defects materially affecting their appearance or serviceability.

§ 160.060-6 Construction—Type II vests.

(a) *General.* Construction methods used in non-standard Type II buoyant vests shall be at least equivalent to those specified in § 160.060-5 for standard Type I vests. Type II vests shall also meet the additional requirements specified below.

(b) *Sizes.* Type II vests shall be constructed in sizes which correspond to those specified in § 160.060-2 for Type I vests, i.e., adult, child medium and child small.

(c) *Volume of buoyant material.* Adult size Type II vests shall contain not less than 500 cubic inches of unicellular polyethylene foam buoyant material; child medium size vests not less than 350 cubic inches; and child small size vests not less than 225 cubic inches. The volume of the inserts shall be determined by the displacement method.

(d) *Arrangement of buoyant material.* The buoyant material in Type II vests shall be located and arranged so as to hold the wearer in an upright or backward position with head and face out of water. They shall show no tendency to turn a wearer face downward in the water, and at least 70 percent of the total buoyant material in any Type II vest shall be located in the front of the vest.

(e) *Adjustment, fit and donning.* Type II vests shall be capable of being readily and easily adjusted to fit the range of wearers for which designed, and donning time by uninitiated persons shall compare favorably with that of standard Type I vests.

§ 160.060-7 Inspections and tests—Types I and II vests.

(a) *General.* Buoyant vests are not inspected at regularly scheduled factory inspections; however, the Commander of the Coast Guard District may detail a

marine inspector at any time to visit any place where buoyant vests are manufactured to observe production methods and to conduct any inspections or tests which may be deemed advisable. The marine inspector shall be admitted to any place in the factory where work is done on buoyant vests or component materials, and samples of materials entering into construction may be taken by the marine inspector and tests made for compliance with the applicable requirements.

(b) *Manufacturer's inspections and tests.* Manufacturers of approved buoyant vests shall maintain quality control of the materials used, manufacturing methods, workmanship, and the finished product so as to meet the requirements of this specification, and shall make full inspections and tests of representative samples from each lot to maintain the quality of their product. At least one sample vest from each lot shall be tested for buoyancy by the manufacturer in accordance with the procedure set forth in paragraph (e) of this section. The records of such buoyancy tests shall be kept on file by the manufacturer and shall be made available to the Coast Guard marine inspector upon demand.

(c) *Lot size.* A lot shall consist of not more than 500 buoyant vests of the same type and model. Lots shall be numbered serially by the manufacturer, and if at any time during the manufacture of a lot, any change or modification in materials or production methods is made, a new lot shall be started.

(d) *Test facilities.* The manufacturer shall provide a suitable place and shall have on hand the necessary apparatus for conducting buoyancy tests in compliance with this specification. The apparatus shall include accurate spring scales of adequate capacity, weighted wire mesh baskets, and a test tank or tanks which can be locked or sealed in such a manner as to preclude disturbance of buoyant vests undergoing tests or change in water level.

(e) *Buoyancy—(1) Buoyancy test method.* Remove the buoyant inserts from the vests. Securely attach the spring scale in a position directly over the test tank. Suspend the weighted wire basket from the scale in such a manner that the basket can be weighed while it is completely under water. In order to measure the actual buoyancy provided by the inserts, the underwater weight of the empty basket should exceed the buoyancy of the inserts. To obtain the buoyancy of the inserts, proceed as follows:

(i) Weigh the empty wire basket under water.

(ii) Place the inserts inside the basket and submerge it so that the top of the basket is at least 2 inches below the surface of the water. Allow the inserts to remain submerged for 24 hours. The tank shall be locked or sealed during this 24-hour submergence period. It is important that after the inserts have once been submerged they shall remain submerged for the duration of the test, and at no time during the course of the test shall they be removed from the tank or otherwise exposed to air.

(iii) After the 24-hour submergence period, unlock or unseal the tank and

weigh the wire basket with the inserts inside while both are still underwater.

(iv) The buoyancy is computed as subdivision (i) of this subparagraph minus subdivision (iii) of this subparagraph.

(2) *Buoyancy required.* The buoyant inserts from adult size buoyant vests shall provide not less than 15½ pounds of buoyancy in fresh water; the inserts from the child medium size buoyant vests shall provide not less than 11 pounds buoyancy; and the inserts from the child small size buoyant vests shall provide not less than 7 pounds buoyancy.

(f) *Additional tests for Type II vests.* For Type II vests additional tests such as tests to determine performance in the water, extended service tests to determine suitability of materials, tests to determine comparative donning time and ease of adjustment, and such other tests as may be necessary to determine equivalence to the standard Type I vests may be required prior to approval. The costs of such additional tests will be payable by the manufacturer.

§ 160.060-3 Marking—Types I and II vests.

(a) *General.* Each buoyant vest shall be marked with a rectangular cloth tag attached to the envelope by stitching along all edges of the tag. The following information shall be plainly printed in waterproof ink on each tag:

TYPE (I OR II)

BUOYANT VEST

MODEL -----

ADULT (OR CHILD)

Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

U.S. COAST GUARD APPROVAL NO. -----
Lot No. -----

This vest is filled with unicellular polyethylene foam, which repeated wettings will not injure. When vest is wet, hang up and dry thoroughly.

(Name and address of manufacturer)

(b) *Additional marking for child size vests.* For child medium size buoyant vests, the following additional wording shall be included on the marking tag: "For Children Weighing Approximately 45 to 90 Pounds." For child small size buoyant vests, the following additional wording shall be included on the marking tag: "For Children Weighing less than Approximately 50 Pounds".

(c) *Waterproofness of marking tags.* Marking tags for buoyant vests shall be sufficiently waterproof so that after 48 hours submergence in water, they will withstand rubbing by hand with moderate pressure while wet without the printed matter becoming illegible.

§ 160.060-9 Procedure for approval—Types I and II vests.

(a) *General.* Buoyant vests for use on motorboats are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Each model vest is considered separately. Application for approval and correspondence pertaining to this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Approval of Type I vests.* Upon receipt of an application for approval of standard Type I vests, the Commander

of the Coast Guard District will detail a marine inspector to the factory to observe the production facilities and manufacturing methods and to select from not less than ten buoyant vests already manufactured not less than three of each model for examination and test for compliance with the requirements of this specification. A copy of the marine inspector's report, together with a fourth specimen vest and one set of buoyant inserts selected from those already manufactured will be forwarded to the Commandant, and if satisfactory, an official approval number will be assigned to the manufacturer for the Type I vests submitted.

(c) *Approval of Type II vests.* Upon receipt of an application for approval of non-standard Type II vests, the Commandant of the Coast Guard District will detail a marine inspector to the factory to observe the production facilities and manufacturing methods and to select three sample vests of each model and one set of buoyant inserts for each model for which approval is desired. The sample vests and inserts will be forwarded to the Commandant, together with a copy of the marine inspector's report. At the time the pre-approval samples are selected, the manufacturer shall also submit to the marine inspector four prints each of fully-dimensioned, full scale drawings showing all details of construction of the sample vests submitted, and four copies of a bill of material showing all materials used in the construction of the vests. After examination of the samples, drawings, and other material submitted, the manufacturer will be advised of any changes or corrections considered necessary. The manufacturer will also be informed of the tests that will be required, any additional samples or other material required, and the estimated cost of the tests. Upon payment by the manufacturer of the estimated costs of the tests, the tests will be authorized. If the results of the tests are satisfactory, an official approval number will be assigned to the manufacturer for the Type II vests submitted.

PART 162—ENGINEERING EQUIPMENT

Subpart 162.028—Extinguishers, Fire, Portable, Marine Type

Section 162.028-4(a) is amended to read as follows:

§ 162.028-4 Marine type label.

(a) In addition to all other marking, every portable extinguisher shall bear a label containing the "marine type" listing manifest issued by a recognized laboratory. This label will include the classification of the extinguisher in accordance with the Coast Guard classification system, and the Coast Guard approval number, thus: "Marine Type USCG Type -----, Size -----, Approval No. 162.028/-----." All such labels are to be obtained from the recognized laboratory and will remain under its control until attached to product found acceptable under its listing and labeling program.

(R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S.

4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 8, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 4, 67 Stat. 462, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526g, 526p, 1333, 390b, 43 U.S.C. 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1962 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-15, Jan. 3, 1955, 20 F.R. 840; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 164—MATERIALS

Subpart 164.013—Foam, Unicellular Polyethylene (Buoyant, Slab, Slitted Trigonal Pattern) for Motorboats of Classes A, 1, or 2 Not Carrying Passengers for Hire

Part 164 is amended by adding a new Subpart 164.013, consisting of §§ 164.013-1 to 164.013-5, inclusive, reading as follows:

- Sec.
164.013-1 Applicable specifications and plans.
164.013-2 Grades.
164.013-3 Material and workmanship.
164.013-4 Inspections and tests.
164.013-5 Procedure for approval.

AUTHORITY: The provisions of this Subpart 164.013 issued under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 526a, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

§ 164.013-1 Applicable specifications and plans.

(a) *Specifications and plan.* The following specifications and plan, of the issue in effect on the date the plastic foam material is manufactured, form a part of this subpart:

(1) Federal test method standard.

No. 601—Rubber: Sampling and Testing.

(2) Military specification.

MIL-P-40619—Plastic Material, Cellular, Polystyrene.

(3) A.S.T.M. specification standard.

D-1564—Sections 42 to 46; Density Determination.

(4) Plan.

Dwg. 164.013-1—Pattern, Trigonal Slit, for Polyethylene Foam Slab Material.

(b) *Copies on file.* Copies of the specifications and plans referred to in this section shall be kept on file by the manufacturer together with the Certificate of Approval.

(1) The Coast Guard specifications and plans may be obtained upon request from the Commandant, United States Coast Guard, Washington, D.C., 20226.

(2) The federal testing method standards may be purchased from the Business Service Center, General Services Administration, Washington, D.C., 20407.

(3) The military specifications may be obtained from the Commanding Officer, Naval Supply Depot, Scotia, N.Y., 13147.

(4) The A.S.T.M. specification standards may be purchased from the American Society for Testing Materials, 1916 Race Street, Philadelphia, Pa.

§ 164.013-2 Grades.

(a) Unicellular polyethylene foam shall be of but one grade as specified in this subpart.

§ 164.013-3 Material and workmanship.

(a) The unicellular polyethylene foam shall be all new material complying with the requirements outlined in this specification. The results of the tests described in § 164.013-4 shall yield property values within the limits shown in table in § 164.013-4(a).

(b) The manufacturer of the unicellular polyethylene foam shall incorporate a color throughout the material to provide identification. The choice of this color shall be subject to Coast Guard acceptance as a means of identifying the various manufacturers.

(c) The unicellular polyethylene foam shall be produced in slabs with a thickness of $1\frac{1}{8}$ " ($+\frac{1}{8}$ ", -0 "). One surface of the foam sheet shall be slitted with the trigonal pattern shown on Dwg. No. 164.013-1. The slits of the trigonal pattern shall be cut to a depth that leaves an unslit portion of material $\frac{1}{8}$ " ($+\frac{1}{16}$ ", -0 ") in thickness. The width of the slits shall be 0.000" to 0.035".

§ 164.013-4 Inspections and tests.

(a) General. Unicellular polyethylene foam to be used in a finished product subject to inspection by the Coast Guard shall also be subject to inspection at the plant where the foam is manufactured. The manufacturer of the foam has primary responsibility for quality control over the production of the foam. A marine inspector shall be admitted to any place in the factory where production or partial processing of the foam takes place, and he may take samples of the foam or other materials for further inspections or tests. The manufacturer shall provide a suitable place and the apparatus necessary for the performance of certain tests to be witnessed by the marine inspector, the results of which shall comply with the table in this paragraph. The following properties shall be determined on specimens of the sheet foam which have not been finished with the trigonal pattern slits described in § 164.013-3(c):

TABLE 164.013-4(a)—PROPERTY VALUES OF UNICELLULAR POLYETHYLENE FOAM

| Property | Test reference | Value |
|--|--|---------------------------|
| Density, pounds per cubic foot. | ASTM D 1564, sections 42 to 46. | 1.9 to 2.6. |
| Compression Deflection at 10%, psi (maximum). | Method 12151 of Fed. Std. Test Method No. 601. | 8.0. |
| Water absorption, lbs. per square foot of cut surface (maximum). | MIL-P-40619, para. 4.5.7. | 0.08. |
| Buoyancy in fresh water, lbs. per cubic foot (minimum). | § 164.013-4(e) | 55. |
| Volume loss on heat aging, percent (maximum). | MIL-P-40619, para. 4.5.9. | 3.0. |
| Oil resistance. | MIL-P-40619, para. 4.5.10. | No softening or swelling. |
| Odor at room temperature. | § 164.013-4(g) | Not objectionable. |
| Compression set, percent of original thickness (maximum). | § 164.013-4(i) | 10.0. |

(b) Density. The density of the material shall be determined from specimens of sheet foam that have not been finished with the trigonal slit pattern described in § 164.013-3(c). The density of the material shall be determined by the method described in A.S.T.M. D 1564, sections 42 to 46.

(c) Compression deflection. Compression deflection shall be determined in accordance with Method 12151 of Federal Test Method Standard No. 601, except that the test specimens shall be compressed to 10 percent of their original thicknesses by compression forces applied at a rate of 0.5 inches per minute.

(d) Water absorption. Water absorption of the material shall be determined in accordance with paragraph 4.5.7 of MIL-P-40619.

(e) Buoyancy in fresh water. The buoyancy test shall be made with a sample of the material measuring approximately $1\frac{1}{8}$ " x 12 " x 12 ". Securely attach a spring scale in a position directly over a test tank. Suspend a weighted wire basket from the scale in such a manner that the basket can be weighed while completely submerged under water. Proceed as follows:

(1) Weigh the empty wire basket under water.

(2) Place the sample inside the basket and submerge it so that the top of the basket is at least 2 inches below the surface of the water. Allow the samples to remain submerged 24 hours.

(3) After the 24 hour submergence period, weigh the wire basket with the sample inside while both are still under water.

(4) The buoyancy is computed as subparagraph (1) of this paragraph minus subparagraph (3) of this paragraph. The resulting value is divided by the volume of the polyethylene foam expressed in cubic feet. The final result is in lbs./cubic feet.

(f) Volume loss on heat aging. The volume loss shall be determined according to para. 4.5.9 of Military Specification MIL-P-40619.

(g) Oil resistance. The resistance to Navy grade fuel oil shall be determined according to para. 4.5.10 of Military Specification MIL-P-40619.

(h) Odor. The odor of unicellular polyethylene foam shall be determined by sniffing.

(i) Compression set. The compression set shall be measured one hour after removal of a 10-pound weight which has been applied to a sample approximately 1 " x 1 " x 1 " for one hour at room temperature. The compression set shall be calculated by means of the following formula:

$$\text{Compression set (percent)} = \frac{t_o - t_f}{t_o} \times 100 \quad (1)$$

where:
 t_o = original thickness.
 t_f = final thickness.

(j) Acceptance. Acceptance of unicellular polyethylene foam prior to being incorporated into finished products, or during the course of manufacture, shall in no case be construed as a guarantee of the acceptance of the finished product.

§ 164.013-5 Procedure for approval.

(a) Unicellular polyethylene foam is not subject to formal approval, but will be accepted by the Coast Guard on the basis of this subpart for use in the manufacture of lifesaving equipment utilizing it.

(b) The manufacturer of the foam shall provide the manufacturer of the lifesaving equipment with an affidavit stating that the foam conforms to all of the requirements of this subpart.

SUBCHAPTER R—NAUTICAL SCHOOLS

PART 167—PUBLIC NAUTICAL SCHOOLSHIPS

Subpart 167.15—Inspection

§ 167.15-10 [Amended]

1. Section 167.15-10 *Application for annual inspection*, is amended by changing the number and title of the described form from "Form CG-833, Application for Inspection of Vessel" to "Form CG-3752, Application for Inspection of U.S. Vessel."

Subpart 167.30—Repairs or Alterations

2. Section 167.30-10 is amended to read as follows:

§ 167.30-10 Special operating requirements.

Inspection and testing required when making alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions are as follows:

(a) The provisions of "Standard for the Control of Gas Hazards on Vessels to be Repaired", NFPA No. 306, published by National Fire Protection Association, 60 Batterymarch Street, Boston, Mass., shall be used as a guide in conducting the inspections and issuance of certificates required by this section.

(b) Until an inspection has been made to determine that such operation can be undertaken with safety, no alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions shall be made:

(1) Within or on the boundaries of cargo tanks which have been used to carry combustible liquids or chemicals in bulk; or,

(2) Within spaces adjacent to cargo tanks which have been used to carry Grade D combustible liquid cargo, except where the distance between such cargo tanks and the work to be performed is not less than twenty-five (25) feet; or,

(3) Within or on the boundaries of fuel tanks; or,

(4) To pipe lines, heating coils, pumps, fittings, or other appurtenances connected to such cargo or fuel tanks.

(c) Such inspections shall be made and evidenced as follows:

(1) In ports or places in the United States or its territories and possessions, the inspection shall be made by a marine chemist certificated by the National Fire Protection Association; however, if the services of such certified marine chemist are not reasonably available, the Officer

in Charge, Marine Inspection, upon the recommendation of the vessel owner and his contractor or their representative, shall select a person who, in the case of an individual vessel, shall be authorized to make such inspection. If the inspection indicates that such operations can be undertaken with safety, a certificate setting forth the fact in writing and qualified as may be required, shall be issued by the certified marine chemist or the authorized person before the work is started. Such qualifications shall include any requirements, as may be deemed necessary to maintain, insofar as can reasonably be done, the safe conditions in the spaces certified throughout the operation and shall include such additional tests and certifications as considered required. Such qualifications and requirements shall include precautions necessary to eliminate or minimize hazards that may be present from protective coatings or residues from cargoes.

(2) When not in such a port or place, and a marine chemist or such person authorized by the Officer in Charge, Marine Inspection, is not reasonably available, the inspection shall be made by the senior officer present and a proper entry shall be made in the vessel's logbook.

(d) It shall be the responsibility of the senior officer present to secure copies of certificates issued by the certified marine chemist or such person authorized by the Officer in Charge, Marine Inspection. It shall be the responsibility of the senior officer present, insofar as the persons under his control are concerned, to maintain a safe condition on the vessel by full observance of all qualifications and requirements listed by the marine chemist in the certificate.

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4441, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 2, 29 Stat. 188, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 230, 231, 225, 237, 367, 390b, 50 U.S.C. 198. Treasury Department Orders 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894.)

SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

PART 176—INSPECTION AND CERTIFICATION

Subpart 176.01—Certificate of Inspection

§ 167.01-10 [Amended]

1. Paragraph (a) of § 176.01-10 *How to obtain and renew*, is amended by

changing the number and title of a form from "Form CG-3752, Application for Inspection of Small Passenger Vessel" to "Form CG-3752, Application for Inspection of U.S. Vessel."

2. Section 176.01-35(b) is amended to read as follows:

§ 176.01-35 Certificate of inspection amendment.

(b) Notification and a request for a certificate of inspection amendment shall be made to the Officer in Charge, Marine Inspection, having jurisdiction, by the operator, owner, or agent of the vessel at any time there is a change in the character of a vessel or in her route, equipment, ownership, etc., as specified in her certificate of inspection previously issued and currently valid.

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4464, as amended, 4466, as amended, 4488, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 451, 453, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.)

PART 182—MACHINERY INSTALLATION

Subpart 182.20—Machinery Using Diesel Fuel

Section 182.20-25(a) (5) is amended to read as follows:

§ 182.20-25 Independent diesel fuel tanks.

(a) *Material and construction.* . . .
(5) Nozzles, flanges or other fittings for pipe connections shall be welded or brazed to the tank. The tank opening in way of pipe connections shall be properly reinforced where necessary. Where liquid level indicating gages are installed, they shall be of heat resistant materials, adequately protected from mechanical damage and provided at the tank connections with devices which will automatically close in the event of rupture of the gage or gage lines.

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, secs. 11, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481, 526; 526p. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June

18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

PART 187—LICENSING

Subpart 187.15—Renewal of Licenses

1. Section 187.15-1 is amended by adding paragraphs (c) and (d) reading as follows:

§ 187.15-1 Requirements for renewal of license.

(c) Every Officer in Charge, Marine Inspection, shall, before renewing an existing license to an Operator or Ocean Operator who presents evidence of having served under the authority of his license within the three years next preceding the date of application for renewal, or who has been employed in a position closely related to the operation of vessels during the same three year period, require that such operator present an affidavit that he has reviewed within the three months next preceding the date of application, the Rules of the Road applicable to the waters for which he is licensed, and demonstrate his knowledge of the application of the Rules of the Road.

(d) Every Officer in Charge, Marine Inspection, shall, before renewing an existing license to an operator or ocean operator who has not been employed on the waters for which he is licensed, or who has not been employed in a position closely related to the operation of vessels during the three years next preceding the date of application for renewal, satisfy himself that such licensed operator is thoroughly familiar with the Rules of the Road applicable to the waters for which the applicant is licensed. A written examination may be required for this purpose or the applicant may be examined orally and a summary of the oral examination placed in the operator's license file.

§ 187.15-5 [Amended]

2. Paragraph (a) (5) of § 187.15-5 *Application for renewal*, is canceled. (The revised text has been transferred to § 187.15-1(d).)

(Sec. 3, 70 Stat. 152; 46 U.S.C. 390b. Treasury Department Order 167-20, June 18, 1956, 21 F.R. 4894)

Dated: May 28, 1964.

E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 64-5585; Filed, June 4, 1964;
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