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FEDERAL REGISTER

VOLUME 31 • NUMBER 235

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Pages 15223–15300

(Part II begins on page 15263)

Agencies in this issue—

The President
Agriculture Department
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Farm Credit Administration
Federal Aviation Agency
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Immigration and Naturalization Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Railroad Retirement Board
Securities and Exchange Commission

Detailed list of Contents appears inside.

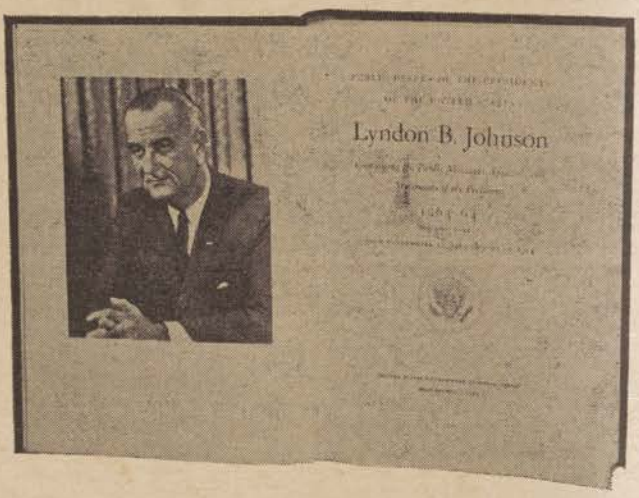




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Contents

THE PRESIDENT

PROCLAMATIONS

Migratory Waterfowl Day 15227
Pearl Harbor Day 15229
Wright Brothers Day, 1966 15231

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See also Commodity Credit Corporation; Consumer and Marketing Service.

Notices

Great Plains Conservation Program; applicability in Taos County, N. Mex 15245

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Braniff Airways, Inc., and Pan American World Airways, Inc 15247
General Air Freight, Inc 15248

CIVIL SERVICE COMMISSION

Rules and Regulations

Life insurance; coverage for reemployed annuitants 15233

Notices

Rehabilitation Specialist, National Capital Planning Commission; manpower shortage 15249

COAST GUARD

Rules and Regulations

Distinctive markings for Coast Guard vessels and aircraft; ensigns and pennants 15239
Public contracts, general 15239
Vessel inspection and certification; miscellaneous amendments 15264

COMMERCE DEPARTMENT

See International Commerce Bureau; Maritime Administration.

COMMODITY CREDIT CORPORATION

Rules and Regulations

Payment programs:
Mohair 15234
Wool 15234

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Oranges and grapefruit grown in Lower Rio Grande Valley in Texas; use by handlers of identifying marks utilized by committee in promotional and advertising projects 15233
Potatoes, Irish, grown in Colorado; shipments limitation 15234

CUSTOMS BUREAU

Notices

Dog leads, etc., of iron or steel; tariff classification 15245

FARM CREDIT ADMINISTRATION

Rules and Regulations

Banks for cooperatives consolidated debentures; custodian and acting custodian 15233

FEDERAL AVIATION AGENCY

Rules and Regulations

Control zone and transition area; alteration 15236
Federal airways; alterations (2 documents) 15236, 15237
Federal airways, jet routes, and reporting points; alteration 15237
Transition areas:
Alteration 15237
Designation 15237

Proposed Rule Making

Control zone and transition area; alteration 15242
Transition areas:
Alteration 15242
Designations (2 documents) 15242, 15243

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations

Federal Savings and Loan System; mergers 15235

FEDERAL MARITIME COMMISSION

Notices

Agreements filed for approval:
Atlantic Container Line, Ltd., et al 15249
Cunard Steam-Ship Co., Ltd., and Furness Withy & Co., Ltd 15249

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Micoa, Inc., et al 15249
Mobil Oil Corp. et al 15252
Superior Oil Co. at al 15253

FEDERAL TRADE COMMISSION

Rules and Regulations

Administrative opinions and rulings; approval of descriptions to be used by exclusive seller to U.S. Government 15238

FISH AND WILDLIFE SERVICE

Rules and Regulations

Sport fishing in wildlife refuge areas:
Kansas; Kirwin 15241
Wisconsin; Horicon 15241

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Food additives; polysorbate 80; correction 15239

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

IMMIGRATION AND NATURALIZATION SERVICE

Rules and Regulations

Aliens and nationality; miscellaneous amendments 15235

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNATIONAL COMMERCE BUREAU

Notices

Werschlein & Becker; order denying export privileges 15245

INTERSTATE COMMERCE COMMISSION

Notices

Columbus and Greenville Railway Co.; rerouting and diversion of traffic 15260
Fourth section applications for relief 15257
Motor carrier:
Temporary authority applications 15257
Transfer proceedings 15259

JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

LAND MANAGEMENT BUREAU

Notices

Proposed withdrawal and reservation of lands:
Nevada; termination 15244
North Dakota; termination 15244
North Dakota 15244

MARITIME ADMINISTRATION

Notices

List of foreign flag vessels arriving in North Vietnam on or after Jan. 25, 1966 15247

RAILROAD RETIREMENT BOARD

Rules and Regulations

Employers' reports of compensation of employees (2 documents) 15238

(Continued on next page)

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

Bell Intercontinental Corp. and International Bank 15254
Columbia Gas System, Inc., et al 15254
Exeter Third Fund, Inc 15255
Indiana & Michigan Electric Co 12556

TREASURY DEPARTMENT

See Coast Guard; Customs Bureau.

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

PROCLAMATIONS:
3755 15227
3756 15229
3757 15231

5 CFR

870 15233

6 CFR

73 15233

7 CFR

906 15233
948 15234
1468 15234
1472 15234

8 CFR

245 15235
249 15235
299 15235

12 CFR

546 15235

14 CFR

71 (6 documents) 15236, 15237
75 15237
PROPOSED RULES:
71 (4 documents) 15242, 15243

16 CFR

15 15238

20 CFR

250 15238
345 15238

21 CFR

121 15239

33 CFR

23 15239

41 CFR

11–50 15239

46 CFR

2 15266
3 15266
10 15266
25 15267
30–36 15267–15269
38 15269
40 15276
43 15280
51 15280
52 15280
54 15280
70–73 ..... 15280, 15281
75–78 15281–15283
90–92 15284
94–98 15284–15286
110 15288
111 15288
113 15296
157 15296
160 15297
167 15298
176 15298
181 15298
182 15299
185 15300
187 15300

50 CFR

33 (2 documents) 15241

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3755

MIGRATORY WATERFOWL DAY

By the President of the United States of America

A Proclamation

December 8 marks the fiftieth anniversary of the day President Wilson proclaimed a Treaty with Great Britain for the protection of migratory birds which fly between Canada and the United States.

A similar Treaty with the Republic of Mexico was proclaimed in 1937.

A 1940 Treaty, ratified by 11 American countries, also protects nature and wildlife in the Western Hemisphere.

All three of these Treaties recognize the value of migratory birds for food and commerce. At the same time they recognize that for so many thousands of sportsmen, game hunting is a part of healthy outdoor recreation. This, too, is part of our heritage.

But these Treaties also affirm the need to protect waterfowl, as a precious natural treasure.

Over the years, Congress has enacted many laws, including the recent Endangered Species Preservation Act, to strengthen these treaties. The Federal Government, working with the States and with Canada, has developed the most advanced waterfowl management practices in the world. Public refuges and other protected areas have been established to conserve habitats for waterfowl and many other migratory species.

But laws, treaties and regulations are not enough. We cannot sit idly by as the bulldozer and dredge destroy the natural environment that birds must have for survival.

More land in public ownership is needed. We shall continue to accelerate land acquisition for waterfowl and other birds. We shall increase our research efforts to preserve the legacy of American wildlife for the enjoyment of all.

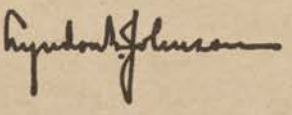
NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon the people of our Nation to observe Thursday, December 8, 1966, as Migratory Waterfowl Day, commemorating this Nation's first treaty for the protection of migratory birds and pledging our full support of international efforts for their continued welfare.

I urge all citizens to support the work of Federal and State administrators and biologists and the activities of private conservation organizations in programs for the safekeeping of migratory waterfowl—a resource that knows no State or international boundary lines.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-eighth day of November in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninety-first.

[SEAL]



By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-13158; Filed, Dec. 5, 1966; 10:24 a.m.]

Proclamation 3756

PEARL HARBOR DAY

By the President of the United States of America

A Proclamation

"These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph."

These words of Thomas Paine were read to Washington's Army when it was retreating across New Jersey, having tasted nothing but defeat. President Franklin D. Roosevelt also read these words to the American people several months after the unprovoked, unforeseen onslaught at Pearl Harbor on December 7, 1941.

Today we are once again called upon to stand in the cause of freedom and justice. Again we reflect upon those words of Thomas Paine, and upon the steadfast heroism of our Armed Forces—which on that day in 1941 kindled in the hearts of all Americans a bright light of courage rallying them to supreme effort and sacrifice, and sustaining them throughout the terrible, long ordeal until final victory.

December 7, 1966, will mark the twenty-fifth anniversary of that attack on Pearl Harbor, and the Congress by Act of July 9, 1964, has requested the President to issue a proclamation designating December 7, 1966, as Pearl Harbor Day.

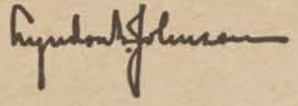
NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim December 7, 1966, as Pearl Harbor Day in commemoration of the twenty-fifth anniversary of the attack on Pearl Harbor.

On this day let us all pause to reflect upon the supreme sacrifice made by so many Americans at Pearl Harbor and during the grim struggle which followed. Let us reaffirm our dedication to the principles of freedom and justice, the cornerstones of our Nation.

I urge that this twenty-fifth anniversary of Pearl Harbor Day be observed with appropriate ceremonies and activities. I urge that civic and service organizations, public bodies, the Armed Forces, Veterans Organizations, and the media of information and entertainment participate in the commemoration of this anniversary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of December in the year of our Lord nineteen hundred and sixty-six, and of the [SEAL] Independence of the United States of America the one hundred and ninety-first.



By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-13159; Filed, Dec. 5, 1966; 10:24 a.m.]

Proclamation 3757

WRIGHT BROTHERS DAY, 1966

By the President of the United States of America

A Proclamation

On December 17, 1903, two American brothers, Orville and Wilbur Wright, established a milestone in the history of man.

On that day, in a plane they had invented and constructed, they made the world's first successful flight in a heavier-than-air, power-driven machine.

That momentous flight over the sand dunes of Kitty Hawk, North Carolina, lasted a mere twelve seconds.

But it marked the beginning of the age of aviation.

It opened the way for a new industry which has expanded our domestic economy—for a new field of international trade and commerce—and for a world-wide network of communications which has helped to break down the barriers of intolerance and contributed to international understanding.

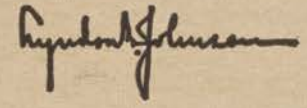
It led this Nation to a preeminence in global transportation which is still unequaled, and which has contributed to strengthening both our defense and our economy.

In commemoration of the achievements of Orville and Wilbur Wright, the Congress by a joint resolution approved December 17, 1963 (77 Stat. 402), has designated the seventeenth day of December of each year as Wright Brothers Day and has requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call upon the people of this Nation, and their local and national government officials, to observe Wright Brothers Day, December 17, 1966, with appropriate ceremonies and activities, both to recall the accomplishments of the Wright Brothers and to provide a stimulus to aviation in this country and throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of December in the year of our Lord nineteen hundred and sixty-six, and [SEAL] of the Independence of the United States of America the one hundred and ninety-first.



By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-13160; Filed, Dec. 5, 1966; 10:24 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 870—LIFE INSURANCE

Coverage for Reemployed Annuitants

Effective on the date of publication in the FEDERAL REGISTER, Part 870 of Title 5 of the Code of Federal Regulations is amended as follows:

§ 870.202 [Amended]

Section 870.202(a)(8) is revoked. Section 870.601(e) is amended to read as follows:

§ 870.601 Eligibility for group life insurance.

* * * * *

(e) If an insured retired employee is appointed to a position wherein he is not excluded from insurance by law or regulation, the amount of his life insurance as a retired employee is suspended on the day preceding the first day in a pay status under the appointment, and unless he gives written notice that he desires not to be insured, is automatically reinstated upon his death in such amount as may be necessary to assure that the total of all insurance benefits paid after his death is not less than the amount which would have been paid if he had not been reemployed.

(Sec. 11, 68 Stat. 742; 5 U.S.C. 2100)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66-13019; Filed, Dec. 5, 1966; 8:45 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

SUBCHAPTER F—BANKS FOR COOPERATIVES

PART 73—BANKS FOR COOPERATIVES CONSOLIDATED DEBENTURES

Custodian and Acting Custodian

Title 6 of the Code of Federal Regulations is amended by inserting the following sentence between the second and third sentences of § 73.2 thereof (31 F.R. 2531): "For any period that the aforesaid officials are both unable to serve for any reason as Custodian or Acting Custodian, respectively, any chief or acting chief of a division or section in the Farm Credit Administration designated by the Governor of the Farm Credit Administration may serve, ex officio, as such Acting Custodian."

As so amended, said § 73.2 reads as follows:

§ 73.2 Custodian and Acting Custodian.

The Chief, Collateral Section, Farm Credit Administration, shall serve, ex officio, as Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures. The Chief, Finance Division, Farm Credit Administration, shall serve, ex officio, as Acting Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures, in the event the said Custodian is unable to serve for any reason. For any period that the aforesaid officials are both unable to serve for any reason as Custodian or Acting Custodian, respectively, any chief or acting chief of a division or section in the Farm Credit Administration designated by the Governor of the Farm Credit Administration may serve, ex officio, as such Acting Custodian. The Farm Loan Registrar in each farm credit district shall serve, ex officio, as Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures; and the Deputy Registrar and any Acting Deputy Registrar in each farm credit district shall serve, ex officio, as Acting Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures, in the event the said Custodian is unable to serve for any reason. The operating title of the Farm Loan Registrar when so serving shall be Custodian. The operating title of the Deputy Registrar and any Acting Deputy Registrar when so serving shall be Acting Custodian.

(Sec. 37, 48 Stat. 263, as amended; 12 U.S.C. 1134m)

R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 66-13069; Filed, Dec. 5, 1966; 8:47 a.m.]

Title 7—AGRICULTURE

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

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Terms and Conditions Governing Use by Handlers of Identifying Marks Utilized by Committee in Promotional and Advertising Projects

Notice was published in the November 8, 1966, issue of the FEDERAL REGISTER (31 F.R. 14359, 14563) that consideration was being given to proposed rule making regarding the establishment of terms and conditions to be applicable to the handlers for the use of identifying marks, "TEXASWEET" and "SWEETER BY NATURE", for promotional and advertising purposes, pursuant to the provisions of the marketing agreement, as amended, and Order 906, as amended (7 CFR Part 906; 31 F.R. 10461), regulating the handling of oranges and grapefruit grown in Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 CFR U.S.C. 601–674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Texas Valley Citrus Committee (established pursuant to the said amended marketing agreement and order), it is hereby found that the terms and conditions hereinafter set forth are in accordance with the provisions of the amended marketing agreement and order and will tend to effectuate the declared policy of the act.

§ 906.137 Handlers use of identifying marks utilized by the committee in promotional and advertising projects.

(a) On and after January 6, 1967, the identifying marks "TEXASWEET" and "SWEETER BY NATURE" shall be available to handlers only under the following terms and conditions:

(1) The identifying marks "TEXASWEET" and "SWEETER BY NATURE" may severally or jointly be affixed only to containers of grapefruit or to individual grapefruit comprising a lot which grades at least U.S. Combination, with not less than 60 percent, by count, of the grapefruit in each container thereof grading at least U.S. No. 1 and the remainder U.S. No. 2.

(2) The identifying marks "TEXASWEET" and "SWEETER BY NATURE" may severally or jointly be affixed only to containers of oranges or to individual oranges comprising a lot which grades at least U.S. Combination.

(b) When used herein, terms relating to grade shall have the same meaning as is given to the respective term in the U.S. Standards for Grapefruit (Texas and States other than Florida, California, and Arizona) (7 CFR 51.620–51.685) and in the U.S. Standards for Oranges (Texas and States other than Florida, California, and Arizona) (7 CFR 51.680–51.712).

Dated, December 1, 1966, to become effective at 12:01 a.m., c.s.t., January 6, 1967.

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

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

[F.R. Doc. 66-13089; Filed, Dec. 5, 1966; 8:48 a.m.]

[948.352 Amdt. 1; Area 3]

PART 948—IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, effective under the applicable provisions of the Agriculture Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Area No. 3 Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) in that (1) shipments of 1966 crop potatoes grown in Area No. 3 are now being made, (2) to maximize benefits to producers, this amendment should apply to as many shipments as possible during the effective period, (3) issuance of this amendment will not require any special preparation by handlers, (4) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (5) this amendment relieves restrictions on the handling of potatoes grown in the production area.

Order, as amended. In § 948.352 (31 F.R. 10463) amend subparagraph (1) of paragraph (d) to read as follows:

§ 948.352 Limitation of shipments.

* * * * *

(d) * * *

(1) Chipping stock: Potatoes handled for chipping are exempt from the grade and size requirements of paragraph (a) of this section if such potatoes are handled in accordance with paragraph (e) of this section and are inspected and assessments are paid thereon.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–647)

Effective date. Dated December 1, 1966, to become effective upon issuance.

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

[F.R. Doc. 66–13090; Filed, Dec. 5, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[Amdt. 1]

PART 1468—MOHAIR

Subpart—Payment Program for Mohair

PRICE SUPPORT LEVEL AND COMPUTATION OF PAYMENT

The regulations issued by Commodity Credit Corporation containing the requirements with respect to the Payment Program for Mohair (31 F.R. 5817) are amended as follows:

1. At the end of § 1468.255, the following new paragraph (c) is inserted:

§ 1468.255 Price support level.

* * * * *

(c) *1967 marketing year.* For the 1967 marketing year, the price support level was announced on June 29, 1966, as 76.4 cents per pound of mohair grease basis.

2. Paragraph (b) of § 1468.259 is amended to read as follows:

§ 1468.259 Computation of payment.

* * * * *

(b) Except as provided in § 1468.261 (a)(6) with respect to a guaranteed minimum sales price, the net sales proceeds shall be determined by deducting from the gross sales proceeds of the mohair all marketing expenses, such as any charges paid by or for the account of the producer for transportation, handling (including commissions), grading, scouring, or carbonizing. The figure so arrived at will express the net proceeds received by the producer at his farm, ranch, or local shipping point. Charges for furnishing bags or storing the mohair, as well as any other charges not directly related to the marketing of the mohair, such as interest on advances, shall not be considered marketing charges.

(Sec. 4, 62 Stat. 1070, sec. 5, 62 Stat. 1072, secs. 702–708, 68 Stat. 910–922, as amended, secs. 401–403, 72 Stat. 994–995, sec. 151, 75 Stat. 306, sec. 201, 79 Stat. 1188; 15 U.S.C. 714b, 15 U.S.C. 714c, 7 U.S.C. 1781–1787, as amended)

Effective date. Date of publication.

Signed at Washington, D.C., on November 30, 1966.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–13088; Filed, Dec. 5, 1966; 8:48 a.m.]

[Amdt. 1]

PART 1472—WOOL

Subpart—Payment Program for Shorn Wool and Unshorn Lambs (Pulled Wool)

MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation containing the requirements with repect to the payment program for shorn wool and unshorn lambs (pulled wool) (31 F.R. 4582) are amended as follows:

§ 1472.1204 [Amended]

1. In § 1472.1204(b), the reference to "two or more persons" is revised to read "two or more producers".

2. At the end of § 1472.1205, the following new paragraph (c) is inserted:

§ 1472.1205 Price support level.

* * * * *

(c) *1967 marketing year.* For the 1967 marketing year, the price support level was announced on June 29, 1966, as 66 cents per pound of shorn wool, grease basis.

3. Paragraph (b) of § 1472.1209 is amended to read as follows:

§ 1472.1209 Computation of payment.

* * * * *

(b) Except as provided in § 1472.1211 (a)(6) with respect to a guaranteed minimum sales price, the net sales proceeds shall be determined by deducting from the gross sales proceeds of the wool all marketing expenses, such as any charges paid by or for the account of the producer for transportation, handling (including commissions), grading, scouring, or carbonizing. The figure so arrived at will express the net proceeds received by the producer at his farm, ranch, or local shipping point. Charges for wool bags or storage, as well as any other charges not directly related to the marketing of the wool, such as interest on advances, shall not be considered marketing charges.

* * * * *

4. In § 1472.1246, the letter "(a)" is inserted immediately after the heading of that section, and the following new paragraph (b) is added at the end of the section:

§ 1472.1246 Deductions for promotion.

* * * * *

(b) For the 1966 marketing year, a deduction will be made from each shorn wool payment at the rate of 1½ cents a pound of wool, grease basis, and from each unshorn lamb payment at the rate of 7½ cents per hundredweight of live lambs, as announced in the Department's press release issued October 26, 1966. Those funds will be used to finance the advertising and sales promotion program approved by the Department of Agriculture pursuant to section 708 of the National Wool Act of 1954, as amended.

(Sec. 4, 62 Stat. 1070, sec. 5, 62 Stat. 1072, secs. 702–708, 68 Stat. 910–912, as amended, secs. 401–403, 72 Stat. 994–995, sec. 151, 75 Stat. 306, sec. 201, 79 Stat. 1188; 15 U.S.C. 714b, 15 U.S.C. 714c, 7 U.S.C. 1781–1787, as amended)

Effective date. Date of publication.

Signed at Washington, D.C., on November 30, 1966.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 66–13087; Filed, Dec. 5, 1966; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

1. Paragraph (b), the first sentence of paragraph (c), and the headnote and the first sentence of paragraph (g) of § 245.1 are amended to read as follows:

§ 245.1 **Eligibility.**

* * * * *

(b) *Exchange aliens.* Pursuant to section 212(e) of the Act, an alien who has or has had the status of an exchange alien or of a nonimmigrant under section 101(a)(15)(J) of the Act is not eligible for the benefits of section 245 of the Act, section 13 of the Act of September 11, 1957, or section 1 of the Act of November 2, 1966, unless he has complied with the foreign-residence requirements of section 212(e) of the Act or has been granted a waiver thereof.

(c) *Officials and treaty aliens.* An alien who has a nonimmigrant status under paragraph (15)(A), (15)(E), or (15)(G) of section 101(a) of the Act, or has an occupational status which would, if he were seeking admission to the United States, entitle him to a nonimmigrant status under any of such paragraphs of section 101(a) of the Act is not eligible for the benefits of section 245 of the Act, section 13 of the Act of September 11, 1957, or section 1 of the Act of November 2, 1966, unless he first executes and submits with his application the written waiver required by section 247(b) of the Act and Part 247 of this chapter. * * *

* * * * *

(g) *Availability of immigrant visas under section 245.* If the applicant for adjustment of status under section 245 of the Act is a preference or nonpreference alien, the current Department of State Visa Office Bulletin on Availability of Immigrant Visa Numbers will be consulted to determine whether an immigrant visa is immediately available. * * *

2. Paragraph (a) of § 245.2 is amended and a new paragraph (c) is added to read as follows:

§ 245.2 **Application.**

(a) *General.* An application for adjustment of status under section 245 of the Act or section 1 of the Act of November 2, 1966, by an alien after he has been served with an order to show cause or warrant of arrest shall be made and considered only in proceedings under Part 242 of this chapter. In any other case, an alien who believes that he meets the eligibility requirements of section 245 of the Act or section 1 of the Act of November 2, 1966, and § 245.1, shall apply to the district director having jurisdiction over his place of residence. The application under section 245 of the Act shall be made on Form I–485, while the application under section 1 of the Act of November 2, 1966, shall be made on Form I–485A. Each application shall be accompanied by executed Form G–325A, if the applicant has reached his 14th birthday, which shall be considered as part of the application. An application under this paragraph shall be accompanied by the documents specified in the instructions which are attached to the application. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor. No appeal shall lie from the denial of an application by the district director but such denial shall be without prejudice to the alien's right to renew his application in proceedings under Part 242 of this chapter.

* * * * *

(c) *Application under section 2 of the Act of November 2, 1966.* An application by a native or citizen of Cuba or by his spouse or child residing in the United States with him, who was lawfully admitted to the United States for permanent residence prior to November 2, 1966, and who desires such admission to be recorded as of an earlier date pursuant to section 2 of the Act of November 2, 1966, shall be made on Form I–485A. The application shall be accompanied by the Alien Registration Receipt Card, Form I–151, issued to the applicant in connection with his lawful admission for permanent residence, and shall be submitted to the district director having jurisdiction over the applicant's place of residence in the United States. The decision on the application shall be made by the district director. No appeal shall lie from his decision. If the application is approved, the applicant will be furnished with a replacement of his Form I–151 bearing the new date as of which the lawful admission for permanent residence has been recorded.

PART 249—CREATION OF RECORDS OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE

The existing second and third sentences of § 249.2 *Application* are deleted and the following three sentences are inserted in lieu thereof:

§ 249.2 **Application.**

* * * In any other case, an alien who believes that he meets the eligibility requirements of section 249 of the Act shall apply to the district director having jurisdiction over his place of residence. The application shall be made on Form I–485, and shall be accompanied by executed Form G–325A, which shall be considered part of the application. The application shall also be accompanied by documentary evidence establishing continuous residence in the United States prior to June 30, 1948, or since entry and prior to July 1, 1924. * * *

PART 299—IMMIGRATION FORMS

§ 299.1 [Amended]

The list of forms in § 299.1 *Prescribed forms* is amended by adding in alphabetical and numerical sequences the following forms and references thereto:

Form No.	*Title and description*
G–325A	Biographic Information.
I–485A	Application by Cuban Refugee for Permanent residence.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553 of Title 5 of the United States Code (P.L. 89–554, 80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure and implement the Act of November 2, 1966 (P.L. 89–732, 80 Stat. 1161) pertaining to the adjustment of status of Cuban refugees.

Dated: December 1, 1966.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 66–13070; Filed, Dec. 5, 1966; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 20,299]

PART 546—MERGER, DISSOLUTION, REORGANIZATION, AND CONVERSION

Mergers

NOVEMBER 26, 1966.

Resolved that, notice and public procedure having been duly afforded (31 F.R. 6322) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amending §§ 546.1, 546.2, and 546.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 546.1, 546.2, and 546.3) relating to mergers involving Federal savings and loan associations, and for the purpose of effecting said amendments, hereby amends said §§ 546.1, 546.2, and 546.3 to read as follows, effective January 2, 1967.

§ 546.1 **Definitions.**

As used in §§ 546.2 and 546.3, the following terms have the following meanings:

(a) "Association" means a Federal association and any building and loan as-

sociation, savings and loan association, cooperative bank, or homestead association organized under the laws of any of the States or Territories of the United States or of the District of Columbia which, under the laws of the jurisdiction of its creation, is empowered to merge or consolidate with a Federal association;

(b) "Merging association" means any association absorbed by merger; and

(c) "Resulting association" means the association which continues its corporate existence after absorbing one or more merging associations in a merger effected under the provisions of the rules and regulations in this subchapter.

§ 546.2 Procedure; effective date.

(a) Two or more associations, at least one of which is a Federal association, may merge in the manner set forth in this part: *Provided*, That any association which is not a Federal association shall first (1) have its accounts insured by the Federal Savings and Loan Insurance Corporation; and (2) comply in all respects with the requirements of law of the jurisdiction of its creation in effecting the merger.

(b) Each association, by a two-thirds vote of its board of directors, shall approve a plan of merger evidenced by a merger agreement. The merger agreement shall state that it shall not be effective unless and until approved by the Board and shall specify (1) which of the associations is to be the resulting association; (2) the name to be used by the resulting association; (3) the location of the home office of the resulting association; (4) the basis upon which the savings accounts of the resulting association shall be issued; and (5) the number of directors, and the names and residence addresses of all persons chosen to serve as directors of the resulting association, together with the term for which each such director shall serve.

(c) Application for approval by the Board of the merger as provided by the said merger agreement shall be made by filing with the Federal home loan bank of which the resulting association is a member two copies of the merger agreement, properly executed in the name of the respective associations, and two certified copies of the minutes of all of the meetings of the respective boards of directors at which the plan of merger was considered and approved. Upon receipt of such application, the Board will (1) disapprove the merger; (2) approve but recommend modifications of the plan the merger; or (3) withhold final action but recommend odifications of the plan of merger as submitted; if the modifications recommended by the Board are accepted by the directors of each of the associations, they shall thereupon amend such merger agreement accordingly and shall submit the amended merger agreement in the same manner as hereinabove provided.

(d) Notwithstanding any other provision of this part, the Board may, where it deems appropriate, require that the plan of merger be submitted to the voting members of either or both associations at a duly called meeting or meetings and that the plan, to become effective, be approved by them.

(e) A conservator or receiver appointed by the Board under Part 547 of this chapter may merge the Federal association in his possession with another association as provided in §§ 546.2 and 546.3 without submitting the plan of merger to the board of directors or to the members of the association for their approval.

(f) In the event that any plan of merger provides for a change of name or change of location of the home office of the resulting association, if the resulting association is a Federal association, the charter of such resulting association shall be amended accordingly. The effective date of a merger in which the resulting association is a Federal association shall be the date on which the merger is approved by the Board unless otherwise stated in such approval; where the resulting association is not a Federal association, the effective date shall be that prescribed by the law of the State under which the resulting association was created. Approval of the merger automatically cancels the Federal charter of each of the merging Federal associations as of the effective date of the merger at which time the charters of all merging Federal associations shall be surrendered to the Board for cancellation.

§ 546.3 Transfer of assets upon merger.

Upon the effective date of the merger, as provided in § 546.2, if the resulting association is a Federal association all of the assets and property of every kind and character, real, personal, and mixed, tangible and intangible, choses in action, rights, and credits then owned by the merging associations, or which would inure to any of them, shall immediately by operation of law and without any conveyance or transfer and without any further act or deed, be vested in and become the property of the resulting association, which shall have, hold, and enjoy the same in its own right as fully and to the same extent as the same were possessed, held, and enjoyed by the merging associations prior to such merger; and the resulting association shall be deemed to be and shall be a continuation of the entity and identity of the association which absorbed the merging associations; and all of the rights and obligations of the merging associations shall remain unimpaired, and the resulting association, on the effective date of such merger, shall succeed to all of such rights and obligations and the duties and liabilities connected therewith.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GREENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 66-13111; Filed, Dec. 5, 1966; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 66-CE-41]

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

Alteration of Control Zone and Transition Area

On July 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 10039) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Dubuque, Iowa, terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth:

(1) In § 71.171 (31 F.R. 2065), the Dubuque, Iowa, control zone is amended to read:

DUBUQUE, IOWA

Within a 5-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.); within 2 miles each side of the Dubuque VORTAC 126° and 321° radials, extending from the 5-mile radius zone to 8 miles SE and NW of the VORTAC, effective 0600 to 2100 hours, local time, daily.

(2) In § 71.181 (31 F.R. 2149), the Dubuque, Iowa, transition area is amended to read:

DUBUQUE, IOWA

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.), within 8 miles SW and 5 miles NE of the Dubuque VORTAC 321° radial, extending from the VORTAC to 12 miles NW, and within 8 miles NE and 5 miles SW of the Dubuque 126° radial extending from the VORTAC to 12 miles SE; and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of the Dubuque VORTAC.

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

Issued in Kansas City, Mo., on November 16, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-13045; Filed, Dec. 5, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-41]

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

Alteration of Federal Airway

On September 8, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 11761) stating that the Federal Aviation Agency (FAA)

was considering an amendment to Part 71 of the Federal Aviation Regulations which would alter VOR Federal airway No. 7 between Cross City, Fla., and Dothan, Ala.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 5005, 6960, 7171, 7556, 8046, 8747, 10516, 11286, 11314) is amended as follows:

1. In V–7 "Marianna, excluding the airspace between the main and this W alternate;" is deleted and "Marianna;" is substituted therefor.

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

Issued in Washington, D.C., on November 29, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–13046; Filed, Dec. 5, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–42]

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

Alteration of Federal Airway

On September 8, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 11761) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations which would alter VOR Federal airway No. 18 between Augusta, Ga., and Charleston, S.C.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 6484, 7507, 8046, 10516, 11286) is amended as follows:

1. In V–18 all after "Allendale, S.C., 262° radials and Allendale," is deleted and "excluding the airspace within R–6004." is substituted therefor.

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

Issued in Washington, D.C., on November 29, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–13047; Filed, Dec. 5, 1966; 8:45 a.m.]

[Airspace Docket No. 66–EA–84]

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

Alteration of Transition Area

The Federal Aviation Agency is considering amending Section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Concord, N.H., transition area.

The Boire Field, Nashua, N.H., instrument arrival and departure procedures are contained in the Concord, N.H. transition area. On October 29, 1966, the Boire Field ADF–2 instrument approach procedure final approach course was shifted 16 degrees southwest of its present alignment. This procedural change will require a minor modification of the Concord, N.H., transition area description.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective 0001 e.s.t. January 5, 1967, as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Concord, N.H. 700-foot floor transition area all after, "to 42°43'00" N., 71°36'00" W.", and insert in lieu thereof "to 42°49'30" N., 71°41'30" W. to 42°51'20" N., 71°47'-00" W. to 42°52'15" N., 71°43'45" W. to 42°54'00" N., 71°45'00" W. to 42°57'00" N., 71°40'00" W., to 43°17'00" N., 71°46'-00" W. to point of beginning."

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

Issued in Jamaica, N.Y., on November 18, 1966.

OSCAR BAKKE,
Director, Eastern Region.

[F.R. Doc. 66–13049; Filed, Dec. 5, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–47]

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

Designation of Transition Area

On June 4, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7976) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Hayward and Cable, Wis., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

The coordinates recited in the notice of proposed rule making for Hayward Municipal Airport and Cable Union Airport have been changed slightly in this final rule. Since the changes are minor in nature and impose no additional burden on anyone, they are being made in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth.

In § 71.181 (31 F.R. 2149), the following transition area is added:

HAYWARD AND CABLE, WIS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hayward, Wis., Municipal Airport (latitude 46°01'25" N., longitude 91°26'35" W.); and within a 5-mile radius of Cable Union Airport, Cable, Wis. (latitude 46°11'35" N., longitude 91°15'00" W.); and within 2 miles each side of the 025° bearing from Hayward Municipal Airport extending from the Hayward Municipal Airport 5-mile radius area to 15 miles NE of the airport; and within 2 miles each side of the 230° bearing from Cable Union Airport, extending from the Cable Union Airport 5-mile radius area to 17 miles SW of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 8 miles NW of the 025° bearing from Hayward Municipal Airport, extending from 7 miles to 19 miles NE of the airport; and within 5 miles NW and 8 miles SE of the 230° bearing from Cable Union Airport, extending from 4 miles to 21 miles SW of the airport; and 5 miles each side of the 029° bearing from Hayward Municipal Airport extending from 6 miles NE of the airport to V–217.

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

Issued in Kansas City, Mo., on November 16, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66–13050; Filed, Dec. 5, 1966; 8:45 a.m.]

[Airspace Docket No. 66–AL–12]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airways, Jet Routes and Reporting Points

On August 11, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 10697) stating the Federal Aviation Agency was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter segments of V–438, J–115, and designated reporting points in the vicinity of Anchorage, Alaska.

Subsequent to publication of the notice it has been determined that it would be advantageous to include Big Lake, Alaska, VOR in the description of V–438. Big Lake VOR lies within the direct course between Anchorage, Alaska, VOR and Fairbanks, Alaska, VOR. Since the description of airspace remains almost the same and is minor in nature, it has been determined that notice and public procedure hereon are unnecessary.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all comments received. The

Scandinavian Airlines System (SAS), while concurring with the notice of proposed rule making, recommended that a west alternate to J–115 be established between the Anchorage VOR and the Fairbanks, Alaska, VOR via the Nenana, Alaska, VOR or that another jet route be established between the Anchorage VOR and the Bettles, Alaska, VOR via the Nenana VOR. The purpose of these routes would be to serve air carrier transpolar route operations. The SAS recommendation appears to have merit and will be the subject of separate consideration. No other comments were received.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth:

1. Section 71.125 (31 F.R. 20450, 11745) is amended as follows: In V–438 all between "Anchorage;" and "Fairbanks, Alaska;" is deleted and "Big Lake, Alaska;" is substituted therefor.

2. In § 71.211 (31 F.R. 2289) delete "Talkeetna, Alaska" add "Big Lake, Alaska".

3. In § 71.213 (31 F.R. 2290) delete "Nenana, Alaska." "Kenai, Alaska." and "Talkeetna, Alaska."

4. Section 75.100 (31 F.R. 2345) Jet Route J–115 is amended to read as follows: Jet Route No. 115 (King Salmon, Alaska, to Fairbanks, Alaska) From King Salmon, Alaska; via Anchorage, Alaska; to Fairbanks, Alaska.

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

Issued in Washington, D.C., on November 29, 1966.

T. McCormack,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–13048; Filed, Dec. 5, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Approval of Descriptions To Be Used by Exclusive Seller to U.S Government

§ 15.104 Approval of descriptions to be used by exclusive seller to U.S. Government.

(a) The Federal Trade Commission advised a manufacturer's representative that in connection with its firm name it might properly describe its office as a "Government Sales and Contract Office," that it might in its promotional literature describe those of its products specifically designed for and sold only to the U.S. Government as "Model No. ——G, designated exclusively for and sold only to the U.S. Government (or thus and so agency)," and that it might properly state on labels affixed to the machinery which it sells that "equipment parts and service are supplied by * * *" (whoever is the supplier).

(b) The advice given was predicated on assurances by the manufacturer's representative that his company sells exclusively to the U.S. Government, that the company's promotional material is sent only to, and is generally available only to, U.S. Government agencies, and that the company is the sole source for parts and service for certain of the products which it sells.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: December 5, 1966.

By direction of the Commission.

[SEAL] Joseph W. Shea,
Secretary.

[F.R. Doc. 66–13042; Filed, Dec. 5, 1966; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 250—REPORTS, INFORMATION, HEARINGS AND WITNESSES

Compensation of Employees; Reports

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (50 Stat. 314, as amended; 45 U.S.C. 228j), §§ 250.3 (a) and (b) and 250.4(a) of Part 250 (20 CFR 250.3 (a) and (b) and 250.4(a)) of the regulations under such act are amended by Board Order 66–123, dated November 17, 1966, to read as follows:

§ 250.3 Employers' reports of compensation of employees.

(a) Each employer shall, in accordance with instructions issued by the director of wage and service records, file with the Board (1) on or before the last day of each month, a report of the compensation adjustments appearing on payrolls or other disbursement documents for the month immediately preceding such month, (2) on or before the last day of the month immediately following the end of each calendar quarter, a summary of compensation adjustments reported for the quarter, and (3) on or before the last day of the second month immediately following the end of each calendar year:

(i) A report of the compensation paid to each employee for the calendar year, showing with respect to each employee his name, his account number, and, except in the case of an employee of a railway-labor-organization employer, his occupational class under the appropriate Interstate Commerce Commission occupational classification as supplemented or varied for this purpose by instructions issued by the director of wage and service records and approved in this respect by the director of research.

(ii) A summary report of the compensation of the employees for the period covered by the report.

If such last day of the month is a Sunday or legal holiday, the report may be filed on the next following business day. If placed in the mails, the report shall be posted in ample time to reach the office of the Board at Chicago, Ill., under ordinary handling of the mails, on or before the date on which the report is required to be filed. Authorization to file reports on dates later than prescribed in this section may be granted by the director of the bureau of wage and service records.

(b) An employer having intermittent or seasonal payrolls shall file a summary report of compensation for each year in which no payroll was maintained and shall show "Nil" in the space provided for reporting the compensation.

* * * * *

§ 250.4 Registration of employees.

(a) Each employer shall require each employee who cannot furnish satisfactory evidence of having previously filed an employee registration form provided by the Board to execute such form, and shall complete and file such form with the Board by whichever is the earlier of (1) 30 days after the date on which such employee first performed compensated service for such employer, or (2) 30 days before the date upon which such employer first files with the Board a report of the service and compensation of such employee.

* * * * *

Dated: November 29, 1966.

By authority of the Board.

Lawrence Garland,
Secretary of the Board.

[F.R. Doc. 66–13059; Filed, Dec. 5, 1966; 8:46 a.m.]

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

Compensation of Employees; Forms

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1107, as amended; 45 U.S.C. 362), §§ 345.4 and 345.5 (b) and (c) of Part 345 (20 CFR 345.4 and 345.5 (b) and (c)) of the regulations under such act are amended by Board Order 66–123, dated November 17, 1966, to read as follows:

§ 345.4 Employers' reports of compensation of employees.

Each employer shall continue to file with the Board, in accordance with the requirements of § 250.3 of this chapter, as amended, reports of the compensation of each employee, consisting of:

(a) A report of compensation for the calendar year on Form BA–3a (or punched tabulating cards or magnetic tape in lieu thereof),

(b) A monthly report of compensation adjustments, on Form BA–4,

(c) A summary of compensation adjustments reported for the quarter, on Form BA–5 and

(d) A summary report of compensation for the calendar year, on Form BA–5.

§ 345.5 Employers' contribution reports.

* * * * *

(b) *Compensation to be reported on Form DC–1 for employers required to pay contributions quarterly.* Employers shall enter on the employer's quarterly contribution report, prior to any additions or subtractions, the amount of creditable conpensation appearing on payrolls or other disbursement documents for the corresponding quarter as the amount of creditable compensation from which the contribution payable for that quarter is to be computed.

(c) *Compensation to be reported on Form DC–1 for employers qualified to pay contributions annually.* If an employer is qualified and has elected to pay contributions annually, the total creditable compensation reported on Form BA–5, prior to any additions or subtractions, shall be entered on the employer's annual contribution report for the corresponding calendar year as the amount of creditable compensation from which the contribution payable for that calendar year is to be computed.

Dated: November 30, 1966.

By authority of the Board.

LAWRENCE GARLAND,
Secretary of the Board.

[F.R. Doc. 66–13060; Filed, Dec. 5, 1966; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR 66–67]

PART 23—DISTINCTIVE MARKINGS FOR COAST GUARD VESSELS AND AIRCRAFT

Coast Guard Ensign and Commission Pennant

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and by Treasury Department Order 167–17 (20 F.R. 4976), to promulgate regulations in accordance with the laws cited below, the following amendments are prescribed and shall be effective on date of publication of this document in the FEDERAL REGISTER:

1. Section 23.01(b) is amended to read as follows:

§ 23.01 Basis and purpose.

* * * * *

(b) Coast Guard vessels and aircraft are distinguished from other vessels and aircraft by an ensign; a personal flag, command pennant, or commissioned pennant, if so authorized; or other identifying insignia or marking.

2. Section 23.05 is amended to read as follows:

§ 23.05 Where and when displayed.

(a) The Coast Guard ensign is a mark of authority and is required to be displayed whenever a Coast Guard vessel takes active measures in connection with boarding, examining, seizing, stopping or heaving to a vessel for the purpose of enforcing the laws of the United States. The distinctive markings of Coast Guard aircraft serve the same purpose.

(1) The Coast Guard ensign is authorized for official Coast Guard use only.

(2) Any private vessel utilized by the Coast Guard, pursuant to section 826 of Title 14, U.S. Code, to enforce special local regulations governing a regatta or marine parade and having on board and in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel a Coast Guard officer or petty officer will be deemed a Coast Guard vessel and shall display the Coast Guard ensign while engaged in this duty.

(b) The Coast Guard commission pennant is a distinctive Coast Guard mark to be displayed by a Coast Guard vessel in "In Commission Active" or "In Commission Special" status. Its presence indicates a Coast Guard vessel under the command of a commissioned officer or commissioned warrant officer who is not authorized to display a personal flag or command pennant.

(c) Except for certain occasions of ceremony authorized distinctive marks shall be prominently displayed by Coast Guard vessels, day and night, the Coast Guard ensign at the masthead of the foremast and, if required, the personal flag, command pennant, or commission pennant at the after masthead. On vessels having but one mast the Coast Guard ensign and, if required, the personal flag, command pennant, or commission pennant shall be at the masthead on the same halyard with the personal flag or pennants uppermost. On mastless vessels required distinctive marks shall be displayed from the loftiest and most conspicuous hoist.

(d) Markings on Coast Guard aircraft are permanent and in accordance with § 23.25.

(Sec. 638, 63 Stat. 546; 14 U.S.C. 638. Interpret or apply sec. 639, 63 Stat. 546, as amended; 14 U.S.C. 639, E.O. 10707, 22 F.R. 3211, 3 CFR, 1957 Supp. Treasury Department Order 167–17, June 29, 1955, 20 F.R. 4976)

Dated: November 17, 1966.

[SEAL] P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 66–13072; Filed, Dec. 5, 1966; 8:47 a.m.]

Title 21—FOOD AND DRUGS

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

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

POLYSORBATE 80

Correction

In F.R. Doc. 66–12916, appearing at page 15089 of the issue for Thursday, December 1, 1966, the words reading "the reference is § 121.1009(c)(4)" in the third sentence of the second paragraph should read "the reference in § 121.1009(c)(4)".

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 11—Coast Guard, Department of the Treasury

[CGFR 65–61]

PART 11–50—CONTRACTS GENERAL

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 167–17 (20 F.R. 4976) and Treasury Department Order 167–50 (28 F.R. 530):

New Part 11–50 is added as follows:

Sec.

11–50.000 Scope of part.

Subpart 11–50.1—Administrative Matters

11–50.100 Scope of subpart.
11–50.101 Numbering of contracts.
11–50.101–1 General.
11–50.102 Contracts and modifications.
11–50.102–1 Contracts requiring numbering.
11–50.102–2 Assignment of numbers.
11–50.102–3 Symbol identification.
11–50.102–4 Serial numbers.
11–50.102–5 Modifications.
11–50.102–6 Maintenance and use of the contract register.
11–50.103 Execution of contracts; requirements.
11–50.103–1 Citation of funds chargeable.
11–50.103–2 Citation of paying office.
11–50.103–3 Contracting officer's signature.
11–50.103–4 Contractor's signature.
11–50.104 Distribution of contracts.
11–50.105 Retention of documents for onsite audit.

Subpart 11–50.2 [Reserved]

Subpart 11–50.3—Limitations of Procurement Actions

11–50.300 Scope of subpart.
11–50.301 Term contracts for repair to vessels.
11–50.302 Contracts to be executed by Headquarters.
11–50.303 Contract bulletins.
11–50.304 Units not authorized to execute or number contracts.

AUTHORITY: The provisions of this Part 11–50 issued under 14 U.S.C. 633, 10 U.S.C. Ch. 137.

§ 11–50.000 Scope of part.

This part provides procedures for action by the contracting officer in executing and administering contracts for which procedures and regulations have not been prescribed in Chapter 1 of this title.

Subpart 11–50.1—Administrative Matters

§ 11–50.100 Scope of subpart.

This subpart covers administrative requirements and procedures in connection with the preparing, numbering, reviewing, executing, and distribution of contracts.

§ 11–50.101 Numbering of contracts.

§ 11–50.101–1 General.

Contracts are numbered with approved letter symbols and serial numbers for identification, audit, and filing purposes. Documents coming within the scope of this subpart include contracts for the purchase or sale of property or services (including construction and facilities contracts), purchase orders, letters of intent, letter contracts, leases, easements, or other documents evidencing in whole or in part an agreement between the parties which involves the payment of appropriated funds or collection of funds for credit to the Treasurer of the United States. Small purchase agreements utilizing Purchase Order-Invoice-Voucher (SF–44), do not come within the scope of this subpart. When documents of the above description do not require numbering in the uniform (Tcg) series, they shall be identified by other means; i.e., purchase order numbers, invitation number, etc.

§ 11–50.102 Contracts and modifications.

§ 11–50.102–1 Contracts requiring numbering.

The following contracts shall be numbered in accordance with the uniform numbering system prescribed in §§ 11–50.102–2, 11–50.102–3, and 11–50.102–4:

(a) All contracts, letters of intent, or letter contracts for procurement or sale of supplies or services involving or likely to involve the payment or receipt of $2,500 or more ($2,000 in the case of construction work);

(b) All indefinite delivery type contracts involving more than one payment and estimated to involve payment or receipt of more than $2,500 during the fiscal year;

(c) All facilities contracts;

(d) All leases of real property and renewals thereof;

(e) All easements; and

(f) All other written agreements involving payment or receipt of funds not covered by chapter 3B04, Comptroller Manual.

§ 11–50.102–2 Assignment of numbers.

(a) Section 11–50.102–1 designates Coast Guard procurement and sales documents which require assignment of contract numbers in the uniform series prescribed by the General Accounting Office. Contract numbers shall be assigned only by the Commandant (FS) and allotment administrative officers in the field to whom contracting authority has been delegated in accordance with Subpart 11–75.2 of this chapter.

(b) Contract numbers, when required, will be placed in the space provided therefor on the printed contract form, or, if no such space is provided, in the upper right-hand corner separate from all other information. The contract number shall consist of a symbol identification followed by a hyphen and the serial number assigned the particular procurement (or sale). Example T12cg–8.

§ 11–50.102–3 Symbol identification.

(a) The capital letter "T" shall preface each contract number to identify the Treasury Department.

(b) When a contract number is assigned by a field unit, the allotment symbol of the unit (district office or Headquarters unit) shall be shown immediately after the letter "T"; thus, the numeral "12" used in the example in § 11–50.102–2(b) identifies the 12th Coast Guard District.

(c) The small letters "cg" shall then be inserted, identifying the document as a Coast Guard contract.

(d) The letters "cg" are followed by a hyphen and the serial number of the contract. In the example in § 11–50.102–2(b), "8" identifies the eighth contract assigned a number by the 12th Coast Guard District. See § 11–50.102–4.

§ 11–50.102–4 Serial numbers.

Contracts shall be numbered serially by the unit authorized to assign such numbers, commencing with the number 1 and continuing in succession without regard to fiscal year or type of contract. When the series of numbers under a symbol exceeds five digits (99,999), a new series of numbers will be used beginning the series with number 1 and followed by the capital letter "A". Should additional series become necessary, they will be distinguished by the capital letters "B", "C", "D", etc., as may be required.

§ 11–50.102–5 Modifications.

Supplemental agreements, change orders, and renewals of leases shall bear the same identification as the original contract. The same series of consecutive numbers will be used for each contract even though it is modified or amended by both supplemental agreements and change orders.

§ 11–50.102–6 Maintenance and use of the contract register.

Each unit (contracting officer) assigning contract numbers shall maintain a contract Register on Form CG–3252, on a monthly basis, to control the sequence of serial numbers assigned and for the purpose of accumulating information for reports.

§ 11–50.103 Execution of contracts; requirements.

§ 11–50.103–1 Citation of funds chargeable.

A citation of the funds chargeable will be made on all contracts.

§ 11–50.103–2 Citation of paying office.

A citation of the paying office designated to make payment will be made on all contracts.

§ 11–50.103–3 Contracting officer's signature.

The contracting officer will sign on behalf of the United States, over his typed or stamped name and official title. In the case of negotiated contracts, the contracting officer will sign after the contractor, except where otherwise required by the particular contract form or by the circumstances of the procurement.

§ 11–50.103–4 Contractor's signature.

(a) *Contracts with individuals.* A contract with an individual will be signed by the individual in his own name. A contract with an individual doing business as a firm will be signed by that individual and will ordinarily take the following form:

(Signed) JOHN DOE.
John Doe, an individual doing business as John Doe Co.

(b) *Contracts with partnerships.* Contracts entered into with partnerships will be executed in the partnership name. The contract need be signed by only one partner: *Provided,* The authority of the particular partner to bind the partnership has been established. The evidence required to establish the authority of a particular partner to bind the partnership is for the determination of the contracting officer. Prior to execution of the contract a list of all members of the partnership will be obtained.

(c) *Contracts with corporations.* Contracts with corporations will be executed in the corporate name, followed by the word "by" after which the person who has been authorized to execute the contract on behalf of the corporation will sign his name, with designation of his official capacity. The evidence required to establish the authority of a particular person to bind a corporation is for the determination of the contracting officer.

(d) *Contracts with joint venturers.* Contracts with joint venturers may involve a corporation and a partnership, a partnership and an individual, or other combination. In these cases the contract will be signed by each participant in the joint venture in the manner indicated above for each type of participant. When a corporation is participating, a certificate should be obtained from its secretary stating that the corporation is authorized to participate in the joint venture.

(e) *Signature of agents.* When the contractual document is to be signed by an agent, other than as stated above, the fact of the agency must be clearly established by evidence satisfactory to the contracting officer.

§ 11–50.104 Distribution of contracts.

All formal contracts (exclusive of procurements made in accordance with Subpart 1–3.6 of this title), supplemental agreements, change orders and assignments executed by designated contracting officers shall be distributed as follows:

(a) Original contract, with original SF–1036 and related bonds shall be forwarded to the Authorized Certifying Officer (ACO) attached to the activity which is to make payment or effect final settlement of the contract.

(b) One copy signed by the contracting officer to the contractor.

(c) One copy retained in files of contracting office.

(d) One copy to unit or office requesting procurement.

(e) One copy to appropriate accounting office.

(f) (1) One copy of contracts of $2,000 or more for construction or repair of shore facilities to Commandant (ECV).

(2) One copy of contracts for procurement, repair or alteration of ships to Commandant (ENE).

§ 11–50.105 Retention of documents for on-site audit.

Coast Guard contracts, and purchase orders are subject to on-site audit by the General Accounting Office. The originals or a signed copy of these documents and supporting data shall be retained by the activity to be available to the General Accounting Office for audit purposes.

Subpart 11–50.2 [Reserved]

Subpart 11–50.3—Limitations of Procurement Actions

§ 11–50.300 Scope of subpart.

This subpart covers procurement responsibilities in connection with the subject of this subpart.

§ 11–50.301 Term contracts for repair to vessels.

The use of term contracts is restricted to minor repair work on vessels not larger than 125 feet in length. Work on larger vessels and all major overhaul and repair work will be the subject of specific contracts. Term contracts should be executed only at units to which numerous vessels of similar characteristics, which require frequent hauling out and minor work, are attached.

§ 11–50.302 Contracts to be executed by Headquarters.

(a) *Construction of vessels.* All contracts for the construction of vessels, as distinguished from alteration and repairs to vessels, will be executed by Contracting Officer, Coast Guard Headquarters, Washington, D.C.

(b) *Negotiation limited to Headquarters.* Contracts negotiated under circumstances requiring Headquarters action as set forth in Part 11–3 of this chapter will be executed by Contracting Officer, Coast Guard Headquarters, Washington, D.C.

§ 11–50.303 Contract bulletins.

(a) *General.* Information bulletins covering term contracts executed by Coast Guard contracting officers other than Headquarters contracting officers will be promptly furnished to all units which may make use of such contracts. The bulletins shall be in sufficient detail to permit settlement of contractor's invoices and will cite:

(1) Contract numbers;

(2) Date of the contract;

(3) Name and address of the contractor;

(4) Delivery points and delivery conditions;

(5) Items and prices;

(6) Applicable discounts;

(7) Size of business concern (Small or other);

(8) Whether formally advertised or negotiated; and

(9) If it is a Small Business setaside.

District commanders shall also furnish information covering contracts executed by other Government agencies which are available for Coast Guard use to all district units and transient vessels which may utilize such contracts.

(b) *Copies to be furnished Headquarters.* One copy of each term contract bulletin prepared by units with contracting officers will be forwarded to the Commandant (FS).

§ 11–50.304 Units not authorized to execute or number contracts.

Quotations solicited by units with limited purchasing authority (see § 11–75.201(d) of this chapter) will be transmitted to the cognizant district commander (f) or to the Commandant (FS) in the case of Headquarters units for accomplishment. The original and 3 copies of each quotation will be forwarded with a letter containing the following information:

(a) The necessity for the contract;

(b) The names of the dealers or manufacturers from whom quotations were solicited;

(c) A recommendation as to award; and

(d) Adequate justification if the lowest quote is not recommended for acceptance.

[SEAL] W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

NOVEMBER 25, 1966.

[F.R. Doc. 66–13071; Filed, Dec. 5, 1966; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Kirwin National Wildlife Refuge, Kans.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

Sport fishing on the Kirwin National Wildlife Refuge, Kans., is permitted from January 1 through December 31, 1967, inclusive, on all areas not designated by signs as closed to fishing. These open areas comprising 5,000 acres, are delineated on maps available at refuge headquarters, 5 miles southwest of Kirwin, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1967.

MERLE O. BENNETT,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kans.

NOVEMBER 3, 1966.

[F.R. Doc. 66–13033; Filed, Dec. 5, 1966; 8:45 a.m.]

PART 33—SPORT FISHING

Horicon National Wildlife Refuge, Wis.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Mayville, Wis., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 15 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from January 1 through February 28, 1967, inclusive.

(2) Permit is required to take carp for sale.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through February 28, 1967.

ROBERT G. PERSONIUS,
Refuge Manager, Horicon National Wildlife Refuge, Mayville, Wis.

NOVEMBER 29, 1966.

[F.R. Doc. 66–13055; Filed, Dec. 5, 1966; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-EA-78]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Quantico, Va., control zone and 700-foot floor transition area.

Recently, a new TACAN and amended VOR, ADF, and VOR/ADF instrument approach procedures have been authorized at Quantico MCAS, requiring an alteration of the control zone and 700-foot floor transition area.

The control zone will require the addition of an extension to the south to provide airspace protection for the TACAN and VOR procedures. The transition area will be reduced from 8 to 7 miles in radius. Additionally, the transition area extension can be narrowed on the west side of the final approach course from 3 to 2 miles and terminated at the VOR rather than 2 miles south of the VOR.

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

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

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

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

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Quantico, Va., control zone and insert in lieu thereof, "Within a 5-mile radius of the center (38°30'10" N., 77°18'20" W.), of MCAS Quantico, Va., and within 2 miles each side of the Brooke, Va., VOR 013° radial extending from the 5-mile radius zone to 2 miles north of the VOR.".

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Quantico, Va., 700-foot floor transition area in its entirety and designate a new one as follows:

QUANTICO, VA.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (38°30'10" N., 77°18'20" W.), of MCAS Quantico, Va.; and within 2 miles each side of the Brooke, Va., 013° radial extending from the 7-mile radius area to the VOR.

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

Issued in Jamaica, N.Y., on November 18, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-13051; Filed, Dec. 5, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-85]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Chicopee Falls, Mass., transition area.

Barnes Municipal Airport, Westfield, Mass., requirements are included in the Chicopee Falls, Mass., transition area description (31 F.R. 249). A recent change to the Barnes Municipal Airport instrument approach procedure will require an alteration of the Chicopee Falls, Mass., transition area description. The change requires an extension to the north to encompass the procedure turn area associated with the Barnes VOR Runway 20 approach.

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

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

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to add in the description of the Chicopee Falls, Mass., transition area after the words, "Barnes Airport, Westfield, Mass.," the phrase, "and within 8 miles west and 5 miles east of the Westfield, Mass., 009° radial extending from the VOR, to 12 miles north of the VOR."

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

Issued in Jamaica, N.Y., on November 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-13052; Filed, Dec. 5, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-90]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate controlled airspace at Bay City, Mich.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Bay City, Mich., terminal area, proposes the following airspace action:

Designate the Bay City, Mich., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the James Clements Municipal Airport (latitude 43°32'45" N., longitude 83°53'45" W.) excluding the portion within the Saginaw, Mich., control zone.

A public instrument approach procedure utilizing the Saginaw, Mich., VORTAC has recently been developed to serve the Bay City, Mich., James Clements Municipal Airport. The Saginaw VORTAC is located 7.9 nautical miles west southwest of James Clements Municipal Airport. The approach procedure will

be effective concurrent with the designation of controlled airspace.

The proposed transition area will provide controlled airspace for departing aircraft during climb from 700 feet to 1,200 feet above the surface, and it will also provide controlled airspace protection for aircraft executing the prescribed instrument approach procedure during descent from 1,500 feet to 700 feet above the surface.

The controlled airspace proposed herein will underlie the Saginaw, Mich., 1,200-foot floor transition area. The floor of the airway that traverses the transition area proposed herein will automatically coincide with the floor of the transition area.

A new approach procedure is being established. Therefore, no procedural changes will be effected in conjunction with the actions proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Standards and Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

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

Issued at Kansas City, Mo., on November 16, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-13053; Filed, Dec. 5, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-91]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Zionsville, Ind., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Zionsville, Ind., terminal area, as a result of the development of a public-use instrument approach procedure at the Terry Memorial Airport, Zionsville, Ind., utilizing the Indianapolis, Ind., VORTAC as a navigational aid, proposes the following airspace action:

Designate the Zionsville, Ind., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Terry Memorial Airport (latitude 40°02'05" N., longitude 86°15'00" W.), and within 2 miles each side of the Indianapolis, Ind., VORTAC 024° radial extending from the 5-mile radius area to the Indianapolis VORTAC excluding the portion within the Indianapolis, Ind., 700-foot floor transition area.

The proposed transition area will provide controlled airspace protection for aircraft executing the prescribed instrument approach and departure procedures during descent from 1,500 to 700 feet above the surface, and during climb from 700 feet to 1,200 feet above the surface. The controlled airspace proposed herein will underlie the Indianapolis, Ind., 1,200-foot transition area.

The proposed instrument approach procedure will be made effective concurrently with the designation of the proposed transition area.

The floors of the airways that traverse the transition area proposed herein will automatically coincide with the floors of the transition area. A new approach procedure is to be established; therefore, no procedural changes will be effected in conjunction with the action proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Standards and Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

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

Issued at Kansas City, Mo., on November 16, 1966.

FRANCIS E. UNTI,
Acting Director, Central Region.

[F.R. Doc. 66-13054; Filed, Dec. 5, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

Notice of Termination of Proposed Classification of Public Lands

The notice of proposed classification of public lands appearing as F.R. Doc. 66–7973, in the issue of July 22, 1966 (31 F.R. 10000–10002) and F.R. Doc. 66–8538, in the issue of August 5, 1966 (31 F.R. 10541), is hereby terminated in so far as it relates to the following described lands:

MOUNT DIABLO MERIDIAN

T. 18 N., R. 19 E.,
Sec. 24, W½SE¼;
Sec. 26, E½SW¼NW¼SW¼, W½SE¼SW¼, W½SE¼SE¼SW¼, W½NE¼NW¼SE¼, W½W½NW¼SE¼;
Sec. 36, SE¼NW¼, NE¼SW¼.

T. 15 N., R. 20 E.,
Sec. 14, NE¼, E½SE¼, E½W½SE¼;
Sec. 23, NW¼NE¼NE¼NE¼, NE¼NW¼NE¼NE¼, W½SW¼NE¼NE¼, SE¼NE¼NW¼NE¼, S½NW¼NW¼NE¼, SE¼NE¼SE¼NE¼, SW¼NW¼SE¼NE¼, S½SE¼SE¼NE¼, NW¼SW¼SE¼NE¼, W½NE¼NW¼SE¼, SW¼NW¼NW¼SE¼, W½SW¼NW¼SE¼, NE¼NW¼SW¼SE¼, NE¼NE¼SW¼SE¼.

T. 17 N., R. 20 E.,
Sec. 18, NE¼NE¼SW¼, E½NW¼NE¼SW¼, E½SW¼NE¼SW¼, SE¼NE¼SW¼, W½NW¼NW¼SW¼, N½SW¼SE¼SW¼, NE¼SE¼SW¼, E½NE¼NW¼SE¼, E½NW¼NW¼SE¼, S½NW¼SE¼, NE¼SW¼SE¼, S½SW¼SE¼.

T. 18 N., R. 20 E.,
Sec. 34, SE¼SE¼NE¼, E½SW¼SE¼NE¼, E½NW¼SW¼NW¼, W½SE¼SW¼NW¼, N½N½NE¼SE¼, NE¼SW¼NE¼SE¼, S½SE¼NE¼SE¼, E½E½SE¼SW¼SE¼, SW¼NW¼SE¼SE¼, W½SW¼SE¼, SW¼NW¼SE¼SE¼, W½SW¼SE¼SE¼, SE¼SW¼SE¼SE¼, NE¼NE¼SE¼SE¼, SE¼SE¼SE¼SE¼.

T. 19 N., R. 20 E.,
Sec. 34, NE¼NE¼SW¼NE¼, E½NW¼NE¼SW¼NE¼, S½NE¼SW¼NE¼, W½NE¼NW¼SW¼NE¼, NW¼NW¼SW¼NE¼, S½NW¼SW¼NE¼, NW¼SW¼SW¼NE¼, W½NE¼SW¼SW¼NE¼, S½SW¼SW¼NE¼, SE¼SW¼NE¼.

T. 20 N., R. 30 E.
Sec. 26, E½SW¼, E½NW¼SW¼.

T. 13 N., R. 21 E.,
Sec. 20, S½;
Sec. 21, W½;
Sec. 29, N½NE¼, SE¼NE¼;
Sec. 32, E½, N½NW¼;
Sec. 33, E½;
Sec. 34, W½.

T. 10 N., R. 22 E.,
Sec. 29, N½NW¼NW¼, W½SW¼NW¼NW¼.

T. 34 N., R. 55 E.,
Sec. 3, W½NE¼SW¼, NW¼SE¼SW¼, SE¼SE¼SW¼.

The area aggregates approximately 2,723.76 acres.

JOHN O. CROW,
Associate Director.

NOVEMBER 29, 1966.

[F.R. Doc. 66–13058; Filed, Dec. 5, 1966; 8:46 a.m.]

[Montana 064834(ND)]

NORTH DAKOTA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

NOVEMBER 28, 1966.

Notice of a Bureau of Sport Fisheries and Wildlife application, Montana 064834 (ND), for withdrawal and reservation of lands for an aid to legislation, was published as F.R. Doc. No. 64–4283, on pages 5767–5769 of the issue for April 30, 1964. The applicant agency has canceled its application involving the lands described in the FEDERAL REGISTER publication referred to above. Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands are relieved of the segregative effect of the above-mentioned application.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 66–13056; Filed, Dec. 5, 1966; 8:46 a.m.]

[Montana 807(ND)]

NORTH DAKOTA

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 28, 1966.

The Bureau of Sport Fisheries and Wildlife of the Fish and Wildlife Service filed an application, serial number Montana 807(ND), for the withdrawal of lands described below. The withdrawal is from all forms of appropriation under the public land laws including the mining laws, but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for use in connection with its waterfowl management program.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the minimum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Sport Fisheries and Wildlife.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

FIFTH PRINCIPAL MERIDIAN, NORTH DAKOTA

T. 155 N., R. 62 W.,
Sec. 22, Lot 1;
Sec. 24, SE¼NW¼.

T. 153 N., R. 63 W.,
Sec. 8, SE¼SE¼.

T. 129 N., R. 66 W.,
Sec. 6, N½SE¼ and SW¼SE¼;
Sec. 7, NW¼NE¼.

T. 130 N., R. 67 W.,
Sec. 12, N½SE¼.

T. 139 N., R. 67 W.,
Sec. 30, SE¼NW¼.

T. 135 N., R. 68 W.,
Sec. 28, NE¼NW¼ and S½NW¼.

T. 141 N., R. 68 W.,
Sec. 6, Lot 11.

T. 139 N., R. 69 W.,
Sec. 6, Lot 12;
Sec. 24, NE¼SW¼ and NW¼SE¼.

T. 153 N., R. 69 W.,
Sec. 23, SE¼SE¼.

T. 155 N., R. 69 W.,
Sec. 18, SE¼SW¼;
Sec. 19, E½NE¼, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 29, SW¼NE¼ and NW¼;
Sec. 30, E½NE¼.

T. 135 N., R. 70 W.,
Sec. 8, SE¼NW¼, NE¼SW¼, N½SW¼SW¼, NW¼SW¼SW¼, SE¼SW¼SW¼, SE¼SW¼, and W½SE¼.

T. 139 N., R. 70 W.,
Sec. 12, NE¼NE¼.

T. 155 N., R. 70 W.,
Sec. 18, E½NE¼;
Sec. 19, Lot 4.

T. 154 N., R. 71 W.,
Sec. 8, NW¼NW¼;
Sec. 10, SW¼NW¼ and W½SW¼;
Sec. 27, Lot 1.

T. 155 N., R. 71 W.,
Sec. 6, Lot 7;
Sec. 9, Lots 4, 5, and 6;
Sec. 17, Lot 1.

T. 156 N., R. 71 W.,
Sec. 29, NW¼NE¼, E½NW¼, and NE¼SW¼;
Sec. 32, Lot 5;
Sec. 33, Lot 6.

T. 158 N., R. 71 W.,
Sec. 34, Lot 3;
Sec. 35, SE¼SE¼.
T. 159 N., R. 71 W.,
Sec. 21, NE¼NW¼.
T. 141 N., R. 72 W.,
Sec. 26, SE¼SW¼.
T. 153 N., R. 72 W.,
Sec. 3, Lot 4.
T. 154 N., R. 72 W.,
Sec. 1, SE¼SE¼;
Sec. 2, Lot 4;
Sec. 3, Lot 1;
Sec. 4, Lot 4;
Sec. 33, SE¼;
Sec. 34, W½SW¼.
T. 156 N., R. 72 W.,
Sec. 25, SW¼NE¼, NW¼, and W½SW¼;
Sec. 26, SE¼NE¼ and NE¼SE¼.
T. 161 N., R. 72 W.,
Sec. 34, SE¼SE¼.
T. 143 N., R. 73 W.,
Sec. 10, SW¼SW¼.
T. 152 N., R. 73 W.,
Sec. 5, Lot 7;
Sec. 6, Lot 2;
Sec. 19, Lots 1, 2, and 4, E½NW¼;
Sec. 31, Lots 5 and 6, SE¼SW¼;
Sec. 32, Lot 5;
Sec. 33, Lot 2.
T. 153 N., R. 73 W.,
Sec. 33, E½NW¼.
T. 154 N., R. 73 W.,
Sec. 18, Lot 4, SE¼SW¼;
Sec. 19, Lot 1, NE¼NW¼;
Sec. 31, Lot 4.
T. 155 N., R. 73 W.,
Sec. 33, NW¼SW¼.
T. 163 N., R. 73 W.,
Sec. 21, Lot 1;
Sec. 22, Lot 2.
T. 154 N., R. 74 W.,
Sec. 7, Lot 6;
Sec. 18, Lot 1.
T. 155 N., R. 74 W.,
Sec. 23, NW¼NE¼;
Sec. 24, W½NE¼ and NW¼SE¼.
T. 157 N., R. 74 W.,
Sec. 7, E½SW¼, NE¼SE¼, and S½SE¼;
Sec. 8, W½SW¼ and SE¼SW¼;
Sec. 18, Lots 1, 2, and 3, N½NE¼, NE¼NW¼, SE¼SW¼, SW¼SE¼;
Sec. 29, SE¼SE¼;
Sec. 31, SW¼SE¼.
T. 156 N., R. 75 W.,
Sec. 2, Lot 2.
T. 148 N., R. 77 W.,
Sec. 34, NE¼SE¼.
T. 156 N., R. 77 W.,
Sec. 21, SW¼NE¼ and NW¼SE¼.
T. 153 N., R. 78 W.,
Sec. 2, SE¼SE¼.
T. 152 N., R. 86 W.,
Sec. 17, NE¼NW¼.
T. 155 N., R. 88 W.,
Sec. 24, Lot 4;
Sec. 25, Lots 1, 2, and 4.
T. 163 N., R. 102 W.,
Sec. 13, SE¼SW¼;
Sec. 24, N½NE¼, SE¼NE¼, and NE¼NW¼.
T. 163 N., R. 103 W.,
Sec. 2, SE¼NW¼ and NW¼SW¼.

The areas described aggregate 5,254.10 acres.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 66-13057; Filed, Dec. 5, 1966; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[424.44]

DOG LEADS, LEASHES, DOG TIE-OUT CHAINS, AND CHOKE CHAINS OF IRON OR STEEL

Tariff Classification

The Bureau published on August 31, 1966 (31 F.R. 11495), a notice of proposed tariff classification of dog leads, leashes, dog tie-out chains, and choke chains of iron or steel, indicating that there was under review an established practice whereby such dog leads, leashes, dog tie-out chains, and choke chains of iron or steel were classifiable under the provision for chain and chains, "* * * all the foregoing of base metal not coated or plated with precious metal: Of iron or steel: * * * Chain or chains (except the foregoing) the links or which are of a stock essentially round in cross section * * * under 5/16 inch in diameter in Item 652.24, Tariff Schedules of the United States, as amended, with duty at the rate of 1.7 cents per pound."

In a letter dated November 30, 1966, addressed to the Regional Commissioner of Customs at New York, the Bureau held that dog leads, leashes, dog tie-out chains, and choke chains of iron or steel were properly classifiable under the provision for dog leashes and similar dog equipment in Item 790.10, Tariff Schedules of the United States, with duty at the rate of 12 percent ad valorem.

As this ruling will result in the assessment of duties at a rate higher than that previously assessed on such dog leads, leashes, dog tie-out chains, and choke chains of iron or steel, the higher rate will be applied only to such merchandise entered, or withdrawn from warehouse for consumption after the expiration of 90 days after the date of publication of an abstract of the Bureau letter to the Regional Commissioner of Customs at New York in the weekly Treasury Decisions.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

NOVEMBER 30, 1966.

[F.R. Doc. 66-13073; Filed, Dec. 5, 1966; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

GREAT PLAINS CONSERVATION PROGRAM

Applicability in Taos County, N. Mex.

Designation of county within the Great Plains Area of the 10 Great Plains States where the Great Plains Conservation Program is specifically applicable:

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115, 16 U.S.C. 590p(b)), as amended, the following county in the following State is designated as susceptible to serious wind erosion by reason of its soil types, terrain, and climatic and other factors.

NEW MEXICO

Taos.

Done at Washington, D.C., this 30th day of November 1966.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 66-13065; Filed, Dec. 5, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 363]

WERSCHLEIN & BECKER

Order Denying Export Privileges

In the matter of Eli P. Becker and Caroline Becker, 5566 Clifton Road, Jacksonville, Fla.; and Johann Werschlein and Frieda Werschlein, 5637 Temple Road, Jacksonville, Fla.; doing business as Werschlein & Becker, 5566 Clifton Road, Jacksonville, Fla., respondents; Case No. 363.

The Director, Investigations Division issued a charging letter against the above respondents on April 28, 1966, charging violations of the Export Control Act and regulations thereunder. In substance the respondents were charged with making exportations to a denied party and with making exportations without having obtained the required validated export licenses. The respondents, through their attorney, filed answers but did not request an oral hearing. In accordance with the usual practice, wherein, formal hearing is not requested, the Compliance Commissioner held an informal hearing on June 8, 1966, in Washington, D.C., at which evidence in support of the charges was presented on behalf of the Investigations Division. In order to resolve the facts on certain conflicting evidence which appeared in the documents the Compliance Commissioner scheduled and held a hearing in Jacksonville, Fla., on July 7, 1966. The respondents attended and were represented by their attorney. A representative of the General Counsel's Office of the Department appeared on behalf of the Investigations Division.

The Compliance Commissioner has considered the record in the case and has submitted to the undersigned a written report including findings of fact and findings that violations have occurred. He has recommended that remedial action as hereinafter set forth be taken against the respondents. On consideration of the record I hereby make the following:

Findings of fact. 1. The respondents, Eli P. Becker and Caroline Becker, husband and wife, and Johann Werschlein

and Frieda Werschlein, husband and wife, are all residents of Jacksonville, Fla.

2. The Werschleins are natives of Austria and emigrated to the United States in March 1960. Shortly before the Werschleins left Austria for the United States they met Emmerich Kuruc, of Vienna, Austria. Kuruc was a dealer in electronics equipment and operated two firms, namely Maireco Export-Import G.m.b.H., Vienna and Allround Establishment, Inc., Vaduz, Liechtenstein. An arrangement was entered into between Kuruc and the Werschleins whereby the Werschleins, after they came to the United States, would receive orders for merchandise from Kuruc which they would obtain in the United States and export to him.

3. On June 10, 1960, the Bureau of Foreign Commerce, predecessor to the Bureau of International Commerce, issued an order denying Emmerich Kuruc and his associated firms, Maireco Export-Import G.m.b.H. and Allround Establishment, Inc., all U.S. export privileges indefinitely for their failure to furnish answers to written interrogatories served upon them in connection with an investigation conducted under the authority of the Export Control Act. The denial order was duly served on Emmerich Kuruc, Maireco Export-Import G.m.b.H., and Allround Establishment, Inc., and published in the FEDERAL REGISTER, 25 F.R. 5546, June 18, 1960. On June 30, 1960 their names were also listed and published in the Table of Denial Orders in Supplement No. 1 to Part 382, Comprehensive Export Schedule, where they have appeared to date.

4. The denial order, among other things, prohibited persons, partnerships, or other business organizations in the United States, without prior disclosure to and authorization from the Bureau of Foreign Commerce, from selling or delivering any exportation from the United States to the denied parties.

5. The publication of the denial order in the FEDERAL REGISTER was constructive notice of its contents to any person affected thereby.

6. As the result of an incident in February 1961, Mr. Werschlein obtained written information from the Miami Field Office of the Department of Commerce with regard to restrictions on exportations from the United States.

7. After the Werschleins came to the United States they received orders for electronic items from Kuruc. They purchased such items in the United States and exported them to Kuruc's firm, Allround. The Werschleins were restricted in their purchasing activities because of lack of funds. They met the Beckers in 1961 and shortly thereafter the Beckers agreed to finance the purchase activities for Kuruc and they did so. It was agreed that the Beckers and Werschleins would share equally in the profits. The business continued and the actual operations were handled primarily by the two women, but the two men kept informed as to the progress and activities of the business. This was an informal partnership and at times the business was carried on under the name of Werschlein & Becker.

8. In August 1962, the Investigations Division undertook an investigation into the attempts of Werschlein & Becker to obtain strategic electronic equipment in the United States which the Investigations Division had reason to believe was ordered by a party in a foreign country. A written inquiry to Werschlein & Becker resulted in a reply from its attorney who advised the Investigations Division that the inquiry for the equipment had come from Allround, Vaduz, but that the transaction was not consummated.

9. Pursuing the investigation, the Investigations Division requested the Bureau of Customs to have one of its agents interview the principals of Werschlein & Becker, particularly with reference to transactions involving Maireco and Allround. In accordance with this request a Customs Agent interviewed Mr. Becker on November 20, 1962, and at that time the Agent informed Mr. Becker, among other things, that Allround was on the blacklist and that no exportations should be made to this firm from the United States. Mr. Becker told the Agent that no business would be conducted by him or his wife or by Werschlein & Becker with Allround.

10. Werschlein & Becker continued to purchase electronic items in the United States for Allround and export them to said firm. In the period from January 9, 1964, through July 16, 1965, Werschlein & Becker obtained from suppliers in the United States several thousand electronic items and exported them to Kuruc or his firm Allround in Austria. The value of the items varied from a few cents to $950 for a single item. Approximately 100 of the items exported in this period had a unit value in excess of $50. Sixty-three of the items exported in this period required a validated export license to lawfully export to Austria. The respondents did not apply for or obtain such licenses from the Office of Export Control.

11. The respondents had knowledge, within the meaning of the U.S. Export Regulations that Kuruc and his firms Allround and Maireco had been denied all U.S. export privileges and that it was a violation of the said regulations to make exportations from the United States to Kuruc or his firms without first obtaining authorization from the Office of Export Control. The respondents never obtained any such authorization.

12. The respondents had knowledge, within the meaning of the U.S. Export Regulations, that some of the items which they exported to Kuruc and Allround in Austria required a validated export license for lawful exportation, and the respondents did not obtain such validated export licenses.

Based on the foregoing, I have concluded: That the respondents violated § 381.10 of the U.S. Export Regulations in that without prior disclosure of the facts and specific authorization from the Office of Export Control, they exported commodities from the United States to a person in Austria with knowledge that said person was subject to an order denying U.S. export privileges; that the respondents violated § 381.6 of the U.S. Export Regulations in that without specific authorization from the Office of Export Control they exported to a person in Austria commodities which required validated export licenses without having obtained such licenses as required by §§ 370.2 and 372.3 of said regulations.

Concerning the sanctions that should be imposed, the Compliance Commissioner said:

> These respondents engaged in commercial export operations over a period of several years during which they made hundreds of exportations. They knew or should have known that they were dealing with a party who had been denied export privileges. They knew or should have known that on numerous occasions they were exporting electronic items which required validated licenses. They failed to obtain such licenses. These respondents, who were engaged in export operations on a commercial scale, have demonstrated a culpable disregard for the requirements of the Export Regulations. There is, however, one thing to be said in their favor. After their infractions were discovered in July 1965, they were cooperative and furnished information concerning their export activities.
>
> The purpose of sanctions in cases of this type is to bring about compliance with the law and to act as a deterrent for future violations. I believe this purpose will be achieved if these respondents are denied all U.S. export privileges for 5 years with conditional restoration of export privileges after 18 months, and for the balance of the 5-year period they shall remain on probation.

After considering the record in the case and the report and recommendation of the Compliance Commissioner and being of the opinion that his recommendation as to the sanctions that should be imposed is fair and just and calculated to achieve effective enforcement of the law: *It is hereby ordered:*

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in paragraph IV hereof, the respondents for a period of 5 years from the effective date of this order are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the export regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transport-

ing, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their representatives, agents, partners, and employees, and also to any person, firm, corporation, or other business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. Eighteen months after the effective date hereof, without further order of the Bureau of International Commerce, the respondents shall have their export privileges restored conditionally and thereafter for the remainder of the 5 year denial period the respondents shall be on probation. The conditions of such restoration are that the respondents shall fully comply with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

V. Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that the respondents have knowingly failed to comply with the requirements and conditions of this order or with the conditions of probation, said official at any time, with or without prior notice to said respondents, by supplemental order, may revoke the probation of said respondents, or any of them, revoke all outstanding validated export licenses to which any of said respondents may be a party, and deny to said respondents all export privileges for a period up to 42 months. Such order shall not preclude the Bureau of International Commerce from taking further action for any violation as shall be warranted. On the entry of a supplemental order revoking respondents' probation without notice, they may file objections and request that such order be set aside, and may request an oral hearing, as provided in § 382.16 of the export regulations, but pending such further proceedings, the order of revocation shall remain in effect.

VI. During the time when any respondent or other person within the scope of this order is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with a respondent or other person denied export privileges within the scope of this order, or whereby any such respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

This order shall become effective on December 5, 1966.

Dated: November 29, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-13081; Filed, Dec. 5, 1966; 8:48 a.m.]

Maritime Administration

[Report No. 8]

LIST OF FOREIGN FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JAN. 25, 1966

SECTION 1. The President has approved a policy of denying U.S. Government-financed cargoes shipped from the United States to foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate U.S. Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through November 29, 1966. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at U.S. ports.

FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
British:	
Ardtara	5,795
Greenford	2,964
Isabel Erica	7,105
Milford	1,889
Santa Granda	7,229
Shienfoon	7,127
Shirley Christine	6,724
Cypriot:	
Acme	7,173
Amfitriti	7,147
Amon	7,229
Antonia II	7,303
Greek:	
Agenor	7,139
Alkon	7,150
Maltese:	
Amalia	7,304
Polish:	
Andrzej Strug	6,919
Beniowski	10,443
Djakarta	6,915
General Sikorski	6,785
Hanka Sawicka	6,944
Jan Matejko	6,748
Jozef Conrad	8,730
Kapitan Kosko	6,629
Kochanowski	8,231
Lelewel	7,817
Marian Buczek	7,053
Norwid	5,512
Stefan Okrezja	6,620
*Wieniawski	9,190
Wladyslaw Broniewski	6,919

*Added to Rept. No. 7 appearing in the FEDERAL REGISTER issue of September 15, 1966.

SEC. 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the U.S. Government to discourage such trade and;

(b) That no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

a. Since last report: None.
b. Previous reports:

	Number of ships
British	1

By order of the Acting Maritime Administrator.

Dated: November 30, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-13110; Filed, Dec. 5, 1966; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13249; Order E-24469]

BRANIFF AIRWAYS, INC., AND PAN AMERICAN WORLD AIRWAYS, INC.

Order of Tentative Approval of Equipment Interchange Lease Agreement

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of December 1966.

Renewal application of Braniff Airways, Inc., and Pan American World Airways, Inc., Docket 13249; for extension of approval of an equipment interchange lease agreement.

On January 22, 1964, Braniff Airways, Inc. (Braniff) and Pan American World Airways, Inc. (Pan American), filed in Docket 13249, a renewal application for extension indefinitely of the approval of an equipment interchange lease agreement between the carriers, previously granted by the Board in Order E-18359, May 23, 1962.[1] The applicants request that the Board approve the extension without a hearing pursuant to the third proviso of section 408(b) of the Federal Aviation Act of 1958, as amended.

[1] The interchange was approved for a period of 2 years or until sixty (60) days after final decision in the Transatlantic Route Renewal Case, Docket 13577, et al., whichever shall first occur.

The applicants state that based on computations as of September 30, 1963, only 0.68 percent of Pan American's property would be involved in the operation (somewhat less than the 0.72 percent indicated as of Dec. 31, 1961, in the initial petition for approval of the interchange agreement);[2] that following Board approval of their interchange agreement, Braniff and Pan American on July 1, 1962, inaugurated one-plane service between Dallas and points south thereof, served by Braniff, on the one hand, and points in Western Europe and the Middle East, served by Pan American, on the other hand, and have operated daily service since that date; that they plan a continuation of the existing schedules for an indefinite period, in view of the acceptance of the service and substantial growth in these markets; that during the first full year of operations 5,718 interchange passengers were carried; that from July through December 1962, the number of one-way passengers carried totaled 2,966 and for the corresponding period in 1963, a total of 3,918 one-way passengers were carried, or an increase of 32.1 percent; that these passengers are additional to the local traffic on each carrier's segment which gave the interchange its primary support; that Braniff and Pan American continue to be the sole U.S.-flag carrier providing one-plane service between the points served by the interchange agreement; and that on the basis of this recent traffic growth, they expect that their participation in the interchange markets will continue to be profitable for each of them.

On January 24, 1964 and January 30, 1964, respectively, Seaboard World Airlines, Inc. (Seaboard) and Trans World Airlines, Inc. (TWA) filed petitions for leave to intervene.[3] TWA also filed an answer in opposition on January 31, 1964. Also on January 31, 1964, and on February 27, 1964, Eastern Air Lines, Inc., and the International Association of Machinists (IAM) filed an answer and a statement, respectively, in support of the approval of renewal application without a hearing pursuant to the third proviso of section 408(b) of the Act. The interchange partners filed an answer in opposition to Seaboard's petition.

TWA's answer, following its petition to intervene, reserves the right to object to any extension of approval of the agreement if the interchange agreement is not limited to operations to and from Dallas and points south thereof, as originally approved by the Board in Order E–18359. TWA also requests that if the Board should take action on the renewal application in advance of the Transatlantic Route Renewal Case, any extension of approval should be limited to a period to expire not later than 60 days after decision therein, and alleges that the reasons for the earlier-imposed time limitations in the Board's original approval are still applicable. Seaboard's petition requests that the Board's approval of the interchange agreement be conditioned to exclude the carriage of cargo.

Upon consideration of the foregoing, the Board tentatively finds that renewal for an indefinite period of the interchange agreement except to the extent that the agreement allows for all-cargo service, is not adverse to or inconsistent with the public interest or in violation of the Act, and, therefore, approval under section 412, subject to the currently effective conditions imposed by the Board and the limitation against all-cargo service, appears warranted. The basic public interest considerations upon which the Board relied in approving the original interchange agreement still obtain and no reason appears for not approving the interchange agreement for an indefinite period.[4] Additionally, the Board tentatively finds and concludes that the various conditions attached to the original approval of the interchange agreement should continue to be applicable.

The applicants do not propose to provide, nor allege that they have in fact provided all-cargo service pursuant to the agreement. The cargo volume moving over the interchange does not appear to be large. In calendar 1963, the most recent period for which information is available, Braniff-Pan American interchange flights carried 108.9 tons of cargo eastbound and 98.5 tons westbound. Under these circumstances, we shall withhold approval of the interchange agreement insofar as it permits the conduct of all-cargo operations. However, the carriage of cargo on passenger flights will be permitted. We perceive no reason for withholding from the public the added convenience of being able to ship cargo by through-plane combination service offered by the interchange partners.[5]

The Board further finds that a relationship exists within the purview of section 408(a) of the Act by reason of the interchange lease agreement between Braniff and Pan American. However, the Board has concluded tentatively that such relationship does not affect control of any direct air carrier, result in creating a monopoly, or tend to restrain competition. Furthermore, the Board finds that no person disclosing a substantial interest in this proceeding is currently requesting a hearing.

In view of our tentative decision to preclude all-cargo service, it appears that Seaboard's opposition to the interchange has become moot. Similarly, the decision in the Transatlantic Route Renewal Case, and our tentative action to continue to restrict interchange service to or from Dallas or points south thereof on Braniff's system appears to have rendered moot TWA's opposition.

In view of the foregoing, the Board tentatively finds pursuant to section 408 that its previous approval of the interchange agreement should be extended indefinitely subject to the conditions heretofore discussed. Furthermore, the Board intends to extend this approval without a hearing pursuant to section 408(b). In accordance therewith, this order constituting a notice of such intention will be published in the FEDERAL REGISTER, and interested parties will be afforded an opportunity to comment on the Board's tentative decision.[6]

Accordingly, it is ordered,

1. That this order be published in the FEDERAL REGISTER;

2. That the Attorney General be furnished a copy of this order within 1 day of its publication;

3. That interested persons are afforded a period of 15 days from the date of service of this order within which to file comments with respect to the Board's proposed action herein;[7] and

4. That the petitions of Seaboard and TWA for leave to intervene be and they hereby are dismissed.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–13082; Filed, Dec. 5, 1966; 8:48 a.m.]

[Order E–24468]

GENERAL AIR FREIGHT, INC.

Order Revoking Operating Authorization

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on 1st day of December 1966.

Revocation of operating authorization issued to General Air Freight, Inc., under Part 296 of the Board's Economic Regulations.

By Order E–24338, October 28, 1966, the Board directed General Air Freight, Inc. (General) and other interested persons to show cause within 15 days why the Board should not revoke General's Air Freight Forwarder Operating Authorization No. 23.

No objections have been filed.

As provided in the show cause order, all further procedural steps are deemed to be waived and the matter now stands

[2] The amount of property leased (B 707–300) is calculated on the percentage of Pan American's daily jet utilization. As of Dec. 31, 1965, 0.44 percent of Pan American's properties would be involved (CAB Form 41, 1965).

[3] Since this matter is being handled on a nonhearing basis, the petitions to intervene will be dismissed. Rule 15(a) of the Board's rules of practice. However, the petitions will be construed as expressing the carrier's opposition to unrestricted approval of the interchange.

[4] Our original approval was made temporary in view of the pendency of the Transatlantic Route Renewal Case. However, on Feb. 11, 1966, in Order E–23230, that case was decided. No basis now exists for limiting the duration of our approval of the interchange.

[5] Compare Order E–20806, May 12, 1964.

[6] Further action on the interchange agreement under section 412 will be deferred pending final decision on the equipment lease relationship which is subject to section 408.

[7] Such comments shall in all respects conform to the requirements of the Board's rules of practice for the filing of such documents. Since an opportunity is provided to file comments, petitions for reconsideration of this order will not be entertained.

submitted to the Board. In the absence of objections we will make final the findings and conclusions expressed in Order E–24338.

Accordingly, it is ordered,

1. That Operating Authorization No. 23 issued to General be, and it hereby is, revoked without prejudice, and is canceled; and

2. That a copy of this order be served upon General and published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–13083; Filed, Dec. 5, 1966; 8:48 a.m.]

CIVIL SERVICE COMMISSION

REHABILITATION SPECIALIST, NATIONAL CAPITAL PLANNING COMMISSION

Notice of Manpower Shortage

Under the provisions of 5 U.S.C. 5723 the Civil Service Commission has found, effective November 23, 1966, that there is a manpower shortage for the single position of Rehabilitation Specialist, GS–301–13, National Capital Planning Commission, Washington, D.C. This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66–13068; Filed, Dec. 5, 1966; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

ATLANTIC CONTAINER LINE, LTD., ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Atlantic Container Line, Ltd., Soya Rederi A/B, and Moore-McCormack Lines, Inc.

Notice of agreement filed for approval by:

Mr. J. R. Ewers, Suite 401, 1000 16th Street NW., Washington, D.C. 20036.

Agreement 9600, between Atlantic Container Line, Ltd., Soya Rederi A/B, and Moore-McCormack Lines, Inc., operating regularly in the trade between the East Coast ports of the United States and non-Mediterranean ports in Europe (including Scandinavian and Baltic ports), provides for (1) the spacing of their respective sailings to afford shippers frequent and regular service and (2) the maximum utilization of terminal and related facilities. The agreement also provides for termination of participation by any party upon 30 days' written notice to the other parties.

Dated: December 1, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–13074; Filed, Dec. 5, 1966; 8:47 a.m.]

CUNARD STEAM-SHIP CO., LTD., AND FURNESS WITHY & CO., LTD.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Ronald A. Capone, Kirlin, Campbell and Keating, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

Agreement 9601, between The Cunard Steam-Ship Co., Ltd. and Furness Withy & Co., Ltd., operating regularly in the trade between the ports of Boston, Mass. and Liverpool, England, provides for the spacing of their respective sailings to afford shippers frequent and regular service. The agreement also provides for termination of participation by any party upon 30 days' written notice to the other parties.

Dated: December 1, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–13075; Filed, Dec. 5, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G–5942, etc.]

MICOA, INC., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

NOVEMBER 23, 1966.

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 December 16, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 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 petition 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 or the authorization for the proposed abandonment 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: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production

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

for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-5942 E 9-26-66	Micoa, Inc. (successor to Production Associates), 4515 Highland Rd., Pontiac, Mich. 48054.	Equitable Gas Co., Summersville District, Nicholas County, W. Va.	25.096	15.325
G-13103 C 11-7-66	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	Southern Union Gathering Co., Basin Dakota Pool, San Juan County, N. Mex.	13.0	15.025
G-13308 C 6-22-60 C 2-27-61 C 5-7-62 C 6-7-63	Shell Oil Co. (Operator), et al.,[1] 50 West 50th St., New York, N.Y. 10020.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper and Beaver Counties, Okla.	17.0	14.65
G-13341 C 11-7-66	Messman-Rinehart Oil Co. (Operator), et al., Wichita Plaza Bldg., Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., Laredo Field, Reno County Kans.	13.0	14.65
G-15153 C 11-4-66	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052.	El Paso Natural Gas Co., acreage in San Juan County, Utah.	[2] 17.7	15.025
G-15714 D 11-7-66	Humble Oil & Refining Co. (Operator), et al., Post Office Box 2180, Houston, Tex. 77001.	Transwestern Pipeline Co., acreage in Lipscomb County, Tex.	Assigned	----------
G-16139 D 11-9-66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., acreage in Ochiltree County, Tex.	Declined in pressure.	----------
G-16139 D 11-14-66	----do----------	Transwestern Pipeline Co., acreage in Roberts County, Tex.	Uneconomical	----------
G-19571 E 11-4-66	Phillips Petroleum Co. (successor to Shell Oil Co.), Bartlesville, Okla. 74003.	Trunkline Gas Co., Alta Loma Field, Galveston County, Tex.	[3] 19.0	14.65
G-19681 E 9-6-66	O.F. & R. Oil Co. (successor to E. G. Rodman (Operator), et al.), c/o Robert Barber, Attorney, Post Office Box 2127, Andrews, Tex. 79714.	El Paso Natural Gas Co., Spraberry Area, Reagan County, Tex.	[4] 17.2895	14.65
CI62-358 D 10-17-66	The Estate of E. H. Adair, d.b.a. E. H. Adair Oil Co., c/o Burneta Hamilton, Executrix, Post Office Box 7011, Wichita, Kans. 67201.	Northern Natural Gas Co., Sitka Field, Clark County, Kans.	[5]	----------
CI62-1291 E & D 3-3-66	Roy L. Cook, Trustee (successor to Feldt & Maytag), Post Office Box 696, Albuquerque, N. Mex. 87103.	Piedra Corp., Ignacio-Blanco Field, La Plata and Archuleta Counties, Colo.	[6] 11.90	15.025
CI62-1292 D 3-3-66	Piedra Corp., Post Office Box 696, Albuquerque, N. Mex. 87103.	El Paso Natural Gas Co., Ignacio-Blanco Field, La Plata and Archuleta Counties, Colo.	Uneconomical	----------
CI63-215 C 11-3-66	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore County, Okla.	15.0	14.65
CI63-303 E 10-31-66	Petroleum Distributors, Inc. (successor to E. L. Fundingsland), 2004 Security Life Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., acreage in Rio Arriba and San Juan Counties, N. Mex.	[7] 11.0 [8] 12.0	15.025
CI63-318 C 11-9-66	Frank A. Schultz, et al., 730 Fidelity Union Tower, Akard and Pacific Sts., Dallas, Tex. 75201.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI63-579 E 11-14-66	Aztec Oil & Gas Co. (successor to J. R. Bower, Jr.), 2000 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex.	12.0	15.025
CI63-1536 E 10-31-66	Petroleum Distributors, Inc. (successor to E. L. Fundingsland (Operator), et al.).	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
CI64-36 E & C 11-7-66	Whittington Number Five (Operator), et al. (successor to Whittington Number Four (Operator), et al.), Post Office Box 9328, Shreveport, La. 71109.	United Gas Pipe Line Co., Bethany-Blocker and Waskom Fields, Harrison County, Tex.	10.8876	14.65
CI64-902 C 12-13-65 C 9-13-66	Delta Drilling Co. (Operator), et al.,[9] Post Office Box 2012, Tyler, Tex. 75702.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	16.0	14.65
CI64-913 C 11-3-66	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Southern Union Gathering Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI64-1101 E 10-31-66	Petroleum Distributors, Inc. (successor to E. L. Fundingsland).	El Paso Natural Gas Co., acreage in La Plata County, Colo.	[10] 13.0 [11] 14.0	15.025
CI65-437 E 10-31-66	----do----------	El Paso Natural Gas Co., acreage in San Juan County, N. Mex. and La Plata County, Colo.	13.0	15.025
CI65-957 C 8-12-66	Neo-Tex Corp.,[12] 2310 Norfolk Ave., Norfolk, Nebr. 68701.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	[13] 16.216	14.65
CI66-239 C 11-14-66	Joseph F. Fritz (Operator), et al., 507 Brookwood Dr., Clinton, Miss. 39056.	United Gas Pipe Line Co., Maxie-Pistol Ridge Field, Forrest and Pearl River Counties, Miss.	20.0	15.025
CI66-244 C 11-7-66	Hays & Co., agent for Delta Petroleum Co. by James N. Ryan, Post Office Box 2051, Clarksburg, W. Va. 26301.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI66-327 C 11-10-66	Sesco Production Co. (Operator), et al., c/o Jerome M. Alper, Counsel, 818 18th St. NW., Washington, D.C. 20006.	Lone Star Gas Co, Henderson Field, Rusk County, Tex.	14.49	14.65
CI66-662 C 11-3-66	Francis Friestad, et al., 1104 Campus Hills Blvd., Rockford, Ill. 61103.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI66-1133 A 5-6-66	Summers Oil Co., Rural Delivery Route 2, Marionville, Pa. 16239.	Pennsylvania Gas Co., Howe and Jenks Townships, Forest County, Pa.	27.0	15.025
CI66-1328 C 11-10-66	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	Panhandle Eastern Pipe Line Co., Tangier Area, Ellis and Woodward Counties, Okla.	17.0	14.65
CI67-42 A 7-13-66	Standard Oil Co. of Texas, a division of Chevron Oil Co.[9] Post Office Box 1249, Houston, Tex. 77001.	El Paso Natural Gas Co., Wilshire-Devonian Field, Upton County, Tex.	16.5	14.65
CI67-123 C 9-27-66	Monsanto Co. (Operator), et al., 1300 Main St., Houston, Tex. 77002.	El Paso Natural Gas Co., Aneth Field Area, San Juan County, Utah.	17.7	15.025
CI67-151 (G-3105) C 11-14-66[14]	A. F. Chisholm, d.b.a. The Brandon Co., c/o J. A. Bellan, Jr., Attorney, Heidelberg, Woodliff and Franks, 690 First National Bank Bldg., Jackson, Miss. 39201.	Southern Natural Gas Co., Gwinville Field, Jefferson Davis County, Miss.	15.0256	15.025
CI67-180 C 11-4-66	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 77001.	Michigan Wisconsin Pipe Line Co., Northwest Quinlan Field, Woodward County, Okla.	[15] 17.0	14.65
CI67-205 C 9-29-66	Dalco Oil Co., 1210 Mercantile Bank Bldg., Dallas, Tex. 75201.	Panhandle Eastern Pipe Line Co., South Peek Field, Ellis County, Okla.	17.0	14.65
CI67-209 C 11-3-66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Kinta Field, Le Flore County, Okla.	15.0	14.65

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI67-302 A 9-12-66	Pan American Petroleum Corp.[9]	Transwestern Pipeline Co., Kermit Field, Winkler County, Tex.	[16] 14.5 [17] 16.5	14.65
CI67-310 F 9-6-66 [18]	O.F. & R. Oil Co. (successor to Rodman and Late).	E. Paso Natural Gas Co., Spraberry Field, Reagan County, Tex.	[19] 17.2295	14.65
CI67-331 A 9-21-66	Cabot Corp. (SW),[9] Post Office Box 1101, Pampa, Tex. 79065.	El Paso Natural Gas Co., acreage in Schleicher County, Tex.	16.5	14.65
CI67-385 A 10-3-66	Sinclair Oil & Gas Co.[9]	El Paso Natural Gas Co., North Cox (Strawn & Detrital) Field, Crockett County, Tex.	16.5	14.65
CI67-543 A 10-21-66 [20]	Felmont Oil Corp. (Operator), et al., 285 Madison Ave., New York, N.Y. 10017.	Transcontinental Gas Pipe Line Corp., Block 86 Field, Offshore Vermilion Parish, La.	[21] 19.0	15.025
CI67-581 A 10-31-66	Sinclair Oil & Gas Co.[9]	Northern Natural Gas Co., Coyanosa Field, Pecos County, Tex.	16.5	14.65
CI67-591 A 10-28-66	Arthur S. Jones, 1230 6th Ave., Huntington, W. Va. 25701.	United Fuel Gas Co., Putnam Field, Putnam County, W. Va.	16.0	15.32
CI67-592 A 10-28-66	do	do	16.0	15.325
CI67-593 A 10-31-66	Tesoro Petroleum Corp., 533 Busby Dr., San Antonio, Tex. 78209.	Cumberland & Allegheny Gas Co., Banks District, Upshur County, W. Va.	25.0	15.325
CI67-594 (G-7529) A 11-1-66 [22]	Midhurst Oil Corp., 1030 Bank of the Southwest Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., Burnell Field, Bee, and Karnes Counties, Tex.	14.0	14.65
CI67-595 A 11-4-66	Craft Thompson, 409 Meadows Bldg., Dallas, Tex. 75206.	Florida Gas Transmission Co., Southwest Port Barre Field, St. Landry Parish, La.	17.0	15.025
CI67-596 A 11-4-66	Humble Oil & Refining Co.	Oklahoma Natural Gas Gathering Corp., Cleo Springs Field, Major County, Okla.	12.0	14.65
CI67-597 A 11-4-66	R. A. Stacy, Jr., 1706 Beck Bldg., Shreveport, La. 71102.	United Gas Pipe Line Co., Monroe Field, Union Parish, La.	11.0	15.025
CI67-598 A 11-2-66	Delta Drilling Co.	Consolidated Gas Supply Corp., acreage in Allegheny County, Md., and Bedford County, Pa.	27.5	15.325
CI67-599 A 11-1-66	Chester Oil Co., c/o Jacob Goldberg, attorney, 810 Pennsylvania Bldg., Washington, D.C. 20004.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
CI67-600 A 11-4-66	Texaco, Inc.	Northern Natural Gas Co., Gage Area, Ellis County, Okla.	[15] 17.0	14.65
CI67-601 A 11-4-66	do	Michigan Wisconsin Pipe Line Co., Lovedale, Northwest Field, Harper County, Okla.	[15] 17.0	14.65
CI67-602 A 11-7-66	Humble Oil & Refining Co.	Lone Star Gas Co., East Nellie Field, Stephens County, Okla.	15.0	14.65
CI67-603 A 11-7-66	Sunset International Petroleum Corp., et al., 8920 Wilshire Blvd., Beverly Hills, Calif. 90210.	Cumberland and Allegheny Gas Co., Union District, Upshur County, W. Va.	25.0	15.325
CI67-604 A 11-7-66	Lynn Petroleum Co., 2818 First National Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., Kiowa Creek (Douglas Sand) Field, Lipscomb County, Tex.	17.0	14.65
CI67-605 A 11-7-66	Intermountain Petroleum Corp., Operator, 3508 Sunset Ave., Farmington, N. Mex. 87401.	El Paso Natural Gas Co., San Juan Basin, Rio Arriba County, N. Mex.	[2] 12.0	15.025
CI67-606 A 11-7-66	John Brisben, et al., 1723 East Maine, Enid, Okla. 73701.	National Fuels Corp. and Oklahoma Natural Gas Gathering Corp., West Cleo Springs Field, Major County, Okla.	12.0	14.65
CI67-607 A 11-7-66	Pan American Petroleum Corp.	Mountain Fuel Supply Co., Powder Wash Field, Moffat County, Colo.	12.0	14.65
CI67-613 B 10-20-66	The Camino Corp. (formerly Camino Oil Corp.), 1520 Vaughn Plaza, Post Office Box 2167, Corpus Christi, Tex. 78401.	Transcontinental Gas Pipe Line Corp., Luby Field, Nueces County, Tex.	Uneconomical	
CI67-614 B 11-7-66	C. H. Lyons, Sr. (Operator), et al., 1500 Beck Bldg., Shreveport, La. 71102.	United Gas Pipe Line Co., Rodessa Field, Cass County, Tex.	[23]	
CI67-615 A 11-7-66	Delta Corp., 801 First National Bldg., Oklahoma City, Okla. 73102.	Natural Gas Pipeline Co. of America, Camrick Field, Beaver County, Okla.	17.0	14.65
CI67-616 A 11-7-66	David D. Read, Jr., and W. P. Buckthal, 903 Bank of the Southwest Bldg., Amarillo, Tex. 79109.	Northern Natural Gas Co., Six Mile Field, Beaver County, Okla.	17.0	14.65
CI67-617 A 11-7-66	Burk Royalty Co., 800 Oil & Gas Bldg., Wichita Falls, Tex. 76301.	Panhandle Eastern Pipe Line Co., acreage in Hemphill County, Tex.	[15] 17.0	14.65
CI67-618 A 11-7-66	French A. See, 410 Courtfield Ave., Winchester, Va. 22601.	Equitable Gas Co., Collins Settlement District, Lewis County, W. Va.	25.0	15.325
CI67-619 A 11-8-66	Pan American Petroleum Corp.	El Paso Natural Gas Co., Mickelson Creek Field, Sublette County, Wyo.	14.0	14.65
CI67-620 A 11-7-66	Allerton Miller, 3309 Grant Bldg., Pittsburgh, Pa. 15219.	Cumberland & Allegheny Gas Co., Buckhannon District, Upshur County, W. Va.	25.0	15.325
CI67-621 B 11-8-66	O. W. Gerwig, Normantown, W. Va. 25267.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	Uneconomical	
CI67-622 A 11-8-66	J. O. Clark, Jr., et al., Houston Club Bldg., Houston, Tex. 77002.	Natural Gas Pipeline Co. of America, Mobeetie Field, Wheeler County, Tex.	17.0	14.65
CI67-623 A 11-8-66	E. R. Holland and C. F. Wallis, d.b.a. Stalnaker Well No. 1, Post Office Box 1274, Huntington, W. Va. 25701.	Carnegie Natural Gas Co., Center District, Gilmer County, W. Va.	20.0	15.325
CI67-625 A 11-9-66	E. A. Obering and Helen Bailey Obering, 614 Petroleum Club Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Woodward Area, Woodward County, Okla.	17.0	14.65
CI67-626 A 11-9-66	South Texas Development Co., 256 Denver Club Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., North Shore Field, Logan County, Colo.	10.0	16.4
CI67-627 B 11-9-66	George Parker, et al., Johnson Bldg., Shreveport, La. 71102.	United Gas Pipe Line Co., Rodessa Field, Caddo Parish, La.	Depleted	
CI67-628 B 10-20-66	C. J. Brannan, Jr., et al., 631 First-Wichita National Bank Bldg., Wichita Falls, Tex. 76301.	El Paso Natural Gas Co., acreage in Sutton County, Tex.	[24]	
CI67-629 A 11-10-66	Ralph L. Warner, 105 Lee St., Gassaway, W. Va. 26624.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI67-630 A 11-14-66	Gulf Oil Corp.	United Gas Pipe Line Co., Pomme D'or Field, Plaquemines Parish, La.	21.25	15.025
CI67-631 B 11-14-66	Highland Oil Co., 1201 San Jacinto Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., North Donna Area, Hidalgo County, Tex.	Depleted	
CI67-632 B 11-7-66	Chester F. Whaley, 2407 Dryden Rd., Houston, Tex. 77025.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Beckers Prairie Field, Montgomery County, Tex.	Uneconomical	
CI67-633 A 11-14-66	Ashland Oil & Refining Co., Post Office Box 18695, Oklahoma City, Okla. 73118.	Arkansas Louisiana Gas Co., Cheniere Creek Field, Ouachita Parish, La.	18.5	15.025
CI67-634 A 11-14-66	Woods Petroleum Corp., 4900 North Santa Fe, Oklahoma City, Okla. 73118.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[15] 17.0	14.65
CI67-635 A 11-14-66	Magness Petroleum Co., 914 First National Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., acreage in Harper County, Okla.	[15] 17.0	14.65
CI67-636 A 11-14-66	Earlsboro Oil & Gas Co., c/o Harry C. Marberry, attorney, 2207 First National Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Northeast Waynoka Field, Woods County, Okla.	17.0	14.65
CI67-637 A 11-14-66	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	Texas Gas Transmission Corp., Ramos Field, Terrebonne, Assumption and St. Mary Parishes, La.	[25] 20.0	15.025
CI67-638 A 11-14-66	Leonard J. Achenbach, Rural Route No. 1, Hardtner, Kans. 67057.	Cities Service Gas Co., Hardtner Field, Barber County, Kans.	14.0	14.65
CI67-639 A 11-14-66	Trigg Drilling Co., 105 Northeast 44th St., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., acreage in Woodward County, Okla.	[15] 17.0	14.65

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI67-640 ..... A 11-14-66	Pubco Petroleum Corp., Post Office Box 869, Albuquerque, N. Mex. 87103.	Mountain Fuel Supply Co., West Side Canal Area Field, Moffat County, Colo.	15.0	15.025
CI67-641 ..... A 11-14-66	Yale Oil Association, et al., c/o Harry C. Marberry, attorney, 2207 First National Bldg., Oklahoma City, Okla. 73102.	Cities Service Gas Co., Lovedale Field, Harper County, Okla.	17.0	14.65
CI67-642 ..... A 11-15-66	The Sabinol Corp., 1810 3d St., Corpus Christi, Tex. 78403.	United Gas Pipe Line Co., Blue Buck Point Field, Cameron Parish, La.	15.0	15.025
CI67-643 ..... A 11-14-66	Coastal States Gas Producing Co., Post Office Drawer 521, Corpus Christi, Tex. 78403.	United Gas Pipe Line Co., Northwest Bourg Field, Lafourche Parish, La.	19.0	15.025

[1] By letter filed Sept. 9, 1966, Applicant advised willingness to accept authorization for the additional acreage consistent with the Commission's Opinion No. 464.
[2] Plus settlement for liquids.
[3] Rate in effect subject to refund in Docket No. RI65-475.
[4] Rate in effect subject to refund in Docket No. RI60-7.
[5] Wells drilled on subject acreage resulted in dry holes and leases covering such acreage were dropped.
[6] Rate in effect subject to refund in Docket No. RI64-500.
[7] For gas sold under basic contract and Supplement No. 1.
[8] Effective rate for added acreage covered by Supplement Nos. 2 and 3.
[9] Applicant has advised willingness to accept permanent authorization containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[10] For gas sold under basic contract and Supplement Nos. 1 thru 4.
[11] Effective rate for added acreage covered by Supplement Nos. 5 and 6.
[12] By letter filed Oct. 31, 1966, Applicant advised willingness to accept permanent authorization for the additional acreage at 14.5 cents at 14.65 p.s.i.a. and subject to the conditions imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[13] Includes 0.216 cent per Mcf tax reimbursement.
[14] Adds acreage acquired from Humble Oil & Refining Co., Docket No. G-3105.
[15] Subject to upward and downward B.t.u. adjustment.
[16] For residue derived from new gas-well gas.
[17] For residue derived from casinghead gas.
[18] Applicant filed to continue a sale previously rendered by Rodman and Late in Docket No. G-14752. By order issued Nov. 7, 1966, Rodman and Late received a small-producer certificate in Docket No. CS66-48 and the certificate in Docket No. G-14752 was terminated.
[19] Rate in effect subject to refund in Docket No. G-19952.
[20] Applicant proposes to continue as Operator in lieu of Zapata Off-Shore Co. the sale of natural gas heretofore authorized in Docket No. G-18369 from Applicant's own interest, the interest of G. H. Walker, Jr. (which Applicant acquired), and from the interest of Essex Offshore, Inc. No additional gas is being dedicated to the interstate market.
[21] Settlement rate as approved by Commission order issued Aug. 23, 1966, in Docket No. G-18369.
[22] Applicant is filing to cover its own interest which was previously covered under the certificate issued to Pan American Petroleum Corp. (Operator), et al. in Docket No. G-7529.
[23] Gas is no longer available in commercial quantities.
[24] Producing properties sold to Purchaser.
[25] Applicant agrees to accept a permanent certificate conditioned to the 20 cents per Mcf so-called in-line price determined by the Commission for the South Louisiana Area in Opinion No. 436.

[F.R. Doc. 66-12956; Filed, Dec. 5, 1966; 8:45 a.m.]

[Docket No. RI67-162, etc.]

MOBIL OIL CORP., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

NOVEMBER 25, 1966.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and §154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before January 9, 1967.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-162	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 70001.	147	30	Warren Petroleum Corp.[3] (Panhandle Field, Wheeler County, Tex.) (R.R. District No. 10).	$140	10-27-66	[3] 11-27-66	[4] 11-28-66	12.1658	[5] [6] 12.9487	RI65-169.
	do	148	33	do[3]	68	10-27-66	[3] 11-27-66	[4] 11-28-66	12.1658	[5] [6] 12.9487	RI65-169.
RI67-163	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	48	2	Phillips Petroleum Co.[7] (West Panhandle Field, Moore and Hutchinson Counties, Tex.) (R.R. District No. 10).	594	11-4-66	[3] 1-3-67	[4] 1-4-67	[9] 9.0	[8] [9] 10.0	

[2] Warren resells the gas after processing to Transwestern Pipeline Co. under its FPC Gas Rate Schedule No. 51 at a clean rate of 17.0 cents. Warren is contractually due a rate of 19.5 cents as of Sept. 1, 1965.
[3] The stated effective date is the effective date proposed by Respondent.
[4] The suspension period is limited to 1 day.
[5] Redetermined rate increase based upon weighted average price in the Panhandle Field as determined by Texas Railroad Commission.
[6] Pressure base is 14.65 p.s.i.a.
[7] It cannot be determined to which plant the acreage is dedicated. Phillips resells the gas in the area from its Sherman Plant under its FPC Gas Rate Schedule No. 4 to Michigan-Wisconsin Pipe Line Co., and from its Hansford and Sneed Plants under its FPC Gas Rate Schedule No. 5 to Panhandle Eastern Pipe Line Co. at various rates which are in effect subject to refund.
[8] Periodic rate increase.
[9] Subject to 0.4466 cent deduction for sour gas (gas is sour).

Mobil Oil Corp. (Mobil) proposes two redetermined rate increases, from 12.1658 cents to 12.9487 cents per Mcf, for sales of gas to Warren Petroleum Company (Warren). Warren processes the gas and resells it to Transwestern Pipeline Co. at a clean rate of 17 cents per Mcf. Warren was contractually due a periodic increase to 19.5 cents per Mcf on September 1, 1965, but has not as yet filed for same. Such increase, if filed for, would exceed the area increased rate ceiling of 11 cents per Mcf. Mobil's proposed rate increases are not related to a corresponding increase in rate by Warren but exceed the area increased rate ceiling for Texas Railroad District as announced in the Commission's statement of general policy No. 61–1, as amended. Under the circumstances, we conclude that Mobil's proposed rate increases should be suspended for one day from November 27, 1966, the proposed effective day.

Kerr-McGee Corporation (Kerr-McGee) proposes a periodic increase in rate from 9 cents to 10 cents per Mcf for a wellhead sale of gas to Phillips Petroleum Co. (Phillips), which gathers and processes the gas and resells the residue gas after processing to an interstate pipeline company. Phillips' resale rate is in effect subject to refund. Kerr-McGee's proposed increase is not related to a corresponding increase in rate by Phillips. Although Kerr-McGee's proposed rate increase does not exceed the area increased rate ceiling of 11 cents per Mcf for Texas Railroad District No. 10, the sale related thereto is considered to be for non-pipeline quality gas. We consider the increased rate ceiling to be applicable in this case at the outlet of the processing plant which is the point of delivery to the pipeline company. Under the circumstances, we believe that Kerr-McGee's rate increase should be suspended for one day from January 3, 1967, the proposed effective date.

[F.R. Doc. 66–12957; Filed, Dec. 5, 1966; 8:45 a.m.]

[Docket No. RI67–153, etc.]

SUPERIOR OIL CO., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

NOVEMBER 25, 1966.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f) on or before January 4, 1967.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67–153	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001, Attn: H. W. Varner, Esquire.	104	2	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Block 68 Field, West Cameron Area, Offshore Louisiana).	$75,409	10–28–66	[3] 11–28–66	4–28–67	[5] [6] 21.5	[3] [4] 23.55	
RI67–154	Phillips Petroleum Co., Bartlesville, Okla., 74004, Attn: Mr. Dan L. Mayer.	17	[7] 8	Natural Gas Pipeline Co. of America (Old Ocean Field, Brazoria and Matagorda Counties, Tex.) (R.R. District No. 3).	4,129	10–28–66	[3] 12–2–66	5–2–67	[10] 11.5539	[6] [9] [10] 16.4694	
RI67–155	Forest Oil Corp. (Operator), et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205, Attn: C. R. Eyster, Esquire.	16	4	Michigan Wisconsin Pipe Line Co., (Veltin Field, St. Landry Parish, La.) (Southern Louisiana).	6,253	10–31–66	[3] 12–9–66	5–9–67	[12] 21.5	[4] [11] [12] 23.55	RI65–216.
RI67–156	Trident Corp. (Operator), et al., 2015 The Six Hundred Bldg., Corpus Christi, Tex. 78401, Attn: C. W. Lamson, President.	1	3	Trunkline Gas Co. (Reynolds Field, Jim Wells County, Tex.) (R.R. District No. 4).	3,649	11–1–66	[13] 12–2–66	5–2–67	[10] [16] [17] 13.3604	[9] [10] [14] [15] [16] 14.3412	
RI67–157	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052, Attn: Mr. R. C. Shields.	91	[26] 7	Natural Gas Pipeline Co. of America (Old Ocean Field, Matagorda and Brazoria Counties, Tex.) (R.R. District No. 3).	26,544	11–4–66	[13] 12–5–66	5–5–67	[10] [19] 11.5539	[9] [10] [18] 16.4694	
RI67–158	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001, Attn: Mr. Fred T. O'Leary.	256	13	Trunkline Gas Co., (McAllen Field, Hidalgo County, Tex.) (R.R. District No. 4).	91,250	11–4–66	[3] 1–1–67	6–1–67	[10] [13] [20] 14.55861	[9] [10] [14] 15.55861	
	----do----	284	10	----do----	91,250	11–4–66	[3] 1–1–67	6–1–67	[10] [13] [20] 14.55861	[9] [10] [14] 15.55861	
RI67–159	Coastal States Producing Co., Post Office Box 521, Corpus Christi, Tex. 78403.	57	8	Cities Service Gas Co. (Southeast Sterling Field, Comanche and Stephens Counties, Okla.) (Oklahoma "Other" Area).	12,000	10–28–66	[3] 12–12–66	5–12–67	[21] 15.0	[9] [14] [21] 16.0	
RI67–160	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla. 74102.	11	3	Panhandle Eastern Pipe Line Co. (Glenwood Field, Beaver County, Okla.) (Panhandle Area).	872	10–27–66	[3] 11–27–66	4–27–67	[22] 18.9295	[9] [14] [22] 21.70	
RI67–161	Northern Natural Gas Producing Co. (Operator), et al., Post Office Box 2444, Houston, Tex. 77001.	31	4	Panhandle Eastern Pipe Line Co. (Northeast Trail Field, Dewey County, Okla.) (Oklahoma "Other" Area).	6,205	11–3–66	[13] 12–4–66	5–4–67	[25] 15.0	[9] [26] [25] 17.0	

See footnotes on next page.

[3] The stated effective date is the effective date proposed by Respondent.
[4] "Fractured" rate increase. Contractually due 25 cents per Mcf, but Opinion No. 436 imposed a moratorium on filing increases above 23.55 cents pending AR61-2 or July 1, 1967, whichever is earlier.
[4] Pressure base is 15.025 p.s.i.a.
[5] Initial service rate.
[6] Excludes tax reimbursement not presently deemed payable.
[7] Includes letter agreement dated Aug. 22, 1966, between buyer and seller which provides for the redetermined rate.
[8] Redetermined rate increase.
[9] Pressure base is 14.65 p.s.i.a.
[10] Subject to downward B.t.u. adjustment for gas having a hearing content of less than 1,000 B.t.u.'s.
[11] "Fractured" rate increase. Contractually due 24 cents per Mcf, but Opinion No. 436 imposed a moratorium on file increases above 23.55 cents pending AR61-2 or July 1, 1967, whichever is earlier.
[12] Inclusive of 1.5 cents per Mcf tax reimbursement.
[13] The stated effective date is the first day after the expiration of the statutory notice.
[14] Periodic rate increase.
[15] Includes tax reimbursement calculated at a wellhead price of 9.5 cents per Mcf.
[16] Inclusive of 0.25 cent per Mcf dehydration allowance paid by buyer.
[17] Includes tax reimbursement calculated at a wellhead price of 11.5 cents per Mcf.
[18] Renegotiated rate increase.
[19] Settlement rate approved by Commission order issued Dec. 30, 1963, in Docket Nos. G-8969, et al. Moratorium on increased rates expired Mar. 1, 1966.
[20] Settlement rate as approved by Commission order issued Apr. 8, 1964, in Docket Nos. G-20429, et al.
[21] Subject to a downward B.t.u. adjustment.
[22] Includes 19.5 cents base rate plus 2.20 cents proportional upward B.t.u. adjustment. Base price subject to an upward and downward B.t.u. adjustment.
[23] Includes 17.0 cents base rate plus 1.9295 cents proportional upward B.t.u. adjustment. Base price subject to an upward and downward B.t.u. adjustment.
[24] Increase is from certificated rate of 15.0 cents to initial contract rate.
[25] Subject to an upward and downward B.t.u. adjustment.
[26] Includes letter agreement between buyer and seller dated Aug. 22, 1966, which provides for the renegotiated rate.

Trident Corportation (Operator), et al., request waiver of the statutory notice to permit their proposed rate increase to become effective immediately. Texaco, Inc. requests an effective date of December 2, 1966, and Northern Natural Gas Producing Co. (Operator), et al., request that their proposed rate increase be permitted to become effective on December 1, 1966. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 66-12958; Filed, Dec. 5, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1988]

BELL INTERCONTINENTAL CORP. AND INTERNATIONAL BANK

Notice of Filing of Application for Order Exempting Proposed Transaction

NOVEMBER 30, 1966.

Notice is hereby given that Bell Intercontinental Corp. ("Bell"), 26 Broadway, New York, N.Y. 10004, a Delaware corporation, and International Bank ("International"), an Arizona corporation, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006, have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17(a) of the Act a transaction involving the purchase by International of 333,249 common shares (63.5 percent of the outstanding common stock) of Central National Bank and Trust Co. of Des Moines, Iowa ("Central") from Bell at $33 per share, or an aggregate price of $11 million. All interested persons are referred to the application on file with the Commission for a full statement of the representations made therein, which are summarized below.

Bell is controlled by The Equity Corp. ("Equity"), a closed-end, nondiversified, management investment company registered under the Act, which owns 50.2 percent of its outstanding common stock. International owns 31.5 percent of the outstanding common stock of Financial General Corp. and is therefore an affiliate of that company. Equity also owns 15 percent of the outstanding common stock of Financial General Corp. which, in turn, is an affiliate of Equity. Section 17(a) of the Act, as here pertinent, makes it unlawful for any affiliate of an affiliate of a registered investment company to purchase from any company controlled by such registered investment company and security or other property, unless the Commission upon application grants an exemption from such prohibition for the proposed transaction after finding that its terms are reasonable and fair and do not involve overreaching on the part of any person concerned and that it is consistent with the policy of the registered investment company and with the general purposes of the Act.

Pursuant to the agreement of sale dated June 29, 1966, between International and Bell, International will also assume an obligation of Bell to purchase 17,388 shares of Central common stock from an officer of Central, at the option of the seller. At June 30, 1966, the purchase price of these shares would have been $585,000.

Applicants represent that the transaction was negotiated at arms length, and that among the factors utilized by the parties in determining the sales price were the following: The capital stock, surplus and undivided profits of Central; the capital stock and surplus of Central Investment Co., a wholly owned subsidiary of Central; the portfolio depreciation of Central net of reserves; the excess loss reserve net of taxes; the excess of appraised value of real estate owned by Central over its book value; and a 2½ percent premium based on the average deposits of Central. Applicants believe that these are customary factors used in evaluating bank stocks when acquisition of a control position is involved.

Notice is further given that any interested person may, not later than December 16, 1966 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-13061; Filed, Dec. 5, 1966; 8:46 a.m.]

[70-4429]

COLUMBIA GAS SYSTEM, INC., ET AL.

Notice of Proposed Open Account Advances to Subsidiary Companies in Connection With Intrasystem Prepayment, Issuance and Acquisition of Installment Notes

NOVEMBER 30, 1966.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York, N.Y. 10017, a registered holding company, and its wholly owned subsidiary companies listed above have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 9, 10, and 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transations.

During the winter heating season, certain of Columbia's operating subsidiary companies, particularly the distribution companies, generate substantial cash in excess of current requirements. Formerly, such excess funds were generally invested by these operating subsidiaries in U.S. Government Treasury Bills until such time as the cash was required for construction and other corporate pur-

poses. Since the transmission subsidiaries generate smaller amounts of excess cash during such months than the distribution subsidiaries and their construction expenditures are generally larger, Columbia had been advancing such subsidiaries funds under Commission authorization while other subsidiaries had cash considerably in excess of current requirements. For the past 4 years, however, the Commission has authorized open account advances by Columbia to subsidiary companies and certain related transactions which are designed to alleviate this situation. The present filing requests authorization to continue these transactions during the calendar year 1967, as follows.

It is proposed that the subsidiary companies listed below will, in accordance with the exemptive provisions of Rule 42(b)(2) under the Act, prepay with excess cash, from time to time prior to the end of 1967, a portion of their outstanding installment promissory notes held by Columbia. The notes prepaid will not exceed the following amounts, which represent the maximum excess funds that such companies are expected to accumate at any one time during the year 1967:

Columbia Gas of Pennsylvania, Inc	$10,000,000
The Manufacturers Light & Heat Co	10,000,000
Columbia Gas of New York, Inc.	2,500,000
Columbia Gas of Maryland, Inc.	1,200,000
Cumberland & Allegheny Gas Co	1,500,000
Home Gas Co	1,500,000
Atlantic Seaboard Corp	7,000,000
Columbia Gas of Kentucky, Inc.	3,000,000
United Fuel Gas Co	40,000,000
Virginia Gas Distribution Corp.	1,500,000
The Ohio Fuel Gas Co	25,000,000
Columbia Gas of Ohio, Inc	30,000,000
The Ohio Valley Gas Co	3,000,000
Columbia Gulf Transmission Corp	10,000,000
Kentucky Gas Transmission Corp	3,000,000
Total	149,200,000

The notes prepaid by the individual companies will be those bearing the highest interest rate or rates outstanding at the time of each prepayment. As any of such companies require funds for construction and other corporate purposes after prepayment, it is proposed that advances be made to them on open account by Columbia, provided that at no time will the amount of such advances to any subsidiary exceed the amount of notes theretofore prepaid by it, less any current maturities applicable to such notes which would have matured subsequent to the date of prepayment.

Open account loans to any subsidiary will bear interest at the same rate or rates as borne by the equivalent principal amounts of notes previously prepaid by it during 1967, but in reverse order to that of the prepayments, i.e., working up from the lowest rate payable on the notes previously prepaid to the highest rate. The proposed advances on open account to individual subsidiaries will be increased or decreased from time to time in accordance with variations in the cash flow of the individual subsidiaries. At such time as the advances to any subsidiary equal the aggregate amount of the notes prepaid by it or, in any event, not later than December 31, 1967, such prepaid notes will be reissued to and acquired by Columbia in repayment of the outstanding open account loans.

No financing of any operating subsidiary which may be presently or subsequently authorized by the Commission in connection with the construction or gas storage programs of any such subsidiary will be consummated until such time as advances have been made equal to the amount of notes prepaid. Any subsidiary not requiring financing during 1967 and which has borrowed on open account from Columbia an amount smaller than the amount of notes theretofore prepaid by it, will, on December 31, 1967, reissue its notes to Columbia in an amount sufficient to discharge its open account indebtedness, and the balance of its prepaid notes will be considered to have been permanently prepaid. Such permanent prepayment would be applied against notes bearing the highest interest rates and would be consummated only with respect to notes bearing interest at a rate equal to or in excess of the rate applicable to notes being acquired by Columbia from subsidiary companies as at December 31, 1967. In the event that a permanent prepayment by any subsidiary would be indicated with respect to notes bearing an interest rate less than said rate at December 31, 1967, such notes will be reissued by the subsidiary at or before the end of 1967, in order to preserve the lower interest rate of the notes scheduled for permanent prepayment.

It is stated that the proposed transactions are designed to utilize effectively aggregate system funds and to achieve the following: (1) Prepayment of inventory loans with commercial banks at an earlier date, (2) deferment of outside financing until aggregate system funds approach a minimum balance, and (3) facilitation of the internal financing of emergency requirements. In addition, operating subsidiaries having excess funds will be able, through the prepayment of installment promissory notes, to decrease their own net corporate interest expense during the period such funds are not required.

The application-declaration states that expenses to be incurred by Columbia and its subsidiaries in connection with the proposed transactions are estimated at $100 and $600, respectively, and that $550 of these aggregate expenses are for services, at cost, to be provided by Columbia Gas System Service Corp.

It is further stated that the State commissions of West Virginia, Kentucky, Virginia, and New York have jurisdiction over various aspects of the proposed transactions; that the requisite orders have been obtained from the Public Service Commission of New York, the Public Service Commission of Kentucky, and the State Corporation Commission of Virginia; that appropriate applications will be filed with the Public Service Commission of West Virginia; and that copies of the applications to and the subsequent orders of the last-named State commission will be filed by amendment to the application-declaration.

Notice is further given that any interested person may, not later than December 20, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-13062; Filed, Dec. 5, 1966; 8:46 a.m.]

[812-2037]

EXETER THIRD FUND, INC.

Notice of Filing of Applications for Orders of Temporary Exemption

NOVEMBER 30, 1966.

Notice is hereby given that Exeter Third Fund, Inc. ("Fund"), 3001 Philadelphia Pike, Claymont, Del. 19703, a registered open-end management investment company, has filed applications pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for orders exempting the Fund from the provisions of section 14(a) of the Act and temporarily from the provisions of sections 15(a), 16(a), and 32(a) of the Act.

The Fund is intended as an investment vehicle for investors who wish to exchange securities they presently hold for shares of the Fund on a Federal income tax-free basis. Simultaneously with its registration as an investment company, the Fund has filed a registration statement under the Securities Act of 1933 with respect to 800,000 shares of common stock of the Fund which will be offered in exchange for securities which the management of the Fund deems suitable for exchange as indicated in a list of "Representative Securities" in the pro-

spectus. The minimum deposit to be accepted from any investor is to be securities having a market value of $25,000.

Deposits of shares will be solicited during a period of 60 days after the effective date of the prospectus. This solicitation period may be shortened or extended by the Fund by not more than 30 days. Within 20 days after the end of the solicitation period, if the total market value of deposited securities is at least $30 million, the Fund will send an initial report to all investors. Any investor will have the right to withdraw all or part of his deposited securities at any time prior to the filing of the initial report and during a period of 15 days thereafter. The Fund will have the right to reject any deposited securities at any time prior to and for a period of 7 days after termination of the investors' right of withdrawal. If, after all withdrawals and rejections, the total market value of all deposited securities is not less than $30 million, the Fund will specify a date within 10 days after the termination of the Fund's rejection rights, on which date the exchange of securities on deposit for shares of the Fund will be consummated. If the total market value of all deposited securities is less than $30 million under the circumstances described above, all securities on deposit will be returned directly to the investors by the depositary without any cost to the investor.

Section 14(a) of the Act requires that a registered investment company (a) have a net worth of at least $100,000 prior to making a public offering of its securities, (b) have previously made a public offering and at that time have had a net worth of $100,000, or (c) have made arrangements for at least $100,000 to be paid in by 25 or fewer persons before acceptance of public subscriptions. Since the exchange of shares will not be consummated and the Fund will not commence business unless it has a minimum capital of $30 million at the designated exchange date, the Fund submits that the purposes of section 14(a) of the Act will be served in that there will be substantial net worth in the investment company before public subscriptions are accepted. The Fund therefore requests that it be exempted from section 14(a) of the Act.

The Fund presently has no shareholders and does not anticipate that there will be any substantial number of shares outstanding until the proposed exchange of shares has been effected pursuant to the public offering. It is expected that this exchange will not take effect in sufficient time to hold the regular annual meeting of shareholders in March 1967, as provided in the bylaws of the Fund.

Prior to the effective date of the registration statement, the Fund proposes to enter into an investment advisory agreement with Wellington Management Co. Since the Fund will not have any outstanding voting securities until after the effective date of its registration statement, it will not be possible to secure prior approval of the advisory contract by a vote of a majority of outstanding securities as required by section 15(a) of the Act. Similarly, a majority of the present directors of the Fund have not been elected by the holders of the outstanding voting securities of the Fund, as required by section 16(a) of the Act. For the same reason the appointment of auditors for the fiscal year ending September 30, 1967, will not be subject to ratification by the shareholders in accordance with section 32(a) of the Act.

Sections 15(a), 16(a), and 32(a) require shareholder approval of the investment advisory agreement, the election of directors by shareholders, and shareholder ratification of the selection of an independent public accountant. Accordingly, the Fund requests that it be exempted from sections 15(a), 16(a), and 32(a) of the Act until a special shareholders' meeting can be held not more than 60 days after the exchange of shares between the Fund and investors has been effected.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than December 15, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-13063; Filed, Dec. 5, 1966; 8:46 a.m.]

[70-4433]

INDIANA & MICHIGAN ELECTRIC CO.

Notice of Proposed Acquisition of Utility Assets From Municipality

NOVEMBER 30, 1966.

Notice is hereby given that Indiana & Michigan Electric Co. ("I&M"), an electric utility subsidiary company of American Electric Power Co., Inc., 2101 Spy Run Avenue, Fort Wayne, Ind. 46801, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9 and 10 thereof as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

I&M proposes to acquire from the town of Albion, Ind. ("Albion"), the electric utility distribution system of Albion which presently serves approximately 730 customers. The properties to be acquired include approximately one-half mile of 34.5 KV transmission line, a distribution station, and related facilities. I&M currently furnishes at wholesale all the electric power purchased by Albion, which is situated within the service area of I&M. The properties will be conveyed free and clear of any indebtedness and encumbrances.

On November 8, 1966, the citizens of Albion approved a resolution authorizing the sale of the property for cash to I&M, at a price to be determined by three appraisers. I&M has offered to pay $320,000 as consideration for the properties if the appraisal price is not in excess of its offer. The price offered by I&M is based on a consideration of, among other factors, the book cost and present condition of the properties and the amount of anticipated revenues from these properties. Albion's operating revenues were approximately $106,000 for the year 1965, but I&M expects an increase in revenues when the Albion facilities are integrated with those of I&M.

I&M intends to record the acquired properties on its books at their original cost (to the extent that the same can be accurately determined or estimated), and to credit depreciation to the appropriate reserve account. The difference between the purchase price and the depreciated original cost will be recorded and disposed of in accordance with the accounting regulations and orders of the regulatory commissions having jurisdiction.

The application states that the only expenses to be incurred by I&M are counsel fees estimated not to exceed $500, and that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than December 22, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons

for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-13064; Filed, Dec. 5, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 1, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA 40809—*Beet or cane sugar from Serape, Ariz.*—Filed by Trans-Continental Freight Bureau, agent (No. 439), for interested carriers. Rates on beet or cane sugar, in carloads, from Serape, Ariz., to points in southwestern and western trunk-line territories.

Grounds for relief—Market competition.

Tariff—Supplement 61 to Trans-Continental Freight Bureau, Agent, tariff I.C.C. 1738.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-13076; Filed, Dec. 5, 1966; 8:47 a.m.]

[Notice 296]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 1, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protesant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 6031 (Sub-No. 39 TA), filed November 28, 1966. Applicant: BARRY TRANSFER & STORAGE COMPANY, a corporation, 120 East National Avenue, Milwaukee, Wis. 53204. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and in connection therewith, *equipment, materials, and supplies used in the conduct of such businesses*, from the plantsite of Associated Grocers, Inc., in the city of New Berlin, South Beloit, German Valley, Rockford, Freeport, Winnebago, Rock City, Chenung, Capron, Loves Park, and Rockton, Ill., limited to a service to be performed under a continuing contract with Associated Grocers, Inc., of New Berlin, Wis., for 180 days. Supporting shipper: Associated Grocers, Inc., 1815 Sunny Slope Road, New Berlin, Wis. 53151, Thomas L. Billington, Executive Vice President and General Manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 108 West Wells Street, Room 511, Milwaukee, Wis. 53203.

No. MC 11207 (Sub-No. 256 TA), filed November 29, 1966. Applicant: DEATON, INC., 3409 10th Avenue North, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: J. Carl Preston (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Gypsum and gypsum products, and building materials* in mixed loads only with gypsum and gypsum products (except liquid commodities in bulk), from the warehouses and plantsites of The Flintkote Co. and National Gypsum Co., at or near Savannah and Port Wentworth, Ga., to points in Alabama, and rejected and returned shipments thereof, on return, for 150 days. Supporting shippers: National Guysum Co., Gold Bond Building, Buffalo, N.Y. 14202, Attention: H. C. Halm, Assistant Traffic Manager; The Flintkote Co., East Rutherford, N.J., Attention: R. B. Timpson, Assistant Director of Traffic. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala. 35205.

No. MC 55794 (Sub-No. 2 TA), filed November 28, 1966. Applicant: OTTO NELSON & SONS, INC., 2726 63d Street, Kenosha, Wis. 53140. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Uncrated vending machines and parts thereof*, from Kenosha, Wis., to points in Boone, Cook, Lake, McHenry, and Winnebago Counties, Ill., and returned *uncrated vending machines and parts thereof*, from points in Boone, Cook, Lake, McHenry, and Winnebago Counties, Ill., to Kenosha, Wis., for 180 days. Supporting shipper: Automatic Retailers Of America, Inc., 2409 52d Street, Kenosha, Wis. 53140, W. R. Chaput, Manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 103 West Wells Street, Room 511, Milwaukee, Wis. 53203.

No. MC 63973 (Sub-No. 11 TA), filed November 28, 1966. Applicant: HARRY KALER, doing business as KALER FREIGHT LINE, 504 12th SE., Mason City, Iowa 50401. Applicant's representative: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, as follows: *General commodities* (with the usual exceptions), between Mason City, Iowa, and Belmond, Iowa., serving all intermediate points as follows: From Mason City over U.S. Highway 18 to Garner; thence south over U.S. Highway 69 to Belmond; thence south over U.S. Highway 69 to its junction with Iowa Highway 3, thence east over Iowa Highway 3 to junction with U.S. Highway 65; thence north over U.S. Highway 65 to Mason City, or in reverse direction, for 180 days. Supporting shippers: Belmond Bakery, Belmond, Iowa; Johnston Furniture, Belmond, Iowa; Kessler's Pharmacy, Belmond, Iowa; Harold's Clothing, Belmond, Iowa; O.K. Tire Co., Belmond, Iowa; Kinseth Plumbing, Belmond, Iowa; Fullerton Lumber Co., Belmond, Iowa; Belmond Furniture Co., Belmond, Iowa; Helland & Long Implement Co., Belmond, Iowa; Spahn & Rose Lumber Co., Belmond, Iowa; Lloyd's Hardware & Appliance, Belmond, Iowa; Millies Fashions, Belmond, Iowa; Tomco Genetic Giant Inc., Belmond, Iowa; Jim's Paint Store, Belmond, Iowa. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 66562 (Sub-No. 2203 TA), filed November 29, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: Elmer F. Slovocek, Suite 1008, 105 West Madison Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, as follows: *General commodities* moving in express service, between Fort Madison, Iowa, and Burlington, Iowa, over U.S. Highway 61, serving no intermediate points. (1) The service to be performed by the applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. (2) Shipments transported by applicant shall be limited to those on through bills of lading or express receipts. (3) Such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. Supporting shippers: The application is supported by statements from 10 shippers which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 82841 (Sub-No. 27 TA), filed November 28, 1966. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Marshall Becker, 630 National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Irrigation systems and parts thereof* (except those commodities which because of their size or weight require use of special equipment or those which fall with "Mercer" Description), from points in Douglas County, Nebr. (except Omaha and points in its commercial zone to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, for 150 days. Supporting shipper: Valley Manufacturing Co., Valley, Nebr. 68064. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 107403 (Sub-No. 698 TA), filed November 29, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: C. W. Zook (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Synthetic plastic resin*, in bulk, from Pataskala, Ohio, to Newcomerstown, Ohio, for 180 days. Supporting shipper: Escambia Chemical Corp., Post Office Box 467, Pensacola, Fla. 32502. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa. 19106.

No. MC 111729 (Sub-No. 177 TA), filed November 28, 1966. Applicant: AMERICAN COURIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cameras, projectors, tape recorders, electronic flash units, light meters, electronic components and parts* related to photographic equipment, (a) between Cleveland, Ohio, on the one hand, and, on the other, points in Illinois; (b) between Cleveland, Ohio, and Philadelphia, Pa.; (2) *ophthalmic goods and commercial papers* (excluding plant removals), (a) between Mansfield, Ohio, and Fort Wayne, Ind.; (b) between points in Worcester County, Mass., on the one hand, and, on the other, points in Hillsboro County, N.H.; (3) *proofs, cuts, copy, photo engraving, art boards, type, supplies, and related commodities used in typesetting*, between Indianapolis, Ind., on the one hand, and, on the other, Chicago, Ill., Cincinnati, Ohio, and Louisville, Ky.; (4) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising literature moving therewith* (excluding motion picture film used primarily for commercial theater and television exhibition), (a) between Bradley Field, Conn., on the one hand, and, on the other, points in Hartford County, Conn., and Hampden County, Mass.; (b) between Alexandria, Va., and Philadelphia, Pa.; (5) *drugs, narcotics, pharmaceuticals, and drug products*, between Cleveland, Ohio, on the one hand, and, on the other, points in Kentucky and West Virginia, and Marietta, Ohio (via Pennsylvania and West Virginia routes for operating convenience only).

(6) *Business papers, records, and audit and accounting media of all kinds* (excluding plant removals), (a) between Detroit, Mich., and Erie, Pa.; (b) between Evansville, Ind., and Louisville, Ky.; (7) *small operative appliance parts*, limited to shipments weighing 20 pounds per shipment, between Evansville, Ind., and Louisville, Ky.; (8) *business papers, records and audit and accounting media of all kinds* (excluding plant removals), advertising material and samples moving therewith, between Milwaukee, Wis., and Elmhurst, Ind.; (9) *payroll checks, business papers, records and audit and accounting media of all kinds* (excluding plant removals), between points in Worcester County, Mass., on the one hand, and, on the other, points in Hillsboro County, N.H., for 180 days. Supporting shippers: Reese Optical Co., Inc., Post Office Box 304, Mansfield, Ohio; Dynacolor Corp., 1999 Mount Read Boulevard, Post Office Box 82, Rochester, N.Y. 14601; The Service Bureau Corp., 1550 Howard Street, Detroit, Mich. 48216, Attention: A. L. Blagg, Manager of Operations; Bankers Dispatch Corp., 4970 South Archer Avenue, Chicago, Ill. 60632; Revco D. S., Inc., 3030 Quigley Road, Cleveland, Ohio 44113, Attention: Myron D. Winkelman; Colart Checks, Division of Columbian Art Works, Inc., 2300 West Cornell Street, Milwaukee, Wis. 53209; Graybar Electric Co., Inc., 2110 Highway 41 North, Post Office Box 2037, Station D, Evansville, Ind. 47707; Foster Grant Co., Inc., Leominster, Mass. 01453; Fred B. Alexander Typesetting, 125 North East Street, Indianapolis, Ind.; Mack Camera Service, 1025 Commerce Avenue, Union, N.J. 07083, Robert Hinman, General Manager. Send protests to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 346 Broadway, New York, N.Y. 10013.

No. MC 111740 (Sub-No. 20 TA), filed November 29, 1966. Applicant: OIL TRANSPORT COMPANY, a corporation, East Highway 80, Post Office Drawer 2679, Abilene, Tex. 79104. Applicant's representative: B. R. Gamblin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Liquid sulphur*, in bulk, in tank vehicles, from Oil Center, N. Mex., to Climax, N. Mex., a rail siding on Texas-New Mexico Railways, for 150 days. Supporting shipper: Climax Chemical Co., Monument, N. Mex. Send protests to: Ralph Bezner, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 119689 (Sub-No. 8 TA), filed November 28, 1966. Applicant: BROWN BROTHERS EXPRESS, INC., Post Office Box 568, Ledgewood, N.J. 07852. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes as follows: *Empty glass containers*, from Brockway, Pa., to Lincoln, Nebr., for 150 days. Supporting shipper: Brockway Glass Co., Inc., Brockway, Pa. 15824. Send protests to: District Supervisor Joel Morrows, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 120543 (Sub-No. 51 TA), filed November 29, 1966. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. Highway 301 North, Dade City, Fla. 33525. Applicant's representative: Denver Westerfield, Post Office Box 1297, Dade City, Fla. 33525. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Cheese and cheese products*, from ports of entry on the United States-Canada boundary at or near Niagara Falls and Buffalo, N.Y., to points in Florida, for 150 days. Supporting shipper: Pet Mild Canada, Ltd., Toronto, Ontario, Canada. Send protests to: District Supervisor George H. Fauss, Jr., Bureau of Operations and Compliance, Interstate Commerce Commission, 428 Post Office Building, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 123310 (Sub-No. 6 TA), filed November 28, 1966. Applicant: VERNON L. HUNT, doing business as HUNT TRUCKING, 1014 Madison Avenue, Cheyenne, Wyo. 82001. Applicant's representative: Ward A. White, Post Office Box 568, 1600 Ven Lennen Avenue, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Dry animal and poultry feed*, from Denver, Colo., to points in Sheridan, Roosevelt, Richland, Dawson, Wibaux, Prairie, Fallon, Carter, Powder River, Custer, McCone, Valley, Daniels, Phillips, Petroleum, Garfield, Fergus, Musselshell, Golden Valley, Wheatland, Sweet Grass, Stillwater, Carbon, Rosebud, Treasure, and Yellowstone Counties, Mont., for 180 days. Supporting shippers: Ralston Purina Co., 1239 Wicks Lane, Billings, Mont. 59101; Ralston Purina Co., 4599 York Street, Denver, Colo. 80216. Send protests to: Interstate Commerce Commission, Bureau of Operations and Compliance, Paul A. Naughton, District Supervisor, D. & S. Building, 255 North Center Street, Casper, Wyo. 82601.

No. MC 123639 (Sub-No. 98 TA), filed November 28, 1966. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. 80216. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, from the plantsite and storage facilities of American Beef Packers, Inc., located at Pottawattamie County, Iowa, to points in Colorado, Illinois, Indiana, Kansas, Michigan, Missouri, Nebraska, and Ohio, for 180 days. Supporting shipper: American Beef Packers, Inc., U.S. Highway 59, Oakland, Iowa 51560. Send protests to: District Supervisor Luther H. Oldham, Interstate Commerce Commission, Bureau of Operations and Compliance, 2022 Federal Building, Denver, Colo. 80202.

No. MC 127129 (Sub-No. 9 TA) filed November 28, 1966. Applicant: AVERY TRUCKING CO., INC. Post Office Box 4383, 6711 Saxton Avenue, Boise, Idaho 83701. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Mine ore*, from Pearl, Idaho, to Tooele, Utah, for 180 days. Supporting shippers: Genco, Inc., Post Office Box 790, Red Lodge Mont., Direct correspondence to Post Office Box 2780, Boise, Idaho 83701; Kanthackit Mines, Inc., Post Office Box 2780, Boise, Idaho 83701; West Vue Mines, Inc., Post Office Box 2780, Boise, Idaho 83701. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 203 Eastman Building, Boise, Idaho 83702.

No. MC 128606 (Sub-No. 1 TA) (Correction), filed November 9, 1966, published FEDERAL REGISTER, issue of November 16, 1966, and republished as corrected this issue. Applicant: WILMA F. GEHRON, doing business as FROSTY'S DELIVERY SERVICE, 114 West Leona Street, Celina, Ohio. Applicant's representative: James F. Bell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Computerized output records* described as accounting records, parts inventory control records, leasing management reports, and byproducts thereof, over irregular routes, (a) between Reynolds & Reynolds Co. plants in Celina, Ohio, and Dayton, Ohio, on the one hand, and, on the other, Reynolds & Reynolds Co. plants in East Paterson, N.J., Chicago, Ill., Atlanta, Ga., Dallas, Tex., Detroit, Mich., Pittsburgh, Pa., Indianapolis, Ind., and Fort Wayne, Ind., (b) between Reynolds & Reynolds Co. plants in Celina, and Dayton, Ohio, on the one hand, and, on the other, airports and post offices located in Ohio at which air freight service or parcel post and/or airmail is used to accommodate part of the transportation of the above commodities, for 180 days. Restricted to apply only when the total weight tendered for transportation at one time to be transported in one trip and in one vehicle, from or to, as the case may be, the plants of Reynolds & Reynolds Co. is not more than 4,000 pounds. The operations authorized herein, are limited to a transportation service to be performed under a continuing contract, or contracts, with the Reynolds & Reynolds Co. of Dayton, Ohio. Supporting shippers: The Reynolds & Reynolds Co., Dayton, Ohio 45401. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604. NOTE: The purpose of this republication is to correctly set forth the authority sought in (b) above.

No. MC 128714 TA, filed November 29, 1966. Applicant: SMYTH MOVING AND STORAGE CO. OF CALIF., INC., 3333 East Willow Street, Long Beach, Calif. 90806. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Household goods*, as defined by the Commission, (a) between points within a 75-mile radius of Los Angeles, Calif., including Los Angeles, and (b) between points in San Diego County, Calif., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization of such shipments, for 180 days. Supporting shippers: CTI—Container Transport International, Inc., 17 Battery Place, New York, N.Y. 10004; Express Forwarding and Storage Co., Inc., 17 Battery Place, New York, N.Y. 10004. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-13077; Filed, Dec. 5, 1966; 8:48 a.m.]

[Notice 1447]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 1, 1966.

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-69096. By order of November 29, 1966, the Transfer Board approved the transfer to Pauls Trucking Corp., Elizabeth, N.J., of the operating rights in permits Nos. MC-45022 and MC-45022 (Sub-No. 1), issued October 21, 1960, and February 7, 1966, respectively, to Pacific & Atlantic Trucking Co., Inc., New Providence, N.J., authorizing the transportation, over irregular routes, of commodities dealt in by wholesale and retail grocery houses, between points in Bergen, Hudson, Essex, Passaic, Union, Middlesex, Morris, and Somerset Counties, N.J., on the one hand, and, on the other, New York, N.Y., and points in Westchester, Nassau, and Suffolk Counties, N.Y.; and groceries and grocery supplies, from Newark, N.J., to points in Nassau, Orange, Rockland, Sullivan, Ulster, and Westchester Counties, N.Y., between New York, N.Y., and Newark, N.J., and between Philadelphia, Pa., on the one hand, and, on the other, Camden, Trenton, and Newark, N.J. Charles J. Williams, 1060 Broad Street, Newark, N.J. 07102, attorney for applicants.

No. MC-69199. By order of November 23, 1966, the Transfer Board approved the transfer to William J. Powelson, 622 Stockton Circle, Ridley Park, Pa. 19078, of a portion of certificate No. MC-94774, issued September 20, 1957, to Brown's Bus Service, Inc., doing business as Penn Jersey Coachways, 35 Cornell Avenue, Gloucester City, N.J. 08030, authorizing the transportation of: Passengers and their baggage, restricted to traffic originating at the points indicated, in charter operations, from Collingswood, N.J., and points within 10 miles of Collingswood, to points in that area bounded by a line beginning at Philadelphia, Pa., and extending to Reading, Pa., thence to Baltimore, Md., thence to Washington, D.C., thence to Princess Anne, Md., thence to

Ocean City, Md., and thence along the shores of the Atlantic Ocean, Delaware Bay, and the Delaware River to point of beginning, and return, and from Philadelphia, Pa., to points in New Jersey, and return.

No. MC–FC–69219. By order of November 28, 1966, the Transfer Board approved the transfer to Modern Express Co., Inc., Paterson, N.J., of the operating rights of Clifford Hildebrandt, doing business as Hildebrandt's Transportation Co., Carlstadt, N.J., in certificate No. MC–18091, issued June 11, 1959, authorizing the transportation, over irregular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Hudson, Bergen, Passaic, Essex, Middlesex, Union, Somerset, and Morris Counties, N.J. James J. Farrell, 201 Montague Place, South Orange, N.J. 07079, representative for transferee. Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306, representative for transferor.

No. MC–FC–69226. By order of November 21, 1966, the Transfer Board approved the transfer to M. Kathleen Maloney, doing business as Maloney & O'Connor Travel Bureau, Niagara Falls, N.Y., of broker licenses Nos. MC–12602, MC–12602 (Sub-No. 1), MC–12602 (Sub-No. 2), and MC–12602 (Sub-No. 3) issued September 11, 1956, July 1, 1960, June 27, 1962, and July 15, 1965, respectively to Francis T. Maloney and M. Kathleen Maloney, doing business as Maloney & O'Connor Travel Bureau, Niagara Falls, N.Y., authorizing the performance of a broker service in arranging for the transportation of passengers and their baggage, between points in the United States, at Amherst, Buffalo, and Niagara Falls, N.Y. S. Harrison Kahn, Investment Building, Washington, D.C. 20005, attorney for applicants.

No. MC–FC–69213. By order of November 30, 1966, the Transfer Board, on reconsideration, approved the transfer to Bucks County Construction Co., a corporation, Penndel, Pa., of that portion of certificate No. MC–13794, issued February 22, 1943, to Sisser Bros., Inc., Somerville, N.J., authorizing the transportation of: Machinery and boilers, and factory equipment together with stocks and supplies when part of the movement of a factory, over irregular routes, between points and places in New Jersey, on the one hand, and, on the other, Sayre and Erie, Pa., Aberdeen, Md., and Martinsburg, W. Va., and points and places in Connecticut, Massachusetts, New York, the District of Columbia, and those in Pennsylvania on and east of the Susquehanna River. E. Stephen Heisley, Ames, Hill and Ames, 529 Transportation Building, Washington, D.C. 20006, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66–13078; Filed, Dec. 5, 1966; 8:48 a.m.]

[3d Rev. S.O. 562; ICC Order 213]

COLUMBUS AND GREENVILLE RAILWAY CO.

Rerouting Traffic

Because of fire damage to trestle on its line near Rexburg, Miss., Milepost 153.8, the Columbus and Greenville Railway Co., in the opinion of R. D. Pfahler, agent, is unable to transport traffic routed over its line at that point.

It is ordered, That:

(a) Rerouting traffic: Because of fire damage to trestle on its line near Rexburg, Miss., Milepost 153.8, the Columbus and Greenville Railway Co. is unable to transport traffic at that point in accordance with shippers' routing. The Columbus and Greenville Railway Co. is hereby authorized to reroute or divert such traffic via any available route. The billing covering each car so rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The Columbus and Greenville Railway Co. shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: The Columbus and Greenville Railway Co. shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the direction of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rate of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 3 p.m., November 29, 1966.

(g) Expiration date: This order shall expire at 11:59 p.m., December 15, 1966, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 29, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66–13079; Filed, Dec. 5, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—DECEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during December.

3 CFR

Page

PROCLAMATIONS:

3755 ... 15227
3756 ... 15229
3757 ... 15231

5 CFR

213 ... 15133
870 ... 15233

6 CFR

73 ... 15233

7 CFR

722 ... 15142
905 ... 15059, 15189
906 ... 15233
907 ... 15190
910 ... 15190
948 ... 15234
989 ... 15145
1003 ... 15060
1005 ... 15061
1006 ... 15061
1008 ... 15061
1009 ... 15061
1011 ... 15061
1012 ... 15061
1013 ... 15062
1016 ... 15063
1031 ... 15061
1032 ... 15061, 15064
1033 ... 15061
1034 ... 15061
1035 ... 15061
1036 ... 15061
1038 ... 15061
1039 ... 15061
1040 ... 15061
1041 ... 15061, 15074
1043 ... 15061
1044 ... 15061
1045 ... 15061
1046 ... 15061
1047 ... 15061
1049 ... 15061
1050 ... 15061, 15076
1051 ... 15061
1062 ... 15061
1063 ... 15061
1064 ... 15061
1065 ... 15061
1066 ... 15061
1068 ... 15061, 15086
1069 ... 15061
1070 ... 15061
1071 ... 15061
1073 ... 15061
1075 ... 15061
1076 ... 15061
1078 ... 15061
1079 ... 15061
1090 ... 15061
1094 ... 15061
1096 ... 15061
1097 ... 15061
1098 ... 15061
1101 ... 15061

7 CFR—Continued

Page

1102 ... 15061
1103 ... 15061
1106 ... 15061
1108 ... 15061
1125 ... 15061
1126 ... 15061
1131 ... 15061
1132 ... 15061
1133 ... 15061
1136 ... 15061
1137 ... 15061, 15087
1138 ... 15061
1468 ... 15234
1472 ... 15234

PROPOSED RULES:

52 ... 15149, 15151
817 ... 15147
971 ... 15153
992 ... 15153
1101 ... 15154

8 CFR

245 ... 15235
249 ... 15235
299 ... 15235

10 CFR

9 ... 15145
20 ... 15145
32 ... 15145
40 ... 15145
50 ... 15145
150 ... 15145

12 CFR

546 ... 15235

PROPOSED RULES:

525 ... 15158

13 CFR

121 ... 15145

14 CFR

39 ... 15191
71 ... 15087, 15236, 15237
73 ... 15087, 15088
75 ... 15088, 15237
97 ... 15134
121 ... 15191

PROPOSED RULES:

71 ... 15096, 15097, 15242, 15243

16 CFR

13 ... 15192
15 ... 15238

19 CFR

1 ... 15193

20 CFR

250 ... 15238
345 ... 15238

PROPOSED RULES:

404 ... 15198

21 CFR

Page

2 ... 15088
17 ... 15088
121 ... 15089, 15090, 15193, 15239
191 ... 15091

PROPOSED RULES:

17 ... 15095
130 ... 15096

22 CFR

121 ... 15174
122 ... 15174
123 ... 15174
124 ... 15174
125 ... 15174
126 ... 15174
127 ... 15174
201 ... 15195

23 CFR

215 ... 15197

PROPOSED RULES:

245 ... 15212

26 CFR

PROPOSED RULES:

31 ... 15095

29 CFR

PROPOSED RULES:

522 ... 15200

33 CFR

23 ... 15239

38 CFR

1 ... 15091, 15092

41 CFR

1–10 ... 15092
1–16 ... 15092
11–50 ... 15239
101–45 ... 15094

42 CFR

73 ... 15092

46 CFR

2 ... 15266
3 ... 15266
10 ... 15266
25 ... 15267
30 ... 15267
31 ... 15267
32 ... 15267
33 ... 15268
34 ... 15268
35 ... 15268
36 ... 15269
38 ... 15269
40 ... 15276
43 ... 15280
51 ... 15280
52 ... 15280

46 CFR—Continued Page

54 15280
70 15280
71 15281
72 15281
73 15281
75 15281
76 15282
77 15283
78 15283
90 15284
91 15284
92 15284

46 CFR—Continued Page

94 15284
95 15285
96 15285
97 15286
98 15286
110 15288
111 15288
113 15296
157 15296
160 15297
167 15298
176 15298

46 CFR—Continued Page

181 15298
182 15299
185 15300
187 15300

47 CFR

PROPOSED RULES:

18 15158
73 15097

50 CFR

33 15133, 15197, 15241

FEDERAL REGISTER

VOLUME 31 • NUMBER 235

Tuesday, December 6, 1966 • Washington, D.C.

PART II

Department of the Treasury

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Coast Guard



Vessel Inspection and Certification

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 66-33]

VESSEL INSPECTION AND CERTIFICATION

Miscellaneous Amendments to Chapter

Pursuant to the notices of proposed rule making published in the FEDERAL REGISTER of February 10 and 25, 1966 (31 F.R. 2602-2614, and 3122-3124), and the Merchant Marine Council Public Hearing Agenda dated March 21, 1966 (CG-249), the Merchant Marine Council held a Public Hearing on March 21, 1966, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items I to XII, inclusive.

This document is the third of a series regarding the regulations and actions considered at the 1966 public hearing and annual session of the Merchant Marine Council. This document contains the actions taken with respect to the following:

ITEM II—SMALL PASSENGER-CARRYING VESSELS

IIa. Fire protection equipment; minor changes.

IIb. Scope of application of passenger vessel regulations under act of May 10, 1956.

ITEM III—DANGEROUS CARGOES

IIIo. Vessels specially suitable as vehicle carriers for transporting automobiles or other self-propelled vehicles offered for transportation with fuel in tanks. (Dangerous cargo amendments in 46 CFR Part 146 published separately in FEDERAL REGISTER of June 14, 1966, 31 F.R. 8301.)

ITEM IV-BULK DANGEROUS CARGOES

IVa. Propylene oxide.

IVb. Phosphoric acid.

ITEM V—ELECTRICAL ENGINEERING

Va. Intrinsically safe instruments and equipment.

Vb. Reference specifications and publications.

Vc. Wiring methods and materials for hazardous locations.

Vd. Switchboard installations.

Ve. Motor controllers.

Vf. Feeder size and overcurrent protection for transformers.

Vg. Fuse ratings.

Vh. Lighting fixture.

Vi. Liquefied flammable gas.

Vj. Explosion proof equipment installed on weather deck.

Vk. General alarm systems.

ITEM VII—INSPECTED VESSELS

VIIa. Subdivision of certain nonmechanically propelled vessels.

VIIb. Drydock examinations for public nautical schoolships.

VIIc. Deep-sea sounding apparatus for vessels in Great Lakes service.

VIId. Life preserver for bow lookout.

VIIe. Life preservers, general, for merchant vessels.

VIIg. Attachment of self-igniting waterlights.

ITEM VIII—MANNING OF UNINSPECTED VESSELS

VIIIa. Engineroom manning for uninspected vessels of 200 gross tons and over with fully automated pilothouse control.

ITEM IX—RULES OF THE ROAD

IXd. Navigation lights and shapes, whistles, foghorns, and fog sound devices.

ITEM X—TANK VESSELS

Xa. Permissive electric bonding of tank barges.

Xb. Liquefied flammable gas, definition.

Xc. Liquefied flammable gas, general revision.

ITEM XI—MERCHANT MARINE OFFICERS AND MERCHANT SEAMEN

XIa. Official transcripts of sea service showing military service by license applicants.

Commandant's actions. The proposals designated Vb, Vd, Ve, Vg, Vi, Vj, Vk, VIIa, VIIb, VIIc, VIIg, Xa, Xb, and XIa, in the above list, are approved as published in the Agenda (CG-249), and the regulations are set forth in this document. The proposals designated IIa, IIb, IIIo, IVa, IVb, Va, Vc, Vf, Vh, VIId, VIIe, VIIIa, IXd, and Xc, as revised, are approved and set forth in this document. The actions of the Merchant Marine Council with respect to comments received regarding these proposals are approved.

The proposals regarding fire protection equipment, Item IIa, were modified, and a change based on comments received was accepted. Table 181.30-1(a) was revised and the proposed substitution of two B-I hand portable fire extinguishers for one B-II in machinery spaces was not accepted. In Item IIb, regarding scope of application of passenger vessel regulations to vessels subject to the act of May 10, 1956, the wording was revised to agree with the scope of the regulations in Subchapter H—Passenger Vessels, which applies to passenger vessels of 100 gross tons or over.

The proposals regarding vessels specially suitable as vehicle carriers for transporting automobiles or other self-propelled vehicles offered for transportation with fuel in tanks, Item IIIa, were commented on extensively and many comments were accepted. The definition of "specially suitable for vehicles" in 46 CFR 70.10-44 and 90.10-38 was revised to show applicability only to vessels "inspected and certificated for ocean or unlimited coastwise voyages," and vessels in a "ferry-type" operation are exempted. The other changes are in 46 CFR 72.15-15(c)(4), 78.45-1(a)(1), 78.47-75, 78.83-1, 92.15-10 (d)(4) and (e), 95.05-1, 97.36-1(a), 97.37-50, 97.80-1, and 111.65-10. Briefly, these changes will require an alarm if there is a loss of required ventilation, which is to be located in a normally manned space and labeled to indicate its function, as well as to require spaces designated as "specially suitable for vehicles" to be labeled on the display plans required to be aboard the vessel.

The proposed rules and regulations for propylene oxide (Item IVa) were commented on extensively in the more than 43 comments received. The significant revisions adopted were:

(a) To increase the general scope of the regulations 46 CFR 40.10-5(b) was added. This change will permit the transportation of propylene oxide in other than pressure vessel type cargo tanks if it is shown to the Commandant's satisfaction that a degree of safety can be attained consistent with that required for pressure vessel cargo tanks. In essence, this revision will permit the carriage of propylene oxide in gravity type tanks at or near atmospheric pressure when the tanks are fitted with suitable means for maintaining the product temperature at or below its boiling point.

(b) The requirement that cargo tanks meet design standards for Class I arc-welded unfired pressure-vessels was relaxed to permit acceptance of Class II standards (46 CFR 40.10-10(c)). Class II standards were considered acceptable primarily because of propylene oxide's low vapor pressure (18.0 pounds per square inch, absolute, Reid vapor pressure).

(c) The regulation pertaining to tank connections was amended to agree with wording for liquefied flammable gases in 46 CFR 38.10-1 (i) and (j) (46 CFR 40.10-40 (d) and (e)).

(d) The proposal that relief valves should be fitted in vapor lines was decided to be unnecessary and has been deleted (46 CFR 40.10-40(i)).

(e) The designation of acceptable liquid level gaging devices was expanded to include differential pressure gages (46 CFR 40.10-45(b)).

(f) A requirement for automatic closing in the event of fracture of external gage piping was changed to permit instead a shutoff valve to be located as close to the tank as practicable. This change was accepted upon the premise that only inert gas would be vented in the event of failure of the external gage piping (46 CFR 40.10-45(d)).

(g) The proposal that filling and discharge piping extend to within 4 inches of the bottom of the tank was changed to make the regulations applicable only to the filling piping (46 CFR 40.10-50 (a)).

(h) The regulations regarding filling and discharge connections were amended to agree with similar requirements contained in 46 CFR 38.10-5 for liquefied flammable gas (46 CFR 40.10-50 (b), (c), (d)).

(i) The proposal that cargo tanks are to be filled to 2 percent outage was deleted and the applicable filling density was substituted (46 CFR 40.10-65).

(j) The requirement pertaining to cargo hoses was revised to make it clear that the regulation applies to hose carried by the vessel (and not to shore terminal hoses), and to avoid the implication that hose must be carried aboard the vessel (46 CFR 40.10-75(a)).

(k) The requirement that cargo hose shall be marked with the maximum guaranteed pressure and with the words "Certified for Propylene Oxide" was revised to place the responsibility for such testing and marking on the hose manufacturer (46 CFR 40.10-75(a)).

The proposed rules and regulations for phosphoric acid (Item IVb) were commented on in more than 44 comments, which were considered and where appropriate changes based thereon have been incorporated into the regulations. The significant revisions are as follows:

a. A paragraph was added to state that the term "phosphoric acid" as used in these regulations includes, in addition to phosphoric acid, aqueous solutions of phosphoric acid and super phosphoric acid (46 CFR 98.18–1(a)).

b. The requirements were expanded so that cargo tanks may not only be rubber-lined but may be lined or clad with other materials shown to the satisfaction of the Commandant to be suitable, or the tanks may be fabricated of an acid resistant material, such as Type 316 stainless steel (46 CFR 98.18–5(b)).

The proposals regarding intrinsically safe instruments and equipment (Item Va) were commented on extensively in the 16 comments received, and many of them were the basis for changes adopted. The significant revisions accepted were:

1. The term "intrinsically safe instruments and equipment" was expanded to include wiring and electrical energy was redescribed as electrical or thermal energy (46 CFR 110.15–100(i), 111.60–40(a)(3)).

2. The term "abnormal condition" used to describe requirements governing the evaluation of the suitability of intrinsically safe instruments or equipment and wiring was revised so that requirements would be similar to those in the National Electrical Code and standards of the Instrument Society of America (46 CFR 111.65–3(c)).

3. The requirements followed in the evaluation and test procedures of electronic type instrument circuits, which may not lend themselves to energy level analyses, were revised to clarify standards and intent of regulations (46 CFR 111.65–3(d)).

With respect to wiring methods and materials for hazardous locations (Item Vc), a number of comments received indicated misunderstandings of requirements existed. Therefore, the requirements in 46 CFR 111.60–40(c) governing electrical installations in Class I, Division 2, Groups A, B, C, and D hazardous locations, were revised; as well as minor changes added to other paragraphs (46 CFR 111.60–40(a)(8)(i) and 111.60–40(c)(4)).

The proposals regarding feeder size and overcurrent protection for transformers (Item Vf) were revised or modified to be in accord with the generally accepted practice for demand loads, and to provide protection for the transformer feeder circuits in shipboard applications, which are considered to be different from those applying to shoreside installations subject to the National Electrical Code ASA C1–1965 (Article 450–3 overcurrent protection) (46 CFR 111.50–20(a), 111.55–1(k)).

The requirements for light fixtures (Item Vh) were revised so that the changes will apply to "incandescent lighting fixtures" located in propulsion machinery spaces, boiler spaces, and other spaces where combustible liquids are piped under pressure (46 CFR 111.60–35(a)(3)).

The proposals regarding life preservers for bow lookouts (Item VIId) were adopted. The other requirements for life preservers were revised for tank, cargo, or miscellaneous vessels so that when children are carried on such vessels a suitable number of children's life preservers shall be provided (46 CFR 33.35–1(b), 94.40–10(c)).

The general requirements governing all life preservers (Item VIIe) were revised to require life preservers shall be so constructed that their performance will not be hampered by weather conditions (46 CFR 160.001–2(a)).

The interpretation of the provisions in 46 U.S.C. 224a regarding manning of uninspected vessels (Item VIIIa) was revised to clarify application, as suggested in comments received (46 CFR 157.30–10). The proposal regarding engineroom manning for uninspected vessels with fully automated pilothouse control to be an appropriately licensed chief engineer was adopted.

The descriptions of requirements regarding navigation lights and shapes, whistles, foghorns, and fog sound devices (Item IXd) for uninspected vessels (Item IXd) were revised and the major change consisted of removing references to additional lights and shapes (46 CFR 25.05–10(b), 96.20–10(b)).

The general revision of requirements governing liquefied flammable gases (Item Xc) (46 CFR Part 38) was the subject of more than 48 comments. The suggestion in a number of comments that further study be conducted with respect to the filling densities of cargoes was accepted and the actions taken with respect to changes in 46 CFR 38.15–1, regarding filling of tanks, are included in this revision. For refrigerated and semi-refrigerated tanks new provisions were added which require an outage of at least 2 percent of the volume of the tank under specified conditions. The values in the present table in 46 CFR 38.15–1 remain the same in Table 38.15–1(b), but the regulations require that nonrefrigerated tanks shall be filled so that their filling densities do not exceed the ratios as indicated in this table.

The other significant revisions in 46 CFR Part 38 which were adopted are:

A. Materials used in the fabrication of the cargo tanks and handling systems shall satisfy the requirements for toughness as specified by the Commandant. This change was substituted for reference to requirements in Subchapter F (Marine Engineering) since such toughness requirements do not now exist in these regulations (46 CFR 38.05–1(c)).

B. The requirements for pressure vessel type cargo tanks in 46 CFR 38.05–3(g) and 38.25–1(b) were revised to clarify the design pressure, the maximum allowable pressure, and the hydrostatic test pressure of mechanically stress relieved tanks.

C. The requirements for safety relief valve capacity for pressure vessel type cargo tanks in 46 CFR 38.10–15(c) were revised by the addition of a fire exposure factor of "F=0.1" for independent non-pressure vessel type tanks in inerted holds and for membrane type tanks.

Radar observers. The course of instruction in the proper operation and utilization of marine radar equipment given by the Texas Maritime Academy, Galveston, Tex., was reviewed and found to be satisfactory. The regulation designated 46 CFR 10.05–46(d)(6) is added by this document in order to inform all persons concerned that the course of instruction and the proper operation and utilization of marine radar equipment is approved as given by the Texas Maritime Academy. The holders of Texas Maritime Academy's certificates, which attest to the successful completion on or after February 21, 1966, of the course of instruction in the proper operation and utilization of marine radar equipment, may present such certificates as evidence of qualifications as "radar observer" and be exempt from taking the examination specified in 46 CFR 10.05–46(b).

Insect screens. The amendments to 46 CFR 72.20–55(a) and 92.20–55(a) contain policy interpretations which provide that insect screens are not required in air conditioned crew quarters for windows, air ports, and doors that are normally kept closed.

Stowage of bulk ore cargoes. In response to Recommendation 55 of the 1960 International Conference on the Safety of Life at Sea, the Working Group on Bulk Cargoes established by the Inter-Governmental Maritime Consultative Organization (IMCO) has developed a code for the safe carriage of bulk cargoes. This code has been approved by the IMCO Assembly and issued as an official IMCO recommendation. The new code incorporates, to a considerable degree, material issued in the 1959 edition of the manual published by the National Cargo Bureau, Inc., and entitled "Stowage of Bulk Cargoes Such as Ore, Ore Concentrates, and Similar Cargoes When Carried in General Cargo Vessels."

The provisions of the IMCO Code of Safe Practice for Bulk Cargoes are included in the 1966 edition of the manual entitled "Stowage of Bulk Cargoes Such as Ore, Ore Concentrates, and Similar Cargoes When Carried in General Cargo Vessels," as printed and distributed by the National Cargo Bureau, Inc. The Coast Guard endorses this IMCO Code and acknowledges with appreciation the part played by the U.S. SOLAS Panel on Bulk Cargoes in connection with U.S. participation in the work of the IMCO Working Group on Bulk Cargoes. The Coast Guard has endorsed and recognized the manual entitled "Stowage of Bulk Cargoes Such as Ore, Ore Concentrates, and Similar Cargoes When Carried in General Cargo Vessels," 1966 Edition, for use by Masters of general cargo vessels as guidance information relative to the handling of bulk ores and similar cargoes required by 46 CFR 97.12–1, and the provisions of § 97.12–5(a) are appropriately amended to reflect this decision. This manual may be obtained from the National Cargo Bureau, Inc., 99 John Street, New York, N.Y. 10038.

Other changes in regulations. The other amendments in this document to the regulations in 46 CFR Chapter 1, which were not described in the FEDERAL

REGISTER of February 10, 1966 (31 F.R. 2602–2614), are considered to be interpretations of law, or revised requirements so that regulations in the Code of Federal Regulations will be in agreement with regulations published in Coast Guard pamphlets, or editorial in nature, and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

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

1. The vessel inspection regulations in 46 CFR Chapter 1 shall be amended in accordance with the changes in this document.

2. The amendments to the regulations shall be effective January 1, 1967, unless another date is specifically provided in this document.

3. The regulations in this document may be complied with during the period prior to the effective date specified in lieu of existing requirements.

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 2—VESSEL INSPECTIONS

Subpart 2.20—Reports and Forms

§ 2.20–1 [Amended]

Section 2.20–1 *Forms* is amended by canceling paragraph (e).

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 3—MERCHANT MARINE PERSONNEL

Subpart 3.01—Licenses and Documents

§ 3.01–1 [Amended]

Section 3.01–1 *Applications for licenses or documents* is amended by changing the title of Form CG–866 from "License application" to "License and renewal application".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

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' License

1. Section 10.02–9 is amended by changing the form number in paragraphs (a)(1) and in (g)(1) and by adding a sentence to paragraph (g)(4)(ii) so that these paragraphs read as follows:

§ 10.02–9 Requirements and renewal of license.

(a) * * *

(1) *Written application.* The Officer in Charge, Marine Inspection, shall, before granting renewal of a license, require the applicant to make written application on Coast Guard Form CG–866, License and Renewal Application.

* * * * *

(g) * * *

(1) A letter of transmittal indicating reasons for not appearing in person and stating to the best of his knowledge no physical incapacity exists, together with a properly executed application on Coast Guard Form CG–866, License and Renewal Application;

* * * * *

(4) * * *

(ii) Documentary evidence of service under authority of license within the 3 years next preceding the date of application or evidence of employment in a position closely related to the operation of vessels within the same 3-year period, together with an affidavit that the applicant has read within the 3 months next preceding the date of application the Rules of the Road applicable to the waters for which he is licensed and demonstration of his knowledge of the application of the Rules of the Road. In every case of renewal by mail, the applicant must certify to the effect that the answers to the questions contained in the Rules of the Road Exercise, furnished by the Officer in Charge, Marine Inspection, are his own.

* * * * *

2. Section 10.02–13(a) is amended to read as follows:

§ 10.02–13 Sea service as a member of the Armed Forces of the United States and on vessels owned by the United States as qualifying experience.

(a) Sea service as a member of the Armed Forces of the United States will be accepted as qualifying experience for an original, raise of grade, or extension of route of license. The applicant shall submit an official transcript of sea service as verification of the service claimed when he submits an application. Such service will be subject to evaluation by the Commandant to determine its equivalence to sea service required on merchant vessels and to determine the appropriate grade, class, and limit of license for which the applicant is eligible. The regulations governing the licensing of merchant marine personnel which are in effect on the date an applicant presents himself for examination shall be applicable in all cases.

* * * * *

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

3. Section 10.05–46(d) is amended by adding a new subparagraph (6) reading as follows:

§ 10.05–46 Radar observer.

* * * * *

(d) * * *

(6) The course of instruction in the proper operation and utilization of marine radar equipment is approved as given at the Texas Maritime Academy, Galveston, Tex. 77552. This approval shall be effective for all certificates issued to the deck cadets of the Texas Maritime Academy which attest to the successful completion of the course of instruction in the proper operation and utilization of marine radar equipment on or after February 21, 1966, and will continue in effect until this approval is suspended, cancelled or modified by the proper authority.

(R.S. 4417a, as amended, 4426, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 341, as amended, sec. 2, 68 Stat. 484, 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, 1333, 239b, 390b, 50 U.S.C. 198. Treasury Dept. Order 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894)

Subpart 10.13—Licensing of Radio Officers

§ 10.13–21 [Amended]

4. Section 10.13–21 *General requirements for renewal of licenses* is amended by changing in paragraphs (a)(1) and (b)(1) the reference to Coast Guard Form from "CG–3479" to "CG–866, License and Renewal Application."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 10.15—Licensing of Officers for Uninspected Vessels

5. Section 10.15–9 is amended to read as follows:

§ 10.15–9 Sea service as member of the armed forces of the United States as qualifying.

Sea service as a member of the Armed Forces of the United States will be accepted as qualifying experience for an original or raise in grade of license. The applicant shall submit an official transcript of sea service as verification of the service claimed when he submits an application. Such service will be subject to evaluation of the sea service otherwise required, and to determine the appropriate grade, class, and limit of license for which the applicant is eligible. The applicant may be permitted to omit the examination for the lower grade of license if his experience is of such character as to qualify him for the higher grade of license.

(R.S. 4405, as amended, 4462, as amended, 4438a, as amended; 46 U.S.C. 375, 416, 224a; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 10.20—Motorboat Operators' Licenses

§ 10.20–9 [Amended]

6. Section 10.20–9 *Requirements for renewal* is amended in paragraph (a) (1) by changing a reference to Coast Guard Form from "CG–3479" to "CG–866, License and Renewal Application".

SUBCHAPTER C—UNINSPECTED VESSELS

PART 25—REQUIREMENTS

Subpart 25.05—Navigation Lights and Shapes, Whistles, Foghorns, Fog Bells, and Gongs

1. The heading for Subpart 25.05 is amended to read as set forth above.

2. Section 25.05–1 is amended to read as follows:

§ 25.05–1 Vessels operating on waters governed by the International Rules of the Road.

(a) All vessels (including motorboats) operating on waters governed by the International Rules of the Road (33 U.S.C. 1051–1094) shall be equipped with the navigation lights and shapes, whistles, foghorns, fog bells, and gongs as required by those rules.

§ 25.05–5 [Canceled]

3. Section 25.05–5 *Motorboats* is canceled.

4. Subpart 25.05 is amended by adding the following new section:

§ 25.05–10 Vessels operating on waters governed by the Inland, Great Lakes, or Western Rivers Rules of the Road.

(a) All vessels, other than motorboats, operating on waters governed by the Inland, Great Lakes, or Western Rivers Rules of the Road (33 U.S.C. 154–232, 241–295, 301–355) shall be equipped with the navigation lights and shapes, whistles, foghorns, fog bells, and gongs as required by the Rules of the Road applicable to the waters on which the vessel is navigated.

(b) All motorboats operating on waters governed by the Inland, Great Lakes, or Western Rivers Rules of the Road shall be equipped with the following:

(1) Navigation lights as set forth in the Motorboat Act of April 25, 1940, as amended (46 U.S.C. 526–526u) or, in lieu thereof, the lights required by the International Rules of the Road.

(2) An efficient whistle or other sound producing mechanical device as set forth in Table 25.05–10(b) (2), except:

(i) Motorboats engaged in a race which has been previously arranged or announced, or while engaged in such navigation as is incidental to the tuning up of the motorboat and engines for the race, need not carry the devices required by Table 25.05–10(b) (2).

TABLE 25.05–10(b) (2)

Class of motorboat	Type of device
A (less than 16 feet in length).	None required by law.
1 (16 feet or over, and less than 26 feet in length).	Mouth, hand, or power operated, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
2 (26 feet or over, and less than 40 feet in length).	Hand or power operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.
3 (40 feet or over, and not over 65 feet in length).	Power operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.

(3) An efficient fog bell, except that the following motorboats need not carry such a bell:

(i) Motorboats of less than 26 feet in length (Classes A and 1).

(ii) Motorboats engaged in a race previously arranged or announced, or while engaged in such navigation as is incidental to the tuning up of the motorboat and engines for the race.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 25.10—Whistles [Canceled]

5. Subpart 25.10, consisting of §§ 25.10–1 to 25.10–10, inclusive, is canceled.

§ 25.10–1 [Canceled]

6. Section 25.10–1 *Vessels other than sailing vessels, barges, and motorboats* is canceled.

§ 25.10–5 [Canceled]

7. Section 25.10–5 *Motorboats operating on the high seas* is canceled.

§ 25.10–10 [Canceled]

8. Section 25.10–10 *Motorboats operating on the navigable waters of the United States* is canceled.

Subpart 25.15—Foghorns [Canceled]

9. Subpart 25.15, consisting of §§ 25.15–1 and 25.15–5, is canceled.

§ 25.15–1 [Canceled]

10. Section 25.15–1 *Vessels other than motorboats* is canceled.

§ 25.15–5 [Canceled]

11. Section 25.15–5 *Motorboats* is canceled.

Subpart 25.20—Fog Sound Signal Devices [Canceled]

12. Subpart 25.20, consisting of §§ 25.20–1 to 25.20–10, inclusive, is canceled.

§ 25.20–1 [Canceled]

13. Section 25.20–1 *Vessels other than motorboats* is canceled.

§ 25.20–5 [Canceled]

14. Section 25.20–5 *Motorboats operating on the high seas* is canceled.

§ 25.20–10 [Canceled]

15. Section 25.20–10 *Motorboats operating on the navigable waters of the United States* is canceled.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER D—TANK VESSELS

PART 30—GENERAL PROVISIONS

Subpart 30.10—Definitions

Section 30.10–39 is amended to read as follows:

§ 30.10–39 Liquefied flammable gas—TB/ALL.

The term "liquefied flammable gas" means any flammable gas having a Reid vapor pressure exceeding 40 pounds, which has been liquefied.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026)

PART 31—INSPECTION AND CERTIFICATION

Subpart 31.10—Inspections

§ 31.10–1 [Amended]

Section 31.10–1 *Recognized classification society—TB/ALL* is amended by changing in the last sentence of paragraph (b) the ZIP Code number for the Coast Guard from "20236" to "20226".

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

Subpart 32.15—Navigation Equipment

1. Section 32.15–10 is amended to read as follows:

§ 32.15–10 Sounding machines—T/OCL.

All mechanically propelled vessels in ocean or coastwise service of 500 gross tons and over, and all mechanically propelled vessels in Great Lakes service of 500 gross tons and over certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient mechanical or electronic deep-sea sounding apparatus and a deep-sea hand lead. All other mechanically propelled vessels in Great Lakes service of 1,500 gross tons and over shall carry a deep-sea hand lead.

Subpart 32.45—Electrical Installations

2. Section 32.45–1 is amended by revising paragraphs (f)(1) and (h)(2) to read as follows:

§ 32.45–1 Requirements for tank vessels the construction or conversion of which is contracted for on or after November 19, 1955—TB/ALL.

* * * * *

(f) *Enclosed spaces.* (1) The lighting of enclosed spaces immediately above or adjacent to cargo tanks for Grade A, B, C, or D liquid cargo shall be effected by means of approved explosion-proof or magazine type lighting fixtures in accordance with the requirements of § 111.70–10(c) of Subchapter J (Electrical Engineering) of this chapter.

* * * * *

(h) *Cargo pumproom handling Grade A, B, C, or D liquid cargo.* * * *

(2) Through runs of electric cable, regardless of how they may be protected, are prohibited, except that cables which are a part of the intrinsically safe circuitry of an approved installation are specifically exempt from this restriction.

* * * * *

Subpart 32.55—Ventilation and Venting

3. The headnote for § 32.55–10 is amended to read as follows:

§ 32.55–10 Ventilation of tank vessels contracted prior to November 10, 1936—TB/ALL.

Subpart 32.57—Structural Fire Protection for Tank Vessels Contracted for on or After January 1, 1963

4. Section 32.57–10(f) is amended by changing the word from "inflammable" to "flammable" so that it will read as follows:

§ 32.57–10 Construction—TB/ALL.

* * * * *

(f) Nitrocellulose or other highly flammable or noxious fume-producing paints or lacquers shall not be used.

Subpart 32.70—Hull Requirements for Steel Hull Tank Vessels Constructed Prior to November 10, 1936

5. Section 32.70–5 is amended by changing the word "inflammable" to "flammable" in the first sentence so that the section reads as follows:

§ 32.70–5 Hull requirements; general—TB/ALL.

The scantlings, material, and workmanship, the subdivision of cargo spaces, the arrangement of cofferdams, the testing of tanks and cofferdams, shall be at least equivalent to the requirements of a recognized classification society for the particular service specified in the application for the certificate of inspection and permit for the transportation of liquid flammable cargoes in bulk as of the date when the tank vessel was built or as of the date when the vessel was converted into a tank vessel. In the absence of such classification requirements, the Officer in Charge, Marine Inspection, shall satisfy himself that the vessel's structure as specified in this section is safe for the service to be specified in its certificate of inspection.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026)

PART 33—LIFESAVING APPLIANCES

Subpart 33.35—Life Preservers

1. Section 33.35–1 is amended by revising paragraphs (a) and (b) to read as follows:

§ 33.35–1 Number and type required—TB/ALL.

(a) All tank vessels shall be provided with one approved life preserver for each person carried. An additional number of life preservers shall be provided for personnel on watch in the engineroom and pilothouse, and at the bow lookout.

(b) When children are carried, a suitable number of children's life preservers shall be provided.

* * * * *

2. Section 33.35–5 is amended to read as follows:

§ 33.35–5 Distribution and stowage—TB/ALL.

Life preservers shall be distributed throughout the cabins, staterooms, berths, and other places convenient for each person on such tank vessels. The stowage of the additional number of life preservers shall be such that they are readily accessible to personnel on watch in the engineroom and pilothouse, and at the bow lookout.

Subpart 33.55—Line-Throwing Appliances

3. Section 33.55–5 is amended by changing at the end of the first sentence the phrase "read for use" to "ready for use" so that the section as revised will read as follows:

§ 33.55–5 Accessibility—T/OC.

The line-throwing appliance and its equipment shall be kept always easily and immediately accessible and ready for use. No part of this equipment shall be used for any other purpose.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–38, Oct. 26, 1959, 24 F.R. 8857)

PART 34—FIREFIGHTING EQUIPMENT

Subpart 34.15—Carbon Dioxide Extinguishing Systems, Details

Section 34.15–90(a)(7) is amended by changing in the first sentence the phrase from "shall be noted in Table 34.15–90(a)(7)" to "shall be as noted in Table 34.15–90(a)(7)" so that the text of this paragraph reads as follows:

§ 34.15–90 Installations contracted for prior to January 1, 1962—T/ALL.

(a) * * *

(7) Branch lines to the various spaces other than cargo and similar spaces shall be as noted in Table 34.15–90(a)(7). This table is based on cylinders having discharge outlets and siphon tubes of ⅜-inch diameter.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 35—OPERATIONS

Subpart 35.20—Navigation

1. Section 35.20–1 is amended to read as follows:

§ 35.20–1 Notice to mariners; aids to navigation—T/OCLB.

(a) Licensed officers are required to acquaint themselves with the latest information published by the Coast Guard and the U.S. Navy regarding aids to navigation, and neglect to do so is evidence of neglect of duty. It is desirable that vessels navigating oceans and coastwise and Great Lakes waters shall have available in the pilothouse for convenient reference at all times a file of the applicable Notice to Mariners.

(b) Weekly Notices to Mariners (Great Lakes Edition), published by the Commander, 9th Coast Guard District, contain announcements and information on changes in aids to navigation and other marine information affecting the safety of navigation on the Great Lakes. These notices may be obtained free of charge, by making application to Commander, 9th Coast Guard District.

(c) Weekly Notices to Mariners (Part I, Atlantic and Mediterranean) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, and 8th Coast Guard Districts and the Greater Antilles Section. Foreign marine information in the Atlantic and Mediterranean area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) Weekly Notices to Mariners (Part II, Pacific and Indian Oceans) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information in the Pacific and Indian Oceans area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office,

Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(e) All vessels shall have charts of the waters on which they operate for convenient reference at all times.

Subpart 35.35—Cargo Handling

§ 35.35–5 [Amended]

2. Section 35.35–5 is extended in application to "barges," and to show this extension the headnote is changed from "Electric bonding—T/ALL" to "Electric bonding—TB/ALL."

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 36—ELEVATED TEMPERATURE CARGOES

Subpart 36.01—General

§ 36.01–5 [Amended]

Section 36.01–5 *Certificate of inspection—TB/ALL* is amended by changing the U.S. Code citation following paragraph (a) from "46 U.S.C. 339" to "46 U.S.C. 399."

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 38—LIQUEFIED FLAMMABLE GASES

Part 38 is amended to read as follows:

Subpart 38.01—General

Sec.
38.01–1 Scope of regulations—TB/ALL.
38.01–2 Transportation of portable cylinders or portable tanks containing or having previously contained liquefied flammable gases in dry cargo spaces—TB/ALL.
38.01–5 Certificate of inspection—TB/ALL.

Subpart 38.05—Design and Installation

38.05–1 Design and construction of vessels—general—TB/ALL.
38.05–2 Design and construction of cargo tanks—general—TB/ALL.
38.05–3 Design and construction of pressure vessel type cargo tanks—TB/ALL.
38.05–4 Design and construction of nonpressure vessel type cargo tanks—TB/ALL.
38.05–5 Markings—TB/ALL.
38.05–10 Installation of cargo tanks—general—TB/ALL.
38.05–20 Insulation—TB/ALL.
38.05–25 Refrigerated systems—TB/ALL.

Subpart 38.10—Piping, Valves, Fittings, and Accessory Equipment

38.10–1 Valves, fittings, and accessories—TB/ALL.
38.10–5 Filling and discharge pipes—TB/ALL.
38.10–10 Cargo piping—TB/ALL.
38.10–15 Safety relief valves for pressure vessel type tanks—TB/ALL.
38.10–16 Safety relief valves for nonpressure vessel type tanks—TB/ALL.
38.10–20 Liquid level gaging devices—TB/ALL.

Subpart 38.15—Special Requirements

Sec.
38.15–1 Filling of tanks—TB/ALL.
38.15–5 Cargo hose—TB/ALL.
38.15–10 Leak detection systems—T/ALL.
38.15–15 Electrical installations—TB/ALL.
38.15–20 Remote shutdowns—TB/ALL.

Subpart 38.20—Venting and Ventilation

38.20–1 Venting—T/ALL.
38.20–5 Venting—B/ALL.
38.20–10 Ventilation—T/ALL.

Subpart 38.25—Periodic Tests and Inspections

38.25–1 Tests and inspections—TB/ALL.
38.25–5 Removal of defective tanks—TB/ALL.
38.25–10 Safety relief valves—TB/ALL.

AUTHORITY: The provisions of this Part 38 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026, unless otherwise noted.

Subpart 38.01—General

§ 38.01–1 Scope of regulations—TB/ALL.

(a) The regulations in this part contain requirements for the transportation of liquefied or compressed gases, whose primary hazard is one of flammability.

(b) The transportation "on deck" of liquefied flammable gases in portable cylinders and tanks and the transportation of empty cylinders and portable tanks previously used shall be in accordance with the requirements of Part 146 of Subchapter N (Dangerous Cargoes) of this chapter. The transportation of such containers "under deck" shall be in accordance with the requirements of § 38.01–2.

§ 38.01–2 Transportation of portable cylinders or portable tanks containing or having previously contained liquefied flammable gases in dry cargo spaces—TB/ALL.

(a) ICC cylinders, ICC Specification portable tanks, or other approved portable tanks containing liquefied flammable gases may be transported under deck, provided the following requirements are met:

(1) The cargo space shall be provided with efficient means of ventilation, be protected from artificial heat, and be readily accessible from hatches.

(2) Containers shall be stored in such a position that the safety relief device is in communication with the vapor space of the container. They shall be properly stowed, dunnaged, and secured to prevent movement in any direction.

(3) Unless a method acceptable to the Commandant is used, the containers shall not be overstowed in the same dry cargo space with other liquefied flammable gas containers, nor with other cargo.

(4) The containers shall be suitably protected against physical damage from other cargo, ship's stores, or equipment in such spaces.

(5) Cylinders shall have their valves protected at all times by one of the following methods:

(i) By metal caps securely attached to the cylinders and of sufficient strength to protect the valves from injury.

(ii) By having the valves recessed into the cylinders or otherwise protected so that they will not be subject to a blow if the cylinder is dropped on a flat surface.

(6) Portable tanks shall have their valves protected at all times by a housing in accordance with the requirements under which they were manufactured.

(7) Electrical circuits in such cargo spaces shall meet the requirements of § 111.60–40 in Subchapter J (Electrical Engineering) of this chapter. If the electrical circuit does not meet such requirements, it must be deenergized by a positive means and not reenergized until the cargo has been removed and the space has been tested and found free of flammable vapor.

(8) During the stowage of portable cylinders or portable tanks in a hold or compartment, that is not fitted with electrical fixtures meeting the requirements of § 111.60–40, no means of artificial lighting shall be used within the space unless such equipment is of the explosion-proof type. Electrical connections for portable lights shall be made from outlets on the weather deck. Hand flashlights used in the stowage area shall be of an approved type.

(9) The following dangerous cargoes shall not be stowed in the same hold or compartment with liquefied flammable gas containers:

(i) Class A, B, or C explosives.
(ii) Flammable solids.
(iii) Oxidizing materials.
(iv) Corrosive liquids.
(v) Poisonous articles.
(vi) Cotton and similar fibrous materials.

(R.S. 4472, as amended, 4488, as amended, 46 U.S.C. 170, 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 38.01–5 Certificate of inspection—TB/ALL.

(a) The certificate of inspection shall be endorsed for the carriage of liquefied flammable gases as follows:

Inspected and approved for the carriage of liquefied flammable gases (1) at a pressure not to exceed _____ p.s.i., and (2) at temperatures not less than _____° F.

(b) Tanks approved to carry cargoes at below ambient temperatures shall have the applicable limiting temperatures indicated on the certificate. Tanks designed to carry cargoes only at ambient temperatures should have the word "ambient" entered in these spaces.

(R.S. 4421, as amended; 46 U.S.C. 399)

Subpart 38.05—Design and Installation

§ 38.05–1 Design and construction of vessels—general—TB/ALL.

(a) Vessels designed for the carriage of liquefied gases shall comply with the applicable requirements of this subchapter.

(b) Access and ventilation intakes to the machinery, accommodation and working spaces should be so arranged

as to prevent the flow of cargo vapor from the weather deck into such spaces. In this respect openings in the forward or after ends of poops, forecastles, and deckhouses adjacent the cargo area shall be at least 24 inches above the cargo handling deck.

(c) Materials used in the fabrication of cargo tanks and piping shall have adequate notch toughness at the service temperature. Where a secondary barrier is required, the material of that barrier and of contiguous hull structure shall have sufficient notch toughness at the lowest temperature which may result during the containment of leakage cargo within the secondary barrier. Materials used in the fabrication of the cargo containment and handling system shall satisfy the requirements for toughness specified by the Commandant.

(d) Cargo tank spaces are to be isolated from the remainder of the vessel by cofferdams in accordance with § 32.60–10 of this subchapter. In a nonpressure vessel configuration, the void between the primary and secondary barriers shall not be acceptable as the required cofferdams.

(e) Compartments containing cargo tanks or pipes shall be accessible from the weather deck only. No openings from these compartments to other parts of the vessel are permitted.

(f) Barges shall comply with the applicable sections of Subpart 32.63 of this subchapter.

(R.S. 4472, as amended, 4488, as amended, 46 U.S.C. 170, 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 38.05–2 Design and construction of cargo tanks—general—TB/ALL.

(a) The maximum allowable temperature of the cargo is defined as the boiling temperature of the liquid at a pressure equal to the setting of the relief valve.

(b) The service temperature is the minimum temperature at which cargo is loaded and/or transported in the cargo tank. However, the service temperature shall in no case be taken higher than given by the following formula:

$$t_s = t_w - 0.25\,(t_w - t_B) \qquad (1)$$

where:

t_s = Service temperature.

t_w = Boiling temperature of gas at normal working pressure of tank but not higher than +32° F.

t_B = Boiling temperature of gas at atmospheric pressure.

(c) Heat transmission studies, where required, shall assume the minimum ambient temperatures of 0° F. still air and 32° F. still water, and maximum ambient temperatures of 115° F. still air and 90° F. still water.

(d) Cargo tanks in vessels in ocean; Great Lakes; lakes, bays, and sounds; or coastwise service shall be designed to withstand, simultaneously, the following dynamic loadings:

(1) Rolling 30° each side (120°) in 10 seconds.

(2) Pitching 6° half amplitude (24°) in 7 seconds.

(3) Heaving $L/80'$ half amplitude ($L/20'$) in 8 seconds.

(e) Cargo tanks on barges shall be designed in accordance with § 32.63–25 of this subchapter.

(f) Each liquefied flammable gas tank shall be provided with not less than a 15-inch by 23-inch or an 18-inch nominal diameter manhole fitted with a cover located above the maximum liquid level and as close to the top of the tank as possible. Where access trunks are fitted to the tanks, the nominal diameter of the trunks shall be not less than 30 inches.

(g) Cargo tanks vented above 10 pounds per square inch gage shall be of the pressure vessel type.

(R.S. 4433, as amended; 46 U.S.C. 411)

§ 38.05–3 Design and construction of pressure vessel type cargo tanks—TB/ALL.

(a) Cargo tanks of pressure vessel configuration (e.g., cylindrical, spherical, etc.) shall meet the requirements for Class I or Class II unfired pressure vessels, and shall be fabricated, inspected, and tested in accordance with the applicable requirements of Subchapter F (Marine Engineering) of this chapter, except as otherwise provided for in this part.

(b) The requirements of this section anticipate that cargo tanks constructed as pressure vessels will, by themselves, constitute the cargo containment system and usually will not require a secondary barrier.

(c) In the design of the tank, consideration shall be given to the possibility of the tank being subjected to external loads. Consideration shall also be given to excessive loads that can be imposed on the tanks by their support due to static and dynamic forces under operating conditions or during testing. The design shall show the manner in which the tanks are to be installed, supported, and secured, and shall be approved prior to tank installation.

(d) Tanks with a service temperature of minus 20° F. or lower and fabricated of ferritic materials shall be stress relieved.

(e) Unlagged cargo tanks, where the cargo is transported, at or near ambient temperatures, shall be designed for the vapor pressure of the gas at 115° F. The design shall also be based on the minimum internal pressure (maximum vacuum), plus the maximum external static head to which the tank may be subjected. Whenever surrounding cargo is at a greater temperature than the maximum allowable temperature of the liquefied flammable gas tanks, the liquefied flammable gas cargo is to be such that the design pressure of the liquefied flammable gas tank is not exceeded.

(f) Where cargo tanks, in which the cargo is transported at or near ambient temperature, are lagged with an insulation material of a thickness to provide a thermal conductance of not more than 0.075 B.t.u. per square foot per degree Fahrenheit differential in temperature per hour, the tanks shall be designed for a pressure of not less than the vapor pressure of the gas at 105° F. The insulation material shall conform to the requirements of § 38.05–20. The design shall also be based on the minimum internal pressure (maximum vacuum) plus the maximum external static head to which the tank may be subjected.

(g) Cargo tanks in which the temperature is maintained below the normal atmospheric temperature by refrigeration or other acceptable means, shall be designed for a pressure of not less than 110 percent of the vapor pressure corresponding to the temperature of the liquid at which the system is maintained, or the pressure corresponding to the greatest dynamic and static loads expected to be encountered either in service or during testing. For mechanically stress relieved cargo tanks, additional factors relating design pressure and maximum allowable pressure shall be as specified by the Commandant. The material of the tank shall be as approved by the Commandant for the service temperature and this temperature shall be permanently marked on the tank as prescribed in § 38.05–5.

(h) Where applicable, the design shall investigate the thermal stresses induced in the cargo tank at the service temperature.

(i) The shell and head thickness of liquefied gas cargo tanks shall not be less than five-sixteenths inch.

(R.S. 4433, as amended; 46 U.S.C. 411)

§ 38.05–4 Design and construction of nonpressure vessel type cargo tanks—TB/ALL.

(a) The requirements in this section anticipate a cargo containment system consisting of a primary tank which is structually self-supporting and, where required, a secondary barrier. Other vessel or cargo tank configurations, such as membrane type liners externally supported, will be considered upon submission of substantiating data, and based upon such additional tests as the Commandant may direct.

(b) A secondary barrier is an arrangement or structure designed to contain the cargo temporarily if leakage develops in the primary container. A secondary barrier shall be provided where leakage from the primary container may cause lowering of the temperature of the ship's structure to an unsafe level. The secondary barrier shall be constructed of material suitable to contain the cargo at the service temperature.

(c) The design of the cargo containment systems shall be such that under normal service conditions, or upon failure of the primary tank, the hull structure shall not be cooled down to a temperature which is unsafe for the materials involved. Structural members not suitable for the service temperatures of the cargo shall be protected by a secondary barrier consisting of suitable structural containment together with necessary associated insulation. Heat transmission studies and tests may be required to demonstrate that the arrangement is feasible and that the final material temperatures are acceptable.

(d) The design and construction of the cargo tanks shall be at least equivalent to the standards established by the

American Bureau of Shipping or other recognized classification society. For special tanks, or designs not contemplated by standards of the classification society, a detailed analysis of the entire tank, or designated parts thereof, shall be made and submitted to the Commandant for approval.

(e) The cargo tank shall be designed for a head of cargo at least equal to the highest level the liquid cargo may attain plus the maximum venting pressure. In no case shall a head of cargo less than 4 feet above the cargo hatch or expansion trunk be used.

(f) The design shall investigate the thermal stresses induced in the cargo tank during loading. Where necessary, devices for spray loading or other methods of precooling or cooling during loading shall be included in the design.

(g) All weld intersections or crossings in joints of primary tank shells shall be radiographed for a distance of 10 thicknesses from the intersection. All other welding in the primary tank and in the secondary barrier shall be spot radiographed in accordance with the requirements of § 56.05–6 of Subchapter F (Marine Engineering) of this chapter.

(R.S. 4433, as amended; 46 U.S.C. 411)

§ 38.05–5 Markings—TB/ALL.

(a) (1) Upon satisfactory completion of tests and inspection, the following marking, at least ⅜-inch high, shall be stamped into a noncorrodible nameplate permanently attached to the tank:

(Name and address of manufacturer)
---- p.s.i.
(Hydrostatic test pressure at 70° F. or above)
---- p.s.i.
(Maximum allowable pressure)
----° F. Service temperature
---- ----
(O.C.M.I. No.) (Initials and C.G. Symbol)

(Manufacturer's Serial No.)

(Date of manufacture)

(Water capacity, U.S. gallons)

(2) Hydrostatic test for pressure vessel type tanks shall be that specified in § 38.25–1(b). In the case of nonpressure vessel type tanks, the hydrostatic test pressure shall mean the pressure specified in § 38.25–1(d), while the maximum allowable pressure shall mean the maximum venting pressure as used in § 38.05–4(e). Where it is not feasible to attach the nameplate to the tank, it shall be conspicuously displayed nearby.

(b) All tank inlet and outlet connections, except safety relief valves, liquid level gaging devices, and pressure gages, shall be labeled to designate whether they terminate in the vapor or liquid space. Labels of corrosion-resistant material may be attached to valves.

(c) All tank markings shall be permanently and legibly stamped in a readily visible position, and shall not be obscured by painting. If the tanks are lagged, the markings attached to the tank proper shall be duplicated on a corrosion-resistant plate secured to the outside jacket of the lagging.

§ 38.05–10 Installation of cargo tanks—general—TB/ALL.

(a) (1) Cargo tanks shall be supported on foundations of steel or other suitable material and securely anchored in place to prevent the tanks from shifting when subjected to external forces. Each tank shall be so supported as to prevent the concentration of excessive loads on the supporting portions of the shell or head as prescribed under § 38.05–2(d).

(2) Cargo tanks installed in barges shall comply with the requirements of § 32.63–25 of this subchapter.

(b) Foundations, and stays where required, shall be designed for support and constraint of the weight of the full tank, and the dynamic loads imposed thereon. Thermal movement shall also be considered.

(c) Foundations and stays which may be exposed to the cargo shall be suitable for the temperatures involved and be impervious to the cargo.

(d) The design of the foundations and stays shall consider the resonance of the cargo tank, or parts thereof, and the vibratory forces found in the tank vessel. If necessary, effective damping arrangements shall be provided.

(e) Indepehdent containment systems shall be so arranged as to provide a minimum clearance of not less than 24 inches from the vessel's side and not less than 15 inches from the vessel's bottom to provide access for inspection of the hull. Clearances for collision protection, where required by other parts of the regulations in this subchapter, may increase the clearances specified here.

(1) For pressure vessel type tanks the distance between adjacent tanks and between tanks and vessel's structure shall be adequate to permit access for inspection and maintenance of all tank surfaces and hull structure as approved by the Commandant. Alternate provisions may be made for inspection and maintenance of the vessel's structure and tanks by moving such tanks or by providing equivalent acceptable means for remote inspection.

(2) For nonpressure vessel type containment systems, access shall be arranged to permit inspection of one side each of the primary tank and secondary barrier, under normal shipyard conditions. Containment systems which, because of their peculiar design, cannot be visually inspected to this degree, may be specially considered provided an equivalent degree of safety is attained.

(f) Cargo tanks may be installed "on deck," "under deck," or with the tanks protruding through the deck. All tanks shall be installed with the manhole openings located in the open above the weather deck. Provided an equivalent degree of safety is attained, the Commandant may approve cargo tanks installed with manhole openings located below the weather deck.

(g) For pressure vessel type cargo tanks, the following conditions apply:

(1) Liquefied flammable gas cargo tanks may be located in cargo tanks or in spaces which meet the requirements for cofferdams as defined in § 30.10–13 of this subchapter. When liquefied flammable gas cargo tanks are installed in cargo tanks, such cargo tanks may be used simultaneously or separately for the carriage of flammable or combustible liquids up to and including the grade for which the cargo tanks are otherwise certified in accordance with the requirements of this subchapter.

(2) Where the liquefied flammable gas tanks are installed in cargo tanks and a portion of the liquefied flammable gas tanks extend above the weather deck, the penetration shall be made gastight and watertight, and shall be such as to provide full compliance with the structural requirements including testing for the hull and integral tanks. In the application of the requirements for the hydrostatic test of the cargo tanks, the hydrostatic test shall in no case be less severe than the worst anticipated service condition of the cargo loading. In the design and testing of independent cargo tanks and integral cargo tanks consideration shall be given to the possibility of the independent tanks being subjected to external loads.

(3) Where the liquefied flammable gas tanks are installed in nontank hull spaces and a portion of the tank extends above the weather deck, provision shall be made to maintain the weathertightness of the deck, except that the weathertightness of the upper deck need not be maintained on:

(i) Vessels operating on restricted routes which are sufficiently protected; or,

(ii) Open hopper type barges of acceptable design.

(h) No strength welding employed in the attachment of supports, lugs, fittings, etc., shall be done on tanks that require and have been stress relieved, unless authorized by the Commandant.

(R.S. 4433, as amended, 4488, as amended; 46 U.S.C. 411, 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 38.05–20 Insulation—TB/ALL.

(a) Where used, tank insulation shall satisfy the following requirements for combustibility, installation, and arrangement:

(1) Insulation in a location exposed to possible high temperature or source of ignition shall be either:

(i) Incombustible, complying with the requirements of Subpart 164.009 of Subchapter Q (Specifications) of this chapter; or,

(ii) Self-extinguishing, as determined by American Society for Testing and Materials Specification D–1692, "Flammability of Plastics, Foam and Sheeting," and covered by a suitable steel cover.

(2) Insulation in a location protected against possible ignition by enclosure in a tight steel envelope in which inert conditions are maintained need satisfy no requirement for combustibility except chemical stability.

(3) Insulation in a location protected against possible high temperature or source of ignition by continuous surrounding structural voids or ballast

tanks need satisfy no requirement for combustibility except chemical stability.

(b) All insulation shall be of a vapor-proof construction, or have a vapor-proof coating of a fire-retardant material acceptable to the Commandant. Unless the vapor barrier is inherently weather resistant, tanks exposed to the weather shall be fitted with a removable sheet metal jacket of not less than 0.083-inch thick over the vapor-proof coating and flashed around all openings so as to be weathertight. Weather resistant coatings shall have sheet metal over areas subject to mechanical damage.

(c) The insulation shall be adequately protected in areas of probable mechanical damage.

(d) Insulation which forms an integral part of the secondary barrier shall meet the following additional requirements:

(1) When the secondary barrier is called upon to contain the cargo, insulating material which is contacted shall not be affected by the cargo. Samples of the insulating material shall be tested in the cargo for solubility, absorption and shrinkage. The samples shall be checked for the above effects at intervals not exceeding 1 week, for a total test period of 6 weeks.

(2) Any adhesives, sealers, coatings, or vapor barrier compounds used in conjunction with the insulating material shall be similarly tested to insure suitable cargo resistive properties.

(3) The insulation shall have sufficient mechanical strength for the proposed design. Additionally, the thermal expansion of the insulation relative to the material to which it is affixed shall be considered in the design.

(e) The insulation for the piping systems shall be at least of the "self-extinguishing" type described in paragraph (a) of this section, and comply with the requirements contained in paragraphs (b) and (c) of this section.

§ 38.05–25 Refrigerated systems—TB/ALL.

(a) When a liqufied flammable gas is carried below atmospheric temperature under the requirements of § 38.05–3(f) or § 38.05–4, maintenance of the tank pressure below the maximum allowable pressure shall be provided by one or more of the following means:

(1) A refrigeration or liquefication system which regulates the pressure in the tanks. A standby compressor or equivalent equipment, of a capacity equal to one of the working units shall be provided.

(2) A system whereby the vapors are utilized as fuel for shipboard use.

(3) A system allowing the liquefied flammable gas to warm up and increase in pressure. The insulation and tank design pressure shall be adequate to provide for a suitable margin for the operating time and temperatures involved.

(4) Other systems acceptable to the Commandant.

(b) A system whereby the vapors are vented to the atmosphere at sea only may be employed in conjunction with paragraph (a)(1) of this section. The pressure control valves shall be independent of the safety relief valves. See § 38.20–1 (j).

Subpart 38.10—Piping, Valves, Fittings, and Accessory Equipment

AUTHORITY NOTE: The provisions of this Subpart 38.10 also interpret or apply R.S. 4433, as amended, 4488, as amended; 46 U.S.C. 411, 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857.

§ 38.10–1 Valves, fittings, and accessories—TB/ALL.

(a) All valves, flanges, fittings, and accessory equipment for operation at atmospheric temperatures shall be of a type suitable for use with liquefied flammable gases, and shall be made of steel or Grade A malleable iron conforming to the requirements of Part 51 of Subchapter F (Marine Engineering) of this chapter. When the cargo is carried at temperatures below atmospheric the valves, flanges, fittings, and accessory equipment shall be of a type and material suitable for use with liquefied flammable gas at the minimum temperature to which they may be subjected, and shall be subject to approval by the Commandant.

(b) All valves, flanges, fittings, and accessory equipment shall have a pressure rating at operating temperatures not less than the maximum allowable pressure to which they may be subjected. Piping which is not protected by a relief valve or which can be isolated from its relief valve by other valves shall be designed for the greatest of the cargo vapor pressure at 115° F., or the maximum allowable pressure of the cargo tank, or the requirements of § 38.10–10(a). Cargo liquid piping which may be subject to liquid full conditions shall be fitted with relief valves. The escape from piping systems relief valves shall be piped to a venting system or to a suitable vapor recovery system. Provision shall be made for the proper venting of all valves, fittings, etc., in which pressure buildup may occur, especially in refrigerated systems, because of an increase in product temperature.

(c) Welded connections shall be used wherever possible with the number of flanged joints kept to the minimum necessary for assembly and cleaning. Sockets in sizes 3 inches and smaller and slip-on flanges in sizes 4 inches and smaller may be used. Threaded joints may be used in sizes of 1 inch and smaller. Where threaded joints are used, they shall be visible and accessible for inspection under all service conditions, and limited to instrument and control lines properly valved from the main lines. Where threaded joints are sealed by brazing or welding, they need not be exposed.

(d) Valve seat material, packing, gaskets, etc., shall be resistant to the action of the liquefied flammable gas. All flange and manhole cover gaskets shall be compressed asbestos, spiral-wound metal asbestos, metal jacketed asbestos, solid aluminum, corrugated steel, solid steel, or iron, or other materials with equal or better resistance to fire exposure.

(e) Provisions shall be made by the use of offsets, loops, bands, expansion joints, etc., to protect the piping and tank from excessive stress due to thermal movement and/or movements of the tank and hull structure. Expansion joints shall be held to a minimum and where used shall be of the bellows type and subject to special approval by the Commandant.

(f) Low temperature piping shall be thermally isolated from the hull structure. Arrangements should provide for the protection of the hull structure from leaks in way of pumps, flanges, joints, etc.

(g) Each tank shall be provided with the necessary fill and discharge liquid and vapor shutoff valves, safety relief valve connections, refrigeration connections where necessary, liquid level gaging devices, thermometer well and pressure gage, and shall be provided with suitable access for convenient operation. Piping shall enter the cargo tanks above weather deck and as close to the top of the tank or dome as possible, except as otherwise permitted in this section. Connections to the tanks shall be protected against mechanical damage and tampering. No underdeck cargo piping shall be installed between the outboard side of the cargo containment system and the shell of the vessel, unless provision is made to maintain the minimum inspection and collision protection clearances of § 38.05–10 (e) between the piping and the shell. Other openings in the tanks, except as specifically permitted by the Commandant, are prohibited.

(h) Cargo loading and discharge piping may be connected to the tanks below the weather deck or below the liquid level subject to approval by the Commandant, provided:

(1) A remotely controlled quick-closing shutoff valve is flanged to the tank outlet connection. The control mechanism for this valve shall meet the requirements of § 38.10–5.

(2) The piping which is below the weather deck or liquid level shall be joined by welding except for a flanged connection to the quick-closing shutoff valve and a flanged connection to the cargo pump.

(3) The design and arrangement of this piping, including the flange bolting shall be such that excessive stresses will not be transmitted to the cargo tank outlet connection or the quick-closing valve, even in the event of abnormal displacement of the piping.

(4) Except for those vessels, the design of which permits the exclusion of a weathertight deck over the tanks, the space in which such piping is located shall be accessible only from the weather deck and shall be vented to a safe location above the weather deck.

(i) All connections to tanks, except safety relief valves and liquid level gaging devices, shall have manually operated shutoff valves located as close to the tank as possible. In addition, all liquid and vapor connections on pressure vessel type tanks except safety relief valves, liquid level gaging devices, and filling and discharge lines, shall be equipped with either an automatic excess

flow valve or a remotely controlled quick-closing shutoff valve of the fail closed type. These valves, except when necessary for the operation of the system, shall remain closed. For pressure vessel type tanks operating at low pressure and with service temperature near the cargo atmospheric boiling point, the Commandant may approve individual installations where the liquid and vapor connections normally requiring automatic excess flow valves or remotely controlled quick-closing shutoff valves are fitted with manually operated shutoff valves only.

(j) The control system for quick-closing shutoff valves shall be provided with a remote control in at least two locations and be of a type acceptable to the Commandant. The control system shall also be provided with a fusible element designed to melt between 208° F. and 220° F., which will cause the quick-closing shutoff valves to close in case of fire. The quick-closing shutoff valves shall be capable of local manual operation.

(k) Excess flow valves, where required by this subchapter shall close automatically at the rated flow of vapor or liquid as specified by the manufacturer. The piping, including valves, fittings, and appurtenances protected by an excess flow valve, shall have a greater capacity than the rated flow of the excess flow valve.

(l) Liquid level gaging devices which are so constructed that outward flow of tank contents shall not exceed that passed by a No. 54 drill size (0.055-inch diameter) opening, need not be equipped with excess flow valves.

(m) Pressure gage connections need not be equipped with excess flow valves if the openings are not larger than No. 54 drill size (0.055-inch diameter).

(n) Excess flow valves may be designed with a bypass not to exceed a No. 60 drill size (0.040-inch diameter) opening to allow equalization of pressure.

(o) Suitable valves shall be installed on the cargo headers to relieve the pressure in the liquid and vapor lines to a safe location prior to disconnecting shore lines.

(p) A pressure gage shall be located at the highest practicable point. A thermometer well where installed on the tank proper shall be attached to the tank by welding.

(q) For nonpressure vessel type tanks, the following additional fittings are required:

(1) A liquid level gaging device shall be provided to determine the level of the liquid cargo without opening the tank. The gage shall be readable from the open deck, or from a control room or station when the loading or discharging is controlled from such a room or station. Tables shall be readily available for direct determination of volume of liquid in the tanks, with necessary corrections for trim, temperature, and density.

(2) An independent high level alarm shall be provided for each tank. The alarm indication shall register at the station where loading is controlled.

(3) Each tank shall be provided with remote reading temperature sensors located near both the cargo liquid level and the bottom of the tank. The temperature shall be read at the control station for loading and unloading cargo, if provided, otherwise near the cargo control valves.

(4) Each tank shall be fitted with a pressure and a vacuum gage which shall be read at the control station for loading and unloading cargo, if provided, otherwise near the cargo control valves. In addition, the liquid loading and discharge headers at the ship's shore connection station shall be fitted with pressure gages.

(r) Spaces surrounding cargo tanks shall be provided with suitable means for pumping out.

(1) Where pressure vessel type tanks are installed or in other cases where no secondary containment is required, this may consist of a bilge system independent of the bilge system for the rest of the vessel, and having no pipe connections between the cargo tank spaces and the engineroom or boilerroom, except that eductors may be supplied from engineroom pumps.

(2) Secondary containment spaces of structurally self-supporting tanks shall be provided with suitable means for pumping out leaked cargo. These should be arranged so as to provide the following alternatives:

(i) Return of the cargo to the same primary tank or other tank.

(ii) Pumping the cargo off the ship either in port through a regular shore unloading connection or at sea overboard in a safe manner.

§ 38.10–5 Filling and discharge pipes—TB/ALL.

(a) Filling and discharge connections shall be provided with the manually operated valve required by § 38.10–1(i) and with a positive acting remote controlled quick-closing valve. The remote controlled quick-closing valve shall satisfy the requirements of § 38.10–1(j).

(b) For pressure vessel type tanks the remote controlled quick-closing valves shall be located on the inside of the tank or on the outside where the piping enters the tank. For pressure vessel type tanks operating at low pressure and with service temperature near the cargo atmospheric boiling point, the Commandant may approve individual installations where these valves are located at the loading and discharge headers.

(c) For nonpressure vessel type tanks the remote controlled quick-closing valves may be located at the loading and discharge headers.

§ 38.10–10 Cargo piping—TB/ALL.

(a) The piping shall be designed for a working pressure of not less than the maximum pressure to which it may be subjected but in no case less than the design pressure of the cargo tanks. In the case of piping on the discharge side of the liquid pumps or vapor compressors, the design pressure shall not be less than the pump or compressor discharge relief valve setting; or, provided the piping is not protected by relief valves, the design pressure shall not be less than the total discharge head of the pump or compressor.

(b) Piping subject to tank pressure shall be seamless drawn steel or electric resistance welded steel. Pipe used in refrigerated tank systems shall be made of a material which is suitable for the minimum temperature to which it may be subjected and acceptable to the Commandant.

NOTE: Present U.S. Coast Guard requirements are that design temperature for materials considered to be suitable is 10° F. below the service temperature of the system.

(c) Piping shall be provided with adequate support to take the weight of the piping off valves and fittings and to prevent excessive vibration and stresses on tank connections.

(d) For nonpressure vessel type tanks, the cargo handling arrangements and piping shall provide for emptying of a damaged tank, including cargo contained by a secondary barrier.

§ 38.10–15 Safety relief valves for pressure vessel type tanks—TB/ALL.

(a) Each tank shall be fitted with or (subject to approval by the Commandant) connected to one or more safety relief valves designed, constructed and flow-tested for capacity in conformance with Subpart 162.018 of Subchapter Q (Specifications) of this chapter.

(b) Each safety relief valve shall be set to start to discharge at a pressure not in excess of the design pressure of the tank.

(c) The safety relief valves shall have a combined relieving capacity sufficient to prevent a rise of pressure in the tank of more than 20 percent above the design pressure of the tank. The minimum rates of discharge of safety relief values shall not be less than that determined by the following formula:

$$Q = 633{,}000 \frac{FA^{0.82}}{LC}\sqrt{\frac{ZT}{M}} \qquad (1)$$

or

$$Q = FGA^{0.82} \qquad (2)$$

where:

Q = Minimum required rate of discharge in cubic feet per minute of air at standard conditions (60° F. and 14.7 p.s.i.a.).

F = Fire exposure factor.

F = 1.0 for noninsulated pressure vessel type tanks.

F = 0.5 for pressure vessel type tanks insulated with approved fireproofing material. This fire exposure factor may be used with approval of the Commandant, based on the thermal conductance of the insulation and its stability under fire exposure.

F = 0.2 for independent nonpressure vessel type tanks in holds which are not maintained inerted.

F = 0.1 for independent nonpressure vessel type tanks in inerted holds, and for membrane type tanks.

M = Molecular weight of the cargo.

T = Temperature, degrees R(460+temperature in degrees F. of gas at relieving conditions).

A = Total surface area of the cargo tank in square feet which may be subjected to fire exposure. For nonpressure vessel type cargo tanks, A = entire surface area, less the bottom.

$A = \pi X\ D(U+0.3D)$, for cylindrical tanks with spherically dished or semiellipsoidal heads.
$A = \pi X\ (D\ X\ U)$ for cylindrical tanks with hemispherical heads.
$A = \pi X\ D^2$, for spherical tanks.
D = Outside diameter of the tank, in feet.
U = External overall length of the tank, in feet.
C = Constant based on the relation of the specific heats. See ASME "Unfired Pressure Vessel Code", Section 8, Appendix J, which may be purchased from American Society of Mechanical Engineers, 345 East 47th Street, New York, N.Y. 10036. (If K is not known, use C=315.)
L = Latent heat of the material being vaporized at relieving conditions, in B.t.u. per pound.
Z = Compressibility factor of the gas at relieving conditions (if not known, use Z=1.0).
G = Constant for individual gas. Typical values for propane are given in Table 38.10-15(c)(1).

TABLE 38.10-15(c)(1)—TYPICAL VALUES FOR COMMERCIAL PROPANE

Relief valve setting, pounds per square inch gage	"G" constant for relieving conditions at 120 percent of relief valve setting
250	53.6
90	40.3
65	38.6

(d) Safety relief valve connections shall be attached to the tank near the highest point of the vapor space. Shutoff valves shall not be installed between the tanks and safety relief valves, except manifolds for mounting multiple safety relief valves may be fitted with acceptable interlocking shutoff valves so arranged at all times as to permit the required capacity discharge through the open safety relief valves.

(e) Each safety relief valve shall be tested in the presence of a marine inspector before being placed in service. The tests shall satisfactorily indicate that the safety relief valves will start to discharge at a pressure not in excess of the maximum allowable pressure of the tank.

§ 38.10–16 Safety relief valves for nonpressure vessel type tanks—TB/ALL.

(a) Safety relief valves of both the pressure and vacuum type shall be designed, constructed, and flow tested in accordance with Subpart 162.017 of Subchapter Q (Specifications) of this chapter.

(b) Each safety relief valve shall be set to start to discharge at a pressure not in excess of the design pressure of the tank.

(c) One or more safety relief valves shall be fitted to the highest point of each tank. Normally no intervening valves are permitted between the tank and the relieving devices. However, a duplicate set of relief valves, with interlocking devices, may be used.

(d) The safety relief valves shall have a combined relieving capacity to discharge the greater of the following, with not more than 20 percent rise in pressure (in the tank) above the maximum allowable pressure:

(1) The vapors evaporated by an ambient air temperature of 115° F. plus the maximum flow rate of the cargo filling pipes; or,

(2) The vapors generated under fire exposure, computed using the formulas of § 38.10–15(c).

(e) Means shall be provided to protect the tanks from excessive external pressure.

(f) Void spaces between the primary and secondary barriers shall be protected by relief devices. The relief device setting shall not be higher than the void test pressure, and shall not exceed 90 percent of the setting of the safety relief valve protecting the primary tank.

§ 38.10–20 Liquid level gaging devices—TB/ALL.

(a) Each tank shall be fitted with a liquid level gaging device of approved design to indicate the maximum level to which the tank may be filled with liquid:

(1) between −20° F. and 130° F. for unrefrigerated service; or,

(2) Within the operating temperature range for tanks operating below atmospheric temperature.

(b) Liquid level gaging devices may be of the following types: Rotary tube, slip tube, magnetic, automatic float, or similar types approved by the Commandant. Except as otherwise provided in this section, fixed tube devices are not acceptable as the primary gaging device.

(c) All gaging devices shall be arranged so that the maximum liquid level for product being carried, to which the tank may be filled is readily determinable. The maximum gallonage capacity as required by § 38.15–1 shall be:

(1) Marked on the tank system nameplate or gaging device; or,

(2) Shown in the ullage tables.

(d) Gaging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be so designed that the bleed valve maximum opening is not larger than a No. 54 drill size (0.055-inch diameter), unless provided with an excess flow valve.

(e) For pressure vessel type tanks each automatic float, continuous reading tape or similar type gage not mounted directly on the tank or dome shall be fitted with a shutoff device located as close to the tank as practicable. When an automatic float gaging device, which gages the entire height of the tank is used, a fixed tube gage set in the range of 85 percent to 90 percent of the water capacity of the tank shall be provided in addition as a means of checking the accuracy of the automatic float gage, or other alternate means acceptable to the Commandant may be used.

(f) A gaging device shall be designed for a pressure at least equal to the maximum allowable pressure of the tank on which it is installed.

(g) Gage glasses of the columnar type are prohibited.

(h) Flat sight glasses may be used in the design of automatic float continuous reading tape gages: *Provided*, That such glasses shall be made of high strength material suitable for the operating temperatures of not less than one-half inch in thickness and adequately protected by a metal cover.

Subpart 38.15—Special Requirements

§ 38.15–1 Filling of tanks—TB/ALL.

(a) Refrigerated and semirefrigerated tanks shall be filled so that there is an outage of at least 2 percent of the volume of the tank at the temperature corresponding to the vapor pressure of the cargo at the safety relief valve setting. A reduction in the required outage may be permitted by the Commandant when warranted by special design considerations. Normally then, the maximum volume to which a tank may be loaded is:

$$V_L = \frac{0.98 d_r V}{d_L} \quad (1)$$

where:

V_L = maximum volume to which tank may be loaded.
V = Volume of tank.
d_r = density of cargo at the temperature required for a cargo vapor pressure equal to the relief valve setting.
d_L = density of cargo at the loading temperature and pressure.

(b) Nonrefrigerated tanks shall be filled so that their filling densities shall not exceed the ratios indicated in Table 38.15–1(b).

TABLE 38.15-1(b)—MAXIMUM PERMISSIBLE FILLING DENSITIES FOR TANKS OPERATING AT OR NEAR AMBIENT TEMPERATURE

Specific gravity at 60° F.	Maximum permitted filling density		
	Unlagged tanks—water capacity		Lagged tanks—all capacities
	1,200 gal. and under	Over 1,200 gal.	
0.473–0.480	38	41	42
0.481–0.488	39	42	43
0.489–0.495	40	43	44
0.496–0.503	41	44	45
0.504–0.510	42	45	46
0.511–0.519	43	46	47
0.520–0.527	44	47	48
0.528–0.536	45	48	49
0.537–0.544	46	49	50
0.545–0.552	47	50	51
0.553–0.560	48	51	52
0.561–0.568	49	52	53
0.569–0.576	50	53	54
0.577–0.584	51	54	55
0.585–0.592	52	55	56
0.593–0.600	53	56	57
0.601–0.608	54	57	58
0.609–0.617	55	58	59
0.618–0.626	56	59	60
0.627–0.634	57	60	61

NOTE: Increase in filling densities to provide for seasonal changes may be considered by the Commandant upon presentation of factual evidence that safe operation can be effected.

(c) The "filling density" is defined as the percent ratio of the weight of the gas in a tank to the weight of water the tank will hold at 60° F.

§ 38.15–5 Cargo hose—TB/ALL.

(a) When the liquid and vapor line hoses used for loading and discharging the cargo are carried on board the vessel, they shall be of flexible metal and fabricated of seamless steel pipe and flexible joints of steel or bronze, or of other suit-

able material resistant to the action of the cargo. Hose used in refrigerated systems shall be suitable for the minimum temperature to which it may be subjected and shall be acceptable to the Commandant.

(b) Hose subject to tank pressure, or the discharge pressure of pumps or vapor compressors, shall be designed for a bursting pressure of not less than five times the maximum safety relief valve setting of the tank, pump, or compressor.

(c) Before being placed in service each new cargo hose, with all necessary fittings attached, shall be hydrostatically tested by its manufacturer to a pressure not less than twice its maximum working pressure nor more than two-fifth its bursting pressure. The hose shall be marked with its maximum working pressure, and if used in refrigerated service, its minimum temperature.

(R.S. 4488, as amended; 46 U.S.C. 481; Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857)

§ 38.15-10 Leak detection systems—T/ALL.

(a) A detection system shall be permanently installed to sense cargo leaks. The detectors shall be located within the space so as to permit the sensing of an initial leak and prevent an undetected gas accumulation. The sensitivity shall be in accordance with paragraph (b) of this section. The detectors shall be fitted in the following compartments:

(1) All spaces containing tanks, pipes, etc. excluding tanks and holds with pressure vessel type tanks therein and no piping.

(2) Pump and compressor rooms.

(3) Other spaces where gas concentrations might be expected.

(4) For nonpressure vessel type tanks, the space between the primary and secondary barriers.

(b) The indicating instruments for the detection system shall be located on the bridge or at the cargo control station. An audio and visual warning shall be given before any gas concentration reaches 30 percent of the lower explosive limit. The alarm shall indicate both on the bridge and at the cargo control station. Sampling of each detector shall be at least once every half hour.

(c) Means shall be provided to measure the full range of cargo gas concentration in the spaces.

§ 38.15-15 Electrical installations—TB/ALL.

(a) All electrical installations shall comply with the requirements contained in this subchapter and in Subchapter J (Electrical Engineering) of this chapter for tank vessels, except as otherwise specified in this part.

(b) Spaces containing cargo pumps, compressors, and piping are considered as equivalent to a tank vessel pumproom, and no electrical devices, except Coast Guard approved intrinsically safe devices, shall be installed in these spaces. Electric motors shall be segregated from these spaces by a gastight bulkhead. Electric lighting of the explosion-proof type may be installed in these spaces provided all switching is done from outside the space.

(c) All cargo tanks, piping, valves, etc., shall be effectively grounded to the vessel's hull. Tanks with an insulated inner shell (primary barrier) shall have an effective grounding bond to the outer shell (secondary barrier) or to the vessel's hull.

(d) Electric submerged motor cargo pumps may be used, when in compliance with the following requirements and subject to approval by the Commandant.

(1) Design details of the submerged motor pump, with an evaluation of the cooling efficiency of the product being pumped, shall be submitted.

(2) Provisions shall be made to exclude air from the tanks containing cargo in either vapor or liquid phase. The pump motor shall be deenergized when this condition is not satisfied.

(3) A liquid level sensing device shall automatically shut down the motor and sound an alarm at a predetermined low liquid level. The alarm location may be the station from which cargo handling is controlled or such other location outside the cargo area as is acceptable to the Commandant.

(4) Details of the power cable, tank penetrations and pump connections shall be submitted.

(5) An auxiliary means of emptying the cargo tanks shall be provided in accordance with § 38.10-10(d).

(6) Means for positively disconnecting the power supply between the switchboard and the pump power panel shall be provided, i.e., disconnect links, lockable breakers, etc.

(7) All materials used in the fabrication of the submerged motor cargo pumps shall be suitable for use with the liquid cargo at the design pressures and temperatures.

§ 38.15-20 Remote shutdowns—TB/ALL.

(a) All machinery associated with cargo loading, unloading, or cooling shall be capable of being shut down from a remote location. This location may be the station from which the cargo handling is controlled or such other location outside the cargo area as is acceptable to the Commandant.

Subpart 38.20—Venting and Ventilation

§ 38.20-1 Venting—T/ALL.

(a) Each safety relief valve installed on a cargo tank shall be connected to a branch vent of a venting system which shall be constructed so that the discharge of gas will be directed vertically upward to a point which shall extend to a height above the weather deck equal to at least one-third the beam of the vessel and to a minimum of at least 10 feet, and shall terminate at a comparable distance from any other living or working space, ventilator inlet, or source of vapor ignition. When special conditions will prevent the vent line header outlets being permanently installed at a height above the deck of one-third the beam of the vessel, then an adjustable system shall be provided which, when extended vertically, shall be capable of reaching a height of one-third the beam of the vessel.

(b) The capacity of branch vents or vent headers shall depend upon the number of cargo tanks connected to such branch or header as provided for in the Table 38.20-1(b), and upon the total safety relief valve discharge capacity.

TABLE 38.20-1(b)—CAPACITY OF BRANCH VENTS OR VENT HEADERS

Number of cargo tanks:	*Percent of total valve discharge*
1 or 2	100
3	90
4	80
5	70
6 or more	60

(c) In addition to the requirements specified in paragraphs (a) and (b) of this section, the size of the branch vents or vent headers shall be such that the back pressure in the relief valve discharge lines shall not be more than 10 percent of the safety relief valve setting. In nonpressure vessel vent systems, however, where the maximum back pressure of 10 percent of the relief valve setting is insufficient to move the gases through any but an extremely large diameter vent pipe, the back pressure may exceed 10 percent provided:

(1) The pressure in the tank during venting does not exceed 120 percent of the tank maximum allowable pressure; and,

(2) The safety relief valve is sized to discharge the required capacity with the tank pressure and vent back pressure actually used.

(d) Return bends and restrictive pipe fittings are not permitted.

(e) Vents and headers shall be so installed as to prevent excessive stresses on safety relief valve mountings.

(f) The vent discharge riser shall be so located as to provide protection against mechanical injury and such discharge pipes shall be fitted with loose raincaps or other suitable means to prevent entrance of rain or snow.

(g) No valve of any type shall be fitted in the vent pipe between the safety relief valve and the vent outlets.

(h) Provisions shall be made to drain condensate from the vent header piping. Special precautions shall insure that condensate does not accumulate at or near the relief valves.

(i) Relief valves discharging liquid cargo shall not be connected to the branch vent or vent header lines from the cargo tanks. They may, however, be connected to an accumulator, the vapor space of which, may in turn, be connected to the vent header system. Relief valves in the cargo piping system may discharge back to the cargo tanks.

(j) Vapor discharged to the atmosphere in accordance with § 38.05-25(b) shall utilize valves separate from the safety relief valves.

§ 38.20-5 Venting—B/ALL.

(a) Safety relief valves on cargo tanks in barges may be connected to individual or common risers which shall extend to a reasonable height above the deck. An

alternate arrangement consisting of a branch vent header system as required by § 38.20–1 may be installed. In any case, the provisions of § 38.20–1 (d) through (j) shall apply.

(b) Arrangements providing for venting cargo tanks at sea on unmanned barges will be considered by the Commandant upon presentation of plans.

§ 38.20–10 Ventilation—T/ALL.

(a) A power ventilation system shall be provided for compartments containing pumps, compressors, pipes, control spaces, etc. connected with the cargo handling facilities. These compartments shall be ventilated in such a way as to remove vapors from points near the floor level or bilges, or other areas where vapor concentrations may be expected. The compartments shall be equipped with power ventilation of the exhaust type having capacity sufficient to effect a complete change of air in not more than 3 minutes equal to the volume of the compartment and associated trunks.

(b) The power ventilation units shall not produce a source of vapor ignition in either the compartment or the ventilation system associated with the compartment. Inlets to exhaust ducts shall be provided and located at points where concentrations of vapors may be expected. Ventilation from the weather deck shall be provided. Ventilation outlets shall terminate away from any openings to the interior part of the vessel a lateral distance at least equal to that specified in § 38.20–1(a). These outlets shall be so located as to minimize the possibility of recirculating contaminated air through the compartment.

(c) Means shall be provided for purging the following spaces of cargo vapors:

(1) The space surrounding nonpressure vessel type tanks, i.e., within the secondary barrier.

(2) The space surrounding pressure vessel type tanks whose piping connections are below the weather deck in accordance with § 38.10–1(h).

(3) The space surrounding tanks whose manhole openings are below the weather deck in accordance with § 38.05–10(f).

Subpart 38.25—Periodic Tests and Inspections

§ 38.25–1 Tests and inspections—TB/ALL.

(a) Each tank shall be subjected to the tests and inspections described in this section in the presence of a marine inspector, except as otherwise provided in this part.

(1) An internal examination shall be made at least once in each 8 calendar years.

(2) An external examination of unlagged tanks and the visible parts of lagged tanks shall be made at each inspection for certification and at such other times as considered necessary.

(3) To the extent, and if, deemed necessary by the marine inspector sufficient insulation shall be removed from insulated tanks at least once in each 8 calendar years to permit spot external examination of the tanks and insulation. The marine inspector may require that the thickness of the tanks be gaged by an acceptable nondestructive means without additional removal of insulation.

(b) A hydrostatic test of 1½ times the maximum allowable pressure, as determined by the safety relief valve setting, shall be made at any time that the marine inspector considers such hydrostatic test necessary to determine the condition of the tank. In the case of cargo tanks operating at maximum allowable pressures reduced below the design pressure in order to satisfy special mechanical stress relief requirements, the hydrostatic test pressure shall be 1½ times the maximum allowable pressure times the factor (due to mechanical stress relief) of design pressure divided by maximum allowable pressure.

(c) For pressure vessels designed and/or supported such that they cannot safely be filled with water, the Commandant will consider a pneumatic test in lieu of the hydrostatic test. A leak test, shall be performed in conjunction with the pneumatic test. Pneumatic testing shall be in accordance with Subchapter F (Marine Engineering) of this chapter.

(d) Nonpressure vessel type tanks shall be tested to a pressure equal to the pressure on the bottom of the tank under the design conditions listed in § 38.05–4(e).

(e) In the application of the requirements for testing of the cargo tanks, the test shall in no case be less severe than the worst anticipated service condition of the cargo loading.

(f) In the design and testing of the independent cargo tanks, consideration shall be given to the possibility of the independent tanks being subjected to external loads.

§ 38.25–5 Removal of defective tanks—TB/ALL.

If a tank fails to pass the tests prescribed in this subpart, it shall be removed from service unless otherwise authorized by the Commandant.

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

(a) The cargo tank safety relief valves shall be inspected at least once in every 2 years.

(b) The safety relief valve discs shall be lifted from their seats in the presence of a marine inspector by either liquid, gas, or vapor pressure at least once every 4 years to determine the accuracy of adjustment and, if necessary, shall be reset.

PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN FLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK

Subpart 40.01—Application

1. Section 40.01–5 is amended to read as follows:

§ 40.01–5 Effective dates—TB/ALL.

(a) The provisions in Subpart 40.05 of this part shall be in effect on and after January 1, 1964.

(b) The provisions in Subpart 40.10 of this part shall be in effect on and after January 1, 1967.

Subpart 40.05—Ethylene Oxide

§ 40.05–69 [Amended]

2. Section 40.05–69 *Venting—TB/ALL* is amended in paragraph (b) by changing the number for the Table from "40.09–69(b)" to "40.05–69(b)".

3. Part 40 is amended by adding after § 40.05–87 a new Subpart 40.10, consisting of §§ 40.10–1 to 40.10–87, inclusive, reading as follows:

Subpart 40.10—Propylene Oxide

Sec.

40.10–1 General—TB/ALL.
40.10–2 Tank vessel certification and other cargoes—TB/ALL.
40.10–5 How propylene oxide may be carried—TB/ALL.
40.10–10 Design, construction, and arrangement of pressure-vessel type cargo tanks—TB/ALL.
40.10–20 Installation of cargo tanks—TB/ALL.
40.10–40 Valves, fittings, and accessories—TB/ALL.
40.10–45 Liquid level gaging device—TB/ALL.
40.10–50 Filling and discharge pipes—TB/ALL.
40.10–55 Cargo piping—TB/ALL.
40.10–60 Safety relief valves—TB/ALL.
40.10–65 Filling density—TB/ALL.
40.10–69 Venting—TB/ALL.
40.10–73 Ventilation—TB/ALL.
40.10–75 Cargo hose—TB/ALL.
40.10–80 Electrical bonding—TB/ALL.
40.10–83 Special cargo handling requirements—TB/ALL.
40.10–85 Warning signs and information cards—TB/ALL.
40.10–87 Tests and inspection—TB/ALL.

AUTHORITY: The provisions of this Subpart 40.10 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 63 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026, unless otherwise noted.

§ 40.10–1 General—TB/ALL.

(a) Propylene oxide transported under the provisions of this subpart shall be acetylene free.

(b) Propylene oxide may be carried in tank barges or tankships in accordance with the provisions of this subpart.

(c) No other product may be transported in tanks certified for propylene oxide except that the Commandant may approve subsequent transportation of other products and return to propylene oxide service in tanks, piping and auxiliary equipment are adequately cleaned to the satisfaction of the marine inspector.

§ 40.10–2 Tank vessel certification and other cargoes—TB/ALL.

(a) The certificate of inspection shall be endorsed as follows:

Inspected and approved for the carriage of propylene oxide in tank number(s) ------

(b) Unless authorized by the Commandant, no other kind of cargo except methane, ethane, propane, butane and pentane shall be on board a tank vessel certificated for the carriage of propylene

oxide at the same time propylene oxide in either the liquid or vapor state is present in any cargo tank. Propylene oxide tanks shall not be installed in tanks intended for any other cargo.

(R.S. 4421, as amended, 4472, as amended; 46 U.S.C. 399, 170)

§ 40.10–5 How propylene oxide may be carried—TB/ALL.

(a) Propylene oxide shall be carried in fixed, independent pressure-vessel type cargo tanks except as otherwise provided in paragraph (b) of this section.

(b) The Commandant may permit the transportation of propylene oxide in other than pressure-vessel type cargo tanks if it is shown to his satisfaction that the proposed method of transportation affords a degree of safety consistent with the minimum requirements of this subpart.

(R.S. 4488, as amended; 46 U.S.C. 481, Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 40.10–10 Design, construction, and arrangement of pressure-vessel type cargo tanks—TB/ALL.

(a) All cargo tanks shall be constructed of a carbon steel or stainless steel acceptable to the Commandant. Impurities of copper and other acetylide-forming metals shall be kept to a minimum. The chemical composition of all steel used shall be submitted to the Commandant for approval prior to fabrication. Copper and other acetylide forming metals, such as silver, mercury, and their alloys, shall not be used as materials of construction for tanks or equipment used in handling propylene oxide.

(b) Cargo shall be transported in cylindrical pressure-vessel tanks which are independent of the vessel's hull structure. Adequate clearance shall be provided for the inspection and maintenance of the tanks, or such tanks shall be made movable.

(c) Cargo tanks shall meet the requirements of Class II arc-welded unfired pressure vessels and shall be fabricated, inspected and tested in accordance with the applicable requirements of Subchapter F (Marine Engineering) of this chapter.

(d) Cargo tanks shall be designed for the maximum pressure expected to be encountered during loading, storing and discharging the cargo but in no case shall the design pressure of such tanks be less than thirty (30) pounds per square inch gage. The tank shell and heads shall not be less than 5/16 inch thick. The design of tanks shall take into account the expected stresses due to internal pressure, static head and localized stress concentration.

(e) Each tank shall be provided with not less than one 15 x 23-inch elliptical or 18-inch diameter manhole located above the maximum liquid level and as close as possible to the top of the tank. Where access trunks are fitted to the tanks, the diameter of the trunks shall be not less than 30 inches.

(R.S. 4433, as amended; 46 U.S.C. 411)

§ 40.10–20 Installation of cargo tanks—TB/ALL.

(a) Cargo tanks shall be located below deck in holds or enclosed spaces with the domes or trunks extended above the weather deck and terminating in the open. Provisions shall be made to maintain the watertightness of the deck by means of watertight seals around such domes or trucks. The holds or enclosed spaces, in which the propylene oxide tanks are located, shall not be used for any other purpose. The weathertightness of the weather deck may not be required to be fully maintained on:

(1) Tankships operating on restricted routes which are sufficiently protected; or

(2) Open hopper type barges designed in accordance with criteria set forth in Subpart 32.63 of this subchapter.

(b) All cargo tanks shall be installed with the manhole openings and all tank connections located above the weather deck in the open.

(c) Tanks shall be mounted on suitable supports, be anchored in place, and electrically bonded to the hull. Each tank shall be so supported as to prevent the excessive concentration of loads on the supporting portion of the tank shell. Collision chocks shall be installed to prevent any longitudinal shifting of and damage to the cargo tanks in the event of collision. The design shall show the manner in which the tanks are to be installed, supported, and secured in the barge or vessel and shall be approved prior to the installation of the tanks. Tanks on barges shall comply with the applicable sections of Subpart 32.63 of this subchapter.

(d) No welding of any kind shall be done on cargo tanks or supporting structure unless authorized by the Officer in Charge, Marine Inspection.

§ 40.10–40 Valves, fittings, and accessories—TB/ALL.

(a) All valves, flanges, fittings, and accessory equipment shall be of a type suitable for use with propylene oxide and shall be made of steel or stainless steel, or other materials acceptable to the Commandant. Impurities of copper and other acetylide-forming metals shall be kept to a minimum. The chemical composition of all material used shall be submitted to the Commandant for approval prior to fabrication. Disc or disc faces, seats, and other wearing parts of valves shall be made of stainless steel containing not less than 11 percent chromium. Mercury, silver, copper and their alloys shall not be used for any valves, gages, thermometers, etc. Gaskets shall be constructed of spirally wound stainless steel with "Teflon" or other suitable material. All packing and gaskets shall be constructed of materials which do not react spontaneously with or lower the autoignition temperature of propylene oxide.

(b) The pressure rating of valves, fittings, and accessories shall be not less than the maximum pressure for which the cargo tank is designed or the shutoff head of the cargo pump, whichever is greater, but in no case less than 150 pounds per square inch, American Standards Association's standards. Welded fittings shall be used wherever possible and the number of pipe joints shall be held to a minimum. Threaded joints in the cargo liquid and vapor lines are prohibited.

(c) Each tank shall be provided with the necessary fill and discharge liquid and vapor shutoff valves, safety relief valves, liquid level gaging devices, thermometer well and pressure gage, which shall be accessible for convenient operation. All connections to tanks shall be made above the weather deck in the open to a trunk or dome and shall be protected against mechanical damage and tampering. Other openings in the tanks, except as specifically permitted by this part, are prohibited unless specifically authorized by the Commandant.

(d) All connections to tanks, except safety relief valves and liquid level gaging devices shall have manually operated shutoff valves located as close to the tank as possible. In addition, all liquid and vapor connections on pressure vessel type tanks except safety relief valves, liquid level gaging devices, and filling and discharge lines, shall be equipped with either an automatic excess flow valve or a remotely controlled quick-closing shutoff valve of the fail closed type. These valves, except when necessary for the operation of the system, shall remain closed.

(e) The control system for quick-closing shutoff valves shall be provided with a remote control in at least two locations and be of a type acceptable to the Commandant. The control system shall also be provided with a fusible element designed to melt between 208° F. and 220° F., which will cause the quick-closing shutoff valves to close in case of fire. The quick-closing shutoff valves shall be capable of local manual operation.

(f) Excess flow valves, where installed, shall close automatically at the rated flow of vapor or liquid as specified by the manufacturer. The piping, valves, fittings and appurtenances protected by the excess flow valves, shall have a greater flow capacity than the rated flow of the excess flow valve.

(g) Pressure gage connections need not be equipped with excess flow valves if the openings are not larger than No. 54 drill size (0.055 inch diameter).

(h) Excess flow valves may be designed with a bypass not to exceed a No. 60 drill size (0.040 inch diameter) opening, to allow equalization of pressure.

(i) Relief valves shall be fitted in liquid lines which may be subject to excessive pressure due to thermal expansion when the lines are liquid full. The escape from these relief valves shall be piped to the venting system.

(j) The pressure gage connection shall be located at the highest practical point in the vapor space of the tank.

(k) The thermometer well shall terminate in the liquid space and shall be attached to the shell by welding with the end of the fitting being provided with a gastight screwed plug or bolted cover.

(R.S. 4433, as amended, 4488, as amended; 46 U.S.C. 411, 481; Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8357)

§ 40.10-45 Liquid level gaging device—TB/ALL.

(a) Each tank shall be fitted with a liquid level gaging device of approved design to indicate the level to which the tank may be filled.

(b) Liquid level gaging devices may be the slip tube, magnetic, automatic float, differential pressure, or other types approved by the Commandant.

(c) Any gaging device that requires bleeding of the product to the atmosphere, such as the slip tube, shall be so designed, that the bleed valve maximum opening is not larger than a No. 54 drill size (0.055 inch diameter), unless provided with an excess flow valve.

(d) The automatic float continuous reading tape gage, and similar types, shall be fitted with a shutoff valve located as close to the tank as practicable, which shall be designed to close from a remote position in the event of fracture of the external gage piping. An auxiliary gaging device shall always be used in conjunction with an automatic gaging device. This auxiliary device may be a duplication of the automatic device.

§ 40.10-50 Filling and discharge pipes—TB/ALL.

(a) Filling piping shall extend to within 4 inches of the bottom of the tank or sump pit if one is provided.

(b) Filling and discharge connections shall be provided with the manually operated valve required by § 40.10-40(d) and with a positive acting remote controlled quick-closing valve. The remote controlled quick-closing valve shall satisfy the requirements of § 40.10-40(e).

(c) For pressure vessel type tanks the remote controlled quick-closing valves shall be located on the inside of the tank or on the outside where the piping enters the tank.

(d) For nonpressure vessel type tanks the remote controlled quick-closing valves may be located at the loading and discharge headers.

§ 40.10-55 Cargo piping—TB/ALL.

(a) When propylene oxide is carried on board a vessel, piping systems in propylene oxide service shall not be used for any other product and shall be completely separate from all other systems. The piping system shall be designed so that no cross connection may be made through inadvertence.

(b) The piping system shall be designed for a working pressure of not less than the maximum pressure to which the system may be subjected, however, in no case shall the design pressure be less than 150 pounds per square inch. In the case of piping on the discharge side of the liquid pumps or vapor compressors, the design pressure shall be not less than the pump or compressor discharge relief valve setting; or, provided the piping is not fitted with relief valves, the design pressure shall not be less than the total discharge head of the pump or compressor.

(c) Piping shall be seamless drawn or electric resistance welded steel or stainless steel.

(d) Where necessary, provision shall be made for expansion and contraction of piping by means of seamless pipe expansion bends or offsets. Suitable means shall be provided for maintaining the piping in a fixed position.

(e) Piping shall be provided with adequate support to take the weight of the piping off the valves and fittings and to prevent excessive vibration.

§ 40.10-60 Safety relief valves—TB/ALL.

(a) Each tank shall be fitted with one or more approved safety relief valves designed, constructed and flow-tested for capacity in conformance with subpart 162.018 of Subchapter Q (Specifications) of this chapter.

(R.S. 4491, as amended; 46 U.S.C. 489)

(b) Each safety relief valve shall be set to start to discharge at not less than 30 pounds per square inch gage, nor more than the design pressure of the tank.

(c) The safety relief valves shall have a combined relieving capacity sufficient to prevent a rise of pressure in the tank of more than 20 percent above the maximum allowable pressure when all the safety relief valves are discharging. The minimum rates of discharge of safety relief valves for tanks shall not be less than that determined by the following formula.

$$Q=26.8A^{0.82} \quad (1)$$

where:

Q = Minimum required rate of discharge, in cubic feet per minute of standard air at 120 percent of the maximum set pressure of the safety relief valves. Discharge measured at 60° F. and atmospheric pressure (14.7 p.s.i.a.).

A = Total external surface area of the tank in square feet.

$A=\pi(D\times U)$ for cylindrical tanks with hemispherical heads.

$A=\pi D(U+0.3D)$ for cylindrical tanks with spherically dished or semiellipsoidal heads.

$A=\pi D^2$ for spherical tanks.

D = Outside diameter of the tank, in feet.

U = External over-all length of the tank, in feet.

(d) Safety relief valves shall be attached to the tank near the highest point of the vapor space. Shutoff valves shall not be installed between the tanks and safety relief valves except:

(1) Manifolds for mounting multiple safety relief valves may be fitted with acceptable interlocking shutoff valves so arranged that at all times the required relief valve capacity will be available to relieve internal pressure. The valve arrangement shall be such that no vapor will escape even if the "out of service" relief valve is removed.

(2) Auxiliary safety devices such as rupture disks or breaking pins, of suitable corrosion-resistant compatible material, may be installed between the tanks and the safety relief valves, subject to the approval of the Commandant.

(e) Each safety relief valve shall be tested in the presence of a marine inspector before being placed in service. The test shall satisfactorily indicate that the safety relief valves will start to discharge at a pressure of not less than 30 pounds per square inch gage, nor greater than the design pressure of the tank.

§ 40.10-65 Filling density—TB/ALL.

(a) Filling density shall not exceed 80 percent. Filling density is defined as the ratio of the weight of material which may be loaded into the tank to the weight of water the tank will hold at 60° F. expressed as a percentage.

§ 40.10-69 Venting—TB/ALL.

(a) Tanks carrying propylene oxide shall be vented through the safety relief valves independent of tanks carrying other products. Each safety relief valve installed on a cargo tank shall be connected to a venting system consisting of a branch vent from each cargo tank connected to a vent header which shall extend to a height above the weather deck to at least one-third the beam of the vessel and shall terminate at a comparable distance from any working or living space, ventilator inlet, or source of vapor ignition. When special conditions would prevent the vent line or header outlets being permanently installed at a height above the deck of one-third the beam of the vessel, then an adjustable system shall be provided which, when extended vertically, shall be capable of reaching a height one-third of the beam of the vessel. During loading and unloading operations the displaced propylene oxide vapor shall be returned to the loading facility.

(b) The capacity of branch vents or vent headers shall depend upon the number of cargo tanks connected to such branch or header vents as provided for in Table 40.10-69(b), and upon the total safety relief valve discharge.

TABLE 40.10-69(b)—CAPACITY OF BRANCH VENTS OR VENT HEADERS

Number of cargo tanks	Percent of total valve discharge
1 or 2	100
3	90
4	80
5	70
6 or more	60

(c) In addition to the requirements specified in paragraphs (a) and (b) of this section, the size of the branch vents or vent headers shall be such that the back pressure in the relief valve discharge lines shall not be more than 10 percent of the safety relief valve setting.

(d) Return bends and restrictive pipe fittings are not permitted.

(e) Vents and headers shall be so installed as to prevent excessive stresses on safety relief valve mountings.

(f) The vent discharge riser shall be so located as to provide protection against mechanical damage and such discharge pipes shall be fitted with loose raincaps or other suitable means to prevent entrance of rain or snow. A weather hood may be installed at the vent outlet providing it is of such design as not to direct the flow of vapor below the horizontal.

(g) No shutoff valve of any type shall be fitted in the vent piping between the safety relief valve and the vent outlets.

(h) Suitable provision shall be made for draining condensate which may accumulate in the vent piping.

(i) The outlet of each vent riser will be fitted with acceptable corrosion-resistant flame screen of suitable material or a flame arrestor suitable for use with propylene oxide.

(j) Safety relief valves on cargo tanks in barges may be connected to individual or common risers which shall extend to a height of not less than one-third the beam of the vessel but in no case less than 7 feet above the deck. Alternate arrangements consisting of a branch vent header system may be installed. In any case, all other provisions of paragraphs (a) through (i) of this section apply.

§ 40.10–73 Ventilation—TB/ALL.

(a) All enclosed spaces within the hull shall be vented or ventilated in accordance with the provisions of this subchapter except as otherwise provided for in this subpart.

(b) The enclosed spaces on tankships and manned barges in which the cargo tanks are located shall be rendered inaccessible to personnel while the vessel is underway and shall be inerted by injection of a suitable inert gas or shall be well ventilated.

(c) The enclosed spaces on tankships and manned barges in which the cargo tanks are located, if an inerting system is not installed, shall be fitted with forced ventilation of such capacity to provide a complete change of air every 3 minutes and arranged in such a manner that any vapors lost into the space will be removed. The ventilation system shall be in operation at all times cargo is being loaded or discharged. No electrical equipment shall be fitted within the spaces or within 10 feet of the ventilation exhaust from these spaces.

(d) All ventilation machinery shall be of nonsparking construction and shall not provide a source of vapor ignition.

(e) Each vent shall be fitted with a flame screen of corrosion-resistant wire which is suitable for use with propylene oxide.

§ 40.10–75 Cargo hose—TB/ALL.

(a) When the cargo hose is carried on board the vessel as part of its normal equipment, it shall meet the following requirements:

(1) Only flexible metal hose, fabricated of stainless steel or other acceptable metal, resistant to the action of propylene oxide, shall be used during filling and discharging of the tanks.

(2) Hose subject to tank pressure shall be designed for a bursting pressure of not less than five times the maximum safety relief valve setting of the tank.

(3) Hose subject to discharge pressure of pumps or vapor compressors shall be designed for a bursting pressure of not less than five times the pressure setting of the pump or compressor safety relief valve.

(4) Before being placed in service, each new cargo hose, with all necessary fittings attached, shall be tested hydrostatically by the manufacturer to a pressure of not less than twice the maximum pressure to which it may be subjected in service. The hose shall be marked by the manufacturer, with the maximum guaranteed pressure and with the words "Certified For Propylene Oxide".

(5) Cargo hose intended for propylene oxide service shall not be used for any other products except those which are compatible with propylene oxide.

(R.S. 4488, as amended, 46 U.S.C. 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 40.10–80 Electrical bonding—TB/ALL.

(a) Each cargo tank shall be electrically bonded to the hull. The vessel shall be electrically bonded to the shore piping prior to connecting the cargo hose. This electrical bonding shall be maintained until after the cargo hose has been disconnected and any spillage has been removed.

§ 40.10–83 Special cargo handling requirements—TB/ALL.

(a) Cargo shall be discharged by pumping or by displacement with nitrogen or other acceptable inert gas. In no case shall air be allowed to enter the system. During loading and unloading operations the vapor shall not be discharged to the atmosphere. Provisions shall be made to return all displaced vapor to the loading facility. The loading rate and the pressure applied to the tank to discharge the cargo shall be so limited that the safety relief valves will not be caused to open.

(b) The cargo shall be shipped under a suitable protective padding, such as nitrogen gas. Other gases proposed for use as padding may be given consideration by the Commandant. Original charging only of protective gas padding at the loading facility is not considered adequate. A sufficient amount of spare inerting gas as approved by the Commandant shall be provided on the vessel in order to maintain the proper concentration of the gas in the event of normal leakage or other losses.

(c) Any padding gas selected should be at least 98.0 percent inert gases, and free of reactive materials.

(d) A water spray extinguishing system shall be provided in the area where loading and unloading operations are conducted. The system shall be designed to operate automatically in case of fire. The capacity and arrangement shall be such as to blanket effectively the area in way of the loading manifold and exposed deck piping for propylene oxide. The rate of discharge and the arrangement of piping and nozzles shall be such as to give a uniform distribution over the entire area protected. Additionally, means shall be provided for local and remote manual operation. The arrangement shall be such that any spilled cargo will be washed away. A water hose with pressure to the nozzle, when atmospheric temperatures permit, shall be connected ready for immediate use during filling and discharge operations and any spillage of propylene oxide shall immediately be washed away.

(e) Prior to disconnecting shore lines, the pressure in the liquid and vapor lines shall be relieved through suitable valves installed at the loading header. The liquid and vapor discharged from these lines shall not be discharged to the atmosphere.

(f) Prior to loading, a sample from the cargo tank will be taken to insure that the pad gas will meet the requirements of paragraph (b) of this section and that the oxygen content of the vapor space will be not more than 2.0 percent maximum. If necessary, a sample will be taken after loading to insure the vapor space meets this requirement.

(g) The owner, master or person in charge of any vessel subject to the provisions of this part shall insure that during cargo transfer operations the persons required by Subpart 35.35 of this subchapter shall be especially qualified in the handling of propylene oxide.

(R.S. 4488, as amended, 46 U.S.C. 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 40.10–85 Warning signs and information cards—TB/ALL.

Vessels carrying propylene oxide in bulk shall comply with the applicable provisions of § 35.01–55 of this subchapter.

(R.S. 4488, as amended, 46 U.S.C. 481; Treasury Dept. Order 167–38, Oct. 26, 1959, 24 F.R. 8857)

§ 40.10–87 Tests and inspection—TB/ALL.

(a) Each tank shall be subject to the tests and inspections described in this paragraph in the presence of a marine inspector, except as otherwise provided in this section.

(1) An internal examination shall be made at least once in each 4 calendar years.

(2) A hydrostatic test of 1½ times the design pressure shall be made at least once in each 4 years at the time the internal examination is made and at such times as considered necessary by the marine inspector.

(3) To the extent and if deemed necessary by the marine inspector sufficient insulation shall be removed from insulated tanks at least once in each 4 calendar years to permit spot external examination of the tanks and insulation. The marine inspector may require that the thickness of the tanks be gaged by an acceptable nondestructive means without removal of insulation.

(4) The safety relief valves shall be tested by liquid, gas, or vapor pressure at least once every 2 years to determine the accuracy of adjustment and, if necessary shall be reset. Propylene oxide shall not be used as the testing medium.

(b) The cargo hose shall be inspected and tested at least once in each 2 calendar years.

(1) The cargo hose and piping shall be subjected to a hydrostatic test of 1½

times the maximum pressure to which they may be subjected in service.

(2) If any leakage, seepage or distortion is noted at any time, the hose shall be removed from service and replaced and/or the piping shall be repaired.

(R.S. 4453, as amended, 4488, as amended; 46 U.S.C. 435, 481; Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER E—LOAD LINES

PART 43—FOREIGN OR COASTWISE VOYAGE

Subpart 43.01—Administration

Section 43.01-1(d)(6) is amended to read as follows:

§ 43.01-1 Establishment of load lines.

* * * * *

(d) * * *

(6) Vessels which engage in voyages from a port or place in the United States to another port or place in the United States but during such voyages stop at a foreign port or place are considered to be on foreign voyages and subject to the requirements for such voyages. Although ports in the Canal Zone are foreign ports, a vessel engaged on a voyage between United States ports and making a direct transit of the Canal without "entry and clearance" (as defined in Bureau of Customs regulations) is considered to be on a coastwise voyage.

* * * * *

(Sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167-48, Oct. 19, 1962, 27 F.R. 10504)

SUBCHAPTER F—MARINE ENGINEERING

PART 51—MATERIALS

Subpart 51.04—Marine Boiler Steel Plate

§ 51.04-10 [Amended]

Section 51.04-10 *Test specimens* is amended by changing the phrase in the first sentence from "tension and bent test specimens" to "tension and bend test specimens".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 52—CONSTRUCTION

Subpart 52.05—Cylindrical Shells

§ 52.05-10 [Amended]

1. Section 52.05-10 *Computations* is amended by revising Table 52.05-10(a) as follows:

a. In the first column "specification subpart" under "pipes and tubes" made of "electric-resistance welded pipe" the reference specification is changed from "31.45" to "51.34" for the last two entries.

b. In the fourth column "C.G. Grade" under "pipes and tubes" made of "electric-resistance-welded pipe", change the next to the last grade opposite the A.S.T.M. Grade "TP347" from "P347-R" to "P347-RW".

c. In the 16th column for metal temperatures of "1,100° F." for "castings" made of "alloy steel" change the numerals from "7,50" to "7,500" and "9,40" to "9,400" for the grades CF8 and CF8M, respectively.

Subpart 52.45—Combustion Chambers and Tube Sheets of Fire-Tube Boilers

2. Section 52.45-1(b) is amended by changing in the first sentence the phrase "combustible chamber" to "combustion chamber" so that the definition reads as follows:

§ 52.45-1 Definitions.

* * * * *

(b) *Separate combustion chamber.* Separate combustion chamber is a combustion chamber which is connected to one furnace only.

* * * * *

Subpart 52.55—Boiler and Superheater Tubes

3. Section 52.55-5(f)(1) is amended to read as follows:

§ 52.55-5 Materials and workmanship.

* * * * *

(f)(1) Boiler tubes may be arc- or gas-welded to manifolds, headers or drums without being expanded, provided the welds are strength welds complying with the requirements in this paragraph.

* * * * *

Subpart 52.65—Safety Valves

4. Section 52.65-1(b) is amended by changing the phrase from "against the heat" to "against the seat" so that the definition as amended reads as follows:

§ 52.65-1 Definitions.

* * * * *

(b) *Spring-loaded safety valve.* Spring-loaded safety valve is a safety valve fitted with a spring which normally holds the valve disk in a closed position against the seat and allows it to open or close at predetermined pressures. Spring-loaded safety valves are characterized by pop action.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 54—UNFIRED PRESSURE VESSELS

Subpart 54.03—Design and Construction

§ 54.03-10 [Amended]

1. Section 54.03-10 *Cylindrical shells and heads* is amended by revising Table 54.03-10 by changing the numeral from "910,800" to "10,800" in the 12th column under the temperature 300° F., for seamless pipe or tubes opposite specification 51.73, A.S.T.M. designation B-111, A.S.T.M. Grade copper nickel tubes 70-30, and Coast Guard Grade B111-G.

§ 54.03-15 [Amended]

2. Section 54.03-15 *Tube sheets* is amended in paragraph (a) by indicating that the fourth definition following formula (8) is for the letter D which should read "D=mean gasket diameter for flanged attachment; inside diameter of shell when bolted attachment is not employed; or shortest span for noncircular tube sheets measured to centerline of gasket if bolted construction is employed; or to point of support if welded construction is employed; in inches."

§ 54.03-25 [Amended]

3. Section 54.03-25 *Bolted flanged connections* is amended by changing the title for Table 54.03-25(c1) from "Gasket Materials and Contract Facings" to "Gasket Materials and Contact Facings."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

Subpart 70.05—Application

1. Section 70.05-3(a)(2) is amended to read as follows:

§ 70.05-3 Foreign vessels subject to the requirements of this subchapter.

(a) * * *

(2) Foreign vessels, other than those mentioned in subparagraph (1) of this paragraph, which carry more than 6 passengers from any port in the United States, and which are:

(i) Sailing vessels of 100 gross tons or over and not more than 700 gross tons; or,

(ii) Non-self-propelled vessels of 100 gross tons.

* * * * *

2. Section 70.05-15 is amended to read as follows:

§ 70.05-15 Vessels subject to the act of May 10, 1956 (46 U.S.C. 390-390g).

(a) The act of May 10, 1956 (46 U.S.C. 390-390g), applies to vessels which carry more than six passengers and which are:

(1) Sailing vessels of 100 gross tons or over and not more than 700 gross tons; or,

(2) Non-self-propelled vessels of 100 gross tons.

(b) Sailing vessels of 100 gross tons or over and not more than 700 gross tons and non-self-propelled vessels of 100 gross tons, which are subject to the act of May 10, 1956, shall meet all of the applicable requirements of this subchapter, except that the certificate of inspection issued to the vessel shall be valid for a period of 3 years in lieu of 1 year, and reinspection will be made annually between inspections for certification.

(c) Sailing vessels of 100 gross tons or over and not more than 700 gross tons and non-self-propelled vessels of 100 gross tons, in existence or contracted for as passenger vessels prior to June 1, 1958, which are subject to the act of May 10, 1956, shall meet the applicable requirements of this subchapter insofar as

is reasonable and practicable in the opinion of the Officer in Charge, Marine Inspection. In this respect, he may grant departures from specific requirements of this subchapter if in his opinion the circumstances warrant such departure.

Subpart 70.10—Definition of Terms Used in This Subchapter

§ 70.10–21 [Amended]

3. Section 70.10–21 *International voyage* is amended by changing in paragraph (b) first sentence the name from "Great Lakes of North American" to "Great Lakes of North America."

4. Subpart 70.10 is amended by inserting after § 70.10–43 a new section reading as follows:

§ 70.10–44 Specially suitable for vehicles.

A space which is "specially suitable for vehicles" is one designed for the carriage of automobiles or other self-propelled vehicles with batteries connected and fuel tanks containing gasoline on vessels on ocean or unlimited coastwise voyages. Requirements for the design and protection of spaces "specially suitable for vehicles" appear in Subparts 72.15, 76.15, 77.05, 78.45, 78.47, and 78.83 of this subchapter. In addition, preparation of automobiles prior to carriage, with the exception of disconnecting battery cables, must be in accordance with the applicable provisions of § 146.27–30 of Subchapter N (Dangerous Cargoes) of this chapter.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 399, 435, 481, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 71—INSPECTION AND CERTIFICATION

Subpart 71.65—Plan Approval

Section 71.65–15(a)(3) is amended by revising subdivisions (i) and (ii) to read as follows:

§ 71.65–15 Procedure for submittal of plans.

(a) * * *

(3) * * *

(i) Commander, 3d Coast Guard District (mmt), Governor's Island, New York, N.Y. 10004, for geographical area covered by 1st, 3d, and 5th Coast Guard Districts.

(ii) Commander, 8th Coast Guard District (mmt), Room 308, Customhouse, 423 Canal Street, New Orleans, La. 70130, for geographical area covered by 2d, 7th, and 8th Coast Guard Districts.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 72—CONSTRUCTION AND ARRANGEMENT

Subpart 72.01—Hull Structure

§ 72.01–90 [Amended]

1. Section 72.01–90 is amended by changing the headnote from "Vessels contracted for prior for November 19, 1952" to "Vessels contracted for prior to November 19, 1952".

Subpart 72.15—Ventilation

2. Section 72.15–15 is amended by adding a paragraph (c) reading as follows:

§ 72.15–15 Ventilation for closed spaces.

* * * * *

(c) The ventilation of spaces which are "specially suitable for vehicles" shall be in accordance with the provisions of this paragraph. In addition, if vehicles are operated inside of enclosed spaces, the ventilation shall be in accordance with Subpart 78.83 of this subchapter.

(1) Areas below the weather deck shall be provided with continuous pressure-positive ventilation at each level on which vehicles are transported.

(2) The quantity of ventilating air shall be not less than 1 cubic foot per minute per square foot of deck area.

(3) The ventilation shall be such as to prevent air stratification as well as to prevent accumulation of air pockets.

(4) An alarm system shall be provided which will indicate the loss of required ventilation. The alarm location shall be in a normally manned space acceptable to the Commandant.

Subpart 72.20—Accommodations for Officers and Crew

3. Section 72.20–55(a) is amended to read as follows:

§ 72.20–55 Insect screens.

(a) Except in such areas as are considered to be insect free, provisions shall be made to protect the crew quarters against the admission of insects. This may be accomplished by the fitting of suitable screens to ventilating skylights, air ports, ventilators, and doors to unscreened spaces and the open deck, or by other methods. Insect screens are not required in air conditioned crew quarters for windows, air ports and doors that are normally kept closed.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4490, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 399, 404, 411, 435, 481, 482, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 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

Section 73.15–5(b) is amended to read as follows:

§ 73.15–5 Compartmentation of all vessels other than ferry vessels.

* * * * *

(b) Every vessel of 100 gross tons or more, or carrying more than 49 passengers, shall be subdivided so as not to submerge the margin line with any one main compartment flooded.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 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, 481, 482, 483, 395, 363, 85a, 88a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857; 167–48, Oct. 19, 1962, 27 F.R. 10504)

PART 75—LIFESAVING EQUIPMENT

Subpart 75.10—Lifeboats, Liferafts, Lifefloats, and Buoyant Apparatus

§ 75.10–20 [Amended]

1. Section 75.10–20 *Requirements for vessels in Great Lakes; lakes, bays, and sounds; or river service* is amended by

revising Table 75.10–20(a) so that the footnote for the last item under "vessels navigating routes lying at all points within a distance of 3 miles from land", columns 10 and 11, will show references to footnote "5" and "8" with the percentage "75".

§ 75.10–90 [Amended]

2. Section 75.10–90 *Vessels contracted for prior to May 26, 1965* is amended by changing the reference in the first sentence of paragraph (a)(2) from "in lieu of subparagraph (4) of this paragraph" to "in lieu of § 75.10–10(a)(4)".

Subpart 75.35—Installation of Lifeboats, Davits, and Winches

§ 75.35–5 [Amended]

3. Section 75.35–5 *Tests and examinations* is amended by changing in paragraph (b)(4)(v), first sentence, the phrase "nesting lifeboats" to "nested lifeboats".

Subpart 75.40—Life Preservers

4. Section 75.40–15(b) is amended to read as follows:

§ 75.40–15 Distribution.

* * * * *

(b) The additional life preservers required by § 75.40–10(b) shall be stowed in conspicuous places on deck, one of which shall be stowed near the bow.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 76—FIRE PROTECTION EQUIPMENT

Subpart 76.05—Fire Detecting and Extinguishing Equipment, Where Required

1. Table 76.05–1(a) in § 76.05–1 is amended by adding under "Cargo spaces" requirements for spaces specially suitable for vehicles, and as amended this Table 76.05–1(a) reads as follows:

§ 76.05–1 Fire detecting systems.

* * * * *

TABLE 76.05–1(a)

Space	Detecting systems	Fixed extinguishing systems
Safety areas		
Wheelhouse or fire-control room	None required [1]	None required.[1]
Stairway and elevator enclosures	do.[1]	Do.[1]
Communication corridors	do.[1]	Do.[1]
Lifeboat embarkation and lowering stations	do.	Do.
Radio room	do.[1]	Do.[1]
Accommodations		
Staterooms, toilet spaces, isolated pantries, etc.	do.[1]	Do.[1]
Offices, lockers, and isolated storerooms	Electric, pneumatic, or automatic sprinkling.[1]	Do.[1]
Public spaces	None required with 20-minute patrol. Electric, pneumatic, or automatic sprinkling with 1 hour patrol.[1]	Do.[1]
Open decks or enclosed promenades	None required	Do.
Service spaces		
Galleys	do.[1]	Do.[1]
Main pantries	do.[1]	Do.[1]
Motion picture booths and film lockers	Electric, pneumatic, or automatic sprinkling.[1 2]	Do.[1 2]
Paint and lamp rooms	Smoke detecting[3]	Carbon dioxide.[4]
Inaccessible baggage, mail, and specie rooms and storerooms.	do	Do.
Accessible baggage, mail, and specie rooms and storerooms.	Electric, pneumatic, or automatic sprinkling.	None required.[1]
Refrigerated storerooms	None required	Do.
Carpenter, valet, photographic, and printing shops, sales rooms, etc.	Electric, pneumatic, or automatic sprinkling.	Do.[1]
Machinery spaces		
Coal fired boilers: Bunker and boiler space	None required	None required.
Oil fired boilers: Spaces containing oil fired boilers either main or auxiliary, their fuel oil service pumps, and/or such other fuel oil units as the heaters, strainers, valves, manifolds, etc., that are subject to the discharge pressure of the fuel oil service pumps, together with adjacent spaces to which oil can drain.	do	Carbon dioxide or foam.[5]
Internal combustion or gas turbine propelling machinery spaces.	do	Carbon dioxide.[6]
Electric propulsive motors or generators of open type	do	None required.
Enclosed ventilating systems for motors and generators of electric propelling machinery.	do	Carbon dioxide (in ventilating system).[7]
Auxiliary spaces, internal combustion or gas turbine	do	Carbon dioxide.[8]
Auxiliary spaces, electric motors or generators	do	None required.
Auxiliary spaces, steam	do	Do.
Trunks to machinery spaces	do	Do.
Fuel tanks	do	Do.[9]
Cargo spaces		
Inaccessible during voyage (combustible cargo), including trunks (excluding tanks).	Smoke detecting	Carbon dioxide.[4]
Accessible during voyage (combustible cargo)	Smoke detecting, electric, pneumatic or automatic sprinkling.	Automatic or manual sprinkling.
Vehicular deck (except where no overhead deck is 30 feet in length or less).	None required	Manual sprinkling.
Cargo oil tanks	do	Carbon dioxide or foam.[4]
Specially suitable for vehicles	Smoke detecting, electric, pneumatic or automatic sprinkling.	Carbon dioxide, automatic or manual sprinkling.

[1] Vessels of 100 gross tons and over contracted for on or before May 27, 1936, and having combustible joiner work, shall be fitted with an automatic sprinkling system, except in relatively incombustible spaces.
[2] Sprinkler heads may be attached to sanitary system provided electrical or pneumatic detecting is installed.
[3] On vessels contracted for prior to November 19, 1952, electric or pneumatic detecting may be substituted.
[4] On vessels contracted for prior to January 1, 1962, a steam smothering system may be accepted. However, although existing steam smothering systems may be repaired, replaced, or extended, no new system contracted for on or after January 1, 1962, will be permitted.
[5] Protection of auxiliary boilers, fuel oil units, valves and manifolds not required on vessels contracted for prior to November 19, 1952.
[6] Not required on vessels of less than 300 gross tons (except on an international voyage) using fuel with a flashpoint higher than 110° F., where the space is normally manned.
[7] Not required on vessels contracted for prior to November 19, 1952.
[8] Not required on vessels of less than 300 gross tons nor on vessels contracted for prior to November 19, 1952, except where fuel, including starting fuel, has a flashpoint of 110° F. or less.
[9] Where fuel having a flashpoint of 110° F. or lower is used, the space containing the fuel tanks shall be protected by a carbon dioxide system.

Subpart 76.13—Steam Smothering System, Details

§ 76.13–90 [Amended]

2. Section 76.13–90 *Installations contracted for prior to January 1, 1962* is amended by changing the heading for the fourth column in Table 76.13–90(b)(4) from "pipe size in each branch, inches" to "pipe size of each branch, inches".

Subpart 76.15—Carbon Dioxide Extinguishing Systems, Details

3. Section 76.15–5 is amended by adding at end thereof a new paragraph (f) reading as follows:

§ 76.15–5 Quantity, pipe sizes, and discharge rate.

* * * * *

(f) *Spaces specially suitable for vehicles.* (1) The number of pounds of carbon dioxide required shall be equal to the gross volume of the largest "tight" space divided by 22. In no case, however, shall it be less than that required by paragraph (c) of this section.

(2) The arrangement of valves and piping shall be such that the required quantity of carbon dioxide may be discharged into any "tight" space. The discharge of the required quantity of carbon dioxide shall be completed within 2 minutes.

(3) Except as noted in subparagraphs (1) and (2) of this paragraph, the requirements of paragraph (e) of this section shall apply.

§ 76.15–40 [Amended]

4. Section 76.15–40 *Pressure relief* is amended by changing in the first sentence of paragraph (a) the phrase from "tight compartment" to "tight compartments".

Subpart 76.50—Hand Portable Fire Extinguishers and Semiportable Fire Extinguishing Systems, Arrangements, and Details

§ 76.50–10 [Amended]

5. Section 76.50–10 *Location* is amended by revising Table 76.50–10(a) by inserting a reference to footnote "6" in the third column after the phrase "1 outside the space in the vicinity of exit" opposite the machinery spaces designated "Auxiliary spaces, internal combustion or gas turbine" in column one.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 77.05—Electrical Engineering and Interior Communication Systems

1. Section 77.05–1 is amended by adding a new paragraph (b) reading as follows:

§ 77.05–1 Installation and details.

* * * * *

(b) Electrical equipment installed in spaces "specially suitable for vehicles" shall be in accordance with § 111.65–10 of Subchapter J (Electrical Engineering) of this chapter.

Subpart 77.27—Sounding Equipment

2. Section 77.27–1(a) is amended to read as follows:

§ 77.27–1 When required.

(a) All mechanically propelled vessels of 500 gross tons and over in ocean or coastwise service, and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient mechanical or electronic deep-sea sounding apparatus and a deep-sea hand lead. All other mechanically propelled vessels of 1,500 gross tons and over in Great Lakes service shall carry a deep-sea hand lead.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Treasury Dept. 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 78—OPERATIONS

Subpart 78.05—Notice to Mariners and Aids to Navigation

1. Section 78.05–1 is amended to read as follows:

§ 78.05–1 Duty of officers.

(a) Licensed deck officers are required to acquaint themselves with the latest information published by the Coast Guard and the U.S. Navy regarding aids to navigation. Neglect to do so is evidence of neglect of duty. It is desirable that all vessels have available in the pilothouse for convenient reference at all times a file of the applicable Notice to Mariners.

(b) Weekly Notices to Mariners (Great Lakes Edition), published by the Commander, 9th Coast Guard District, contain announcements and information on changes in aids to navigation and other marine information affecting the safety of navigation on the Great Lakes. These notices may be obtained free of charge, by making application to Commander, 9th Coast Guard District.

(c) Weekly Notices to Mariners (Part I, Atlantic and Mediterranean) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, and 8th Coast Guard Districts and the Greater Antilles Section. Foreign marine information in the Atlantic and Mediterranean area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) Weekly Notices to Mariners (Part II, Pacific and Indian Oceans) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information in the Pacific and Indian Oceans area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

Subpart 78.45—Display of Plans

2. Section 78.45–1(a)(1) is amended by adding requirements regarding cargo compartments specially suitable for vehicles so that it reads as follows:

§ 78.45–1 When required.

(a) * * *

(1) General arrangement plans showing for each deck the fire control stations, the various sections enclosed by fire resisting bulkheads, the sections enclosed by fire-retarding bulkheads, together with particulars of the fire alarms, detecting systems, the sprinkler installation (if any), the fire extinguishing appliances, means of access to different compartments, decks, etc., and the ventilating systems including particulars of the master fan controls, the positions of dampers, the location of the remote means of stopping the fans, and identification numbers of the ventilating fans serving each section. If cargo compartments are "specially suitable for vehicles," they shall be so indicated on the plan. Alternatively, at the discretion of the Commandant, the aforementioned details may be set out in a booklet, a copy of which shall be supplied to each officer, and one copy at all times shall be available on board in an accessible position.

* * * * *

Subpart 78.47—Markings for Fire and Emergency Equipment, Etc.

3. Subpart 78.47 is amended by inserting after § 78.47–70 a new section reading as follows:

§ 78.47–75 Ventilation alarm failure.

(a) The alarm required by § 72.15–15 (c)(4) of this subchapter, which indicates the loss of required ventilation in spaces specially suitable for vehicles, shall be marked with a conspicuous sign in at least ¼-inch letters "VENTILATION FAILURE IN VEHICULAR SPACE."

§ 78.47–90 [Amended]

4. Section 78.47–90 *Vessels contracted for prior to November 19, 1952*, is amended by changing in paragraph (a)(1) the reference from "§§ 78.47–5 through 78.47–70" to "§§ 78.47–5 through 78.47–75."

5. Part 78 is amended by inserting after § 78.80–35 a new Subpart 78.83, consisting of § 78.83–1, reading as follows:

Subpart 78.83—Operation of Vehicles in Enclosed Locations

§ 78.83–1 Special operating conditions.

(a) The operation of self-propelled vehicles in enclosed locations (other than power-operated industrial trucks when subject to Subpart 78.80 of this part) shall be permitted only when the other conditions in this section have been met.

(b) Spaces exposed to carbon monoxide or other hazardous vapors from the exhausts of self-propelled vehicles shall have adequate ventilation. The concentration of carbon monoxide shall be kept below 100 parts per million in the holds and intermediate decks where persons are working.

(c) When necessary, portable blowers of adequate size shall be utilized and so located as to prevent concentrations of carbon monoxide which may be harmful to personnel.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395, 363, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, CGFR 56–28, July 24, 1956, 21 F.R. 5659)

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

Subpart 90.10—Definition of Terms Used in This Subchapter

Subpart 90.10 is amended by inserting after § 90.10–37 a new section reading as follows:

§ 90.10–38 Specially suitable for vehicles.

A space which is "specially suitable for vehicles" is one designed for the carriage of automobiles or other self-propelled vehicles with batteries connected and fuel tanks containing gasoline on vessels on ocean or unlimited coastwise voyages. Requirements for the design and protection of spaces "specially suitable for vehicles" appear in Subparts 92.15, 95.05, 95.15, 96.05, 97.36, 97.37, and 97.80 of this subchapter. In addition, preparation of automobiles prior to carriage, with the exception of disconnecting battery cables, must be in accordance with the applicable provisions of § 146.27–30 of Subchapter N (Dangerous Cargoes) of this chapter.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4426, as amended, 4427, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 405, 366, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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)

PART 91—INSPECTION AND CERTIFICATION

Subpart 91.55—Plan Approval

Section 91.55–15(a)(3) is amended by revising subdivisions (i) and (ii) to read as follows:

§ 91.55–15 Procedure for submittal of plans.

(a) * * *

(3) * * *

(i) Commander, 3d Coast Guard District (mmt), Governor's Island, New York, N.Y. 10004, for the geographical area covered by 1st, 3d, and 5th Coast Guard Districts.

(ii) Commander, 8th Coast Guard District (mmt), Room 308, Customhouse, 423 Canal Street, New Orleans, La. 70130, for geographical area covered by 2d, 7th, and 8th Coast Guard Districts.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

PART 92—CONSTRUCTION AND ARRANGEMENT

Subpart 92.15—Ventilation

1. Section 92.15–10 is amended by adding at end thereof new paragraphs (d) and (e) reading as follows:

§ 92.15–10 Ventilation for closed spaces.

* * * * *

(d) The ventilation of spaces which are "specially suitable for vehicles" shall be in accordance with the provisions of this paragraph. In addition, if vehicles are operated inside of enclosed spaces, the ventilation shall be in accordance with Subpart 97.80 of this subchapter.

(1) Areas below the weather deck shall be provided with continuous pressure-positive ventilation at each level on which vehicles are transported.

(2) The quantity of ventilating air shall be not less than 1 cubic foot per minute per square foot of deck area.

(3) The ventilation system shall be such as to prevent air stratification as well as to prevent the accumulation of air pockets.

(4) An alarm system shall be provided which will indicate the loss of required ventilation. The alarm location shall be in a normally manned space acceptable to the Commandant.

(e) For requirements regarding controls of electrically powered ventilation systems, see Subchapter J (Electrical Engineering) of this chapter.

Subpart 92.20—Accommodations for Officers and Crew

2. Section 92.20–55(a) is amended to read as follows:

§ 92.20–55 Insect screens.

(a) Except in such areas as are considered to be insect free, provisions shall be made to protect the crew quarters against the admission of insects. This may be accomplished by the fitting of suitable screens to ventilating skylights, air ports, ventilators, and doors to unscreened spaces and the open deck or by other methods. Insect screens are not required in air conditioned crew quarters for windows, air ports, and doors that are normally kept closed.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 395, 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

PART 94—LIFESAVING EQUIPMENT

Subpart 94.40—Life Preservers

1. Section 94.40–10 is amended by revising paragraphs (a) and (c) to read as follows:

§ 94.40–10 Number required.

(a) Except as specifically modified by paragraph (b) of this section, all vessels shall be provided with an approved life preserver for each person on board. An additional number of life preservers shall be provided for the personnel on watch in the engineroom and pilothouse, and at the bow lookout.

* * * * *

(c) When children are carried, a suitable number of children's life preservers shall be provided.

2. Section 94.40–15(a)(1) is amended to read as follows:

§ 94.40–15 Distribution and stowage.

(a) *Distribution.* (1) Life preservers shall be distributed throughout the cabins, staterooms, berths, and other places convenient for each person on board. The stowage of the additional

number of life preservers required by § 94.40–10(a) shall be such that they are readily accessible to personnel on watch in the engineroom and pilothouse, and at the bow lookout.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

PART 95—FIRE PROTECTION EQUIPMENT

Subpart 95.05—Fire Detecting and Extinguishing Equipment, Where Required

1. Section 95.05–1 is amended to read as follows:

§ 95.05–1 Fire detecting, manual alarm, and supervised patrol systems.

(a) Fire detecting, manual alarm, and supervised patrol systems are not required except in special cases; but if installed, the systems shall meet the applicable requirements of Part 76 of Subchapter H (Passenger Vessels) of this chapter.

(b) In each compartment containing explosives, and in adjacent cargo compartments, there shall be provided a smoke detecting or other suitable type fire detecting system.

(c) Enclosed spaces which are "specially suitable for vehicles" shall be fitted with an approved fire or smoke detecting system.

2. Section 95.05–10(b) is amended by adding at end thereof a new subparagraph (4) reading as follows:

§ 95.05–10 Fixed fire extinguishing systems.

* * * * *

(b) * * *

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

* * * * *

Subpart 95.10—Fire Main System, Details

§ 95.10–5 [Amended]

3. Section 95.10–5 *Fire pumps* is amended in paragraph (b) by changing the reference from "paragraph (c) of this paragraph" to "paragraph (c) of this section."

Subpart 95.15—Carbon Dioxide Extinguishing Systems, Details

4. Section 95.15–5 is amended by adding at end thereof a new paragraph (f) reading as follows:

§ 95.15–5 Quantity, pipe sizes, and discharge rates.

* * * * *

(f) *Spaces specially suitable for vehicles.* (1) The number of pounds of carbon dioxide required shall be equal to the gross volume of the largest "tight" space divided by 22. In no case, however, shall the quantity be less than that required by paragraph (c)(2) of this section.

(2) The arrangement of valves and piping shall be such that the required quantity of carbon dioxide may be discharged into any "tight" space. The discharge of the required quantity of carbon dioxide shall be completed within 2 minutes.

(3) Except as noted in subparagraphs (1) and (2) of this paragraph, the requirements of paragraph (e) of this section shall apply.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 96.05—Electrical Engineering and Interior Communications Systems

1. Section 96.05–1 is amended by adding a new paragraph (b) reading as follows:

§ 96.05–1 Installation and details.

* * * * *

(b) Electrical equipment installed in spaces "specially suitable for vehicles" shall be in accordance with § 111.65–10 of Subchapter J (Electrical Engineering) of this chapter.

Subpart 96.17—Navigation Lights and Shapes [Canceled]

2. Subpart 96.17, consisting of § 96.17–1, is canceled.

§ 96.17–1 [Canceled]

3. Section 96.17–1 *When required* is canceled.

Subpart 96.20—Navigation Lights and Shapes, Whistles, Foghorns, Fog Bells, and Gongs

4. The heading for Subpart 96.20 is amended to read as set forth above.

5. Section 96.20–1 is amended to read as follows:

§ 96.20–1 Vessels operating on waters governed by the International Rules of the Road.

(a) All vessels (including motorboats) operating on waters governed by the International Rules of the Road (33 U.S.C. 1051–1094) shall be equipped with the navigation lights and shapes, whistles, foghorns, fog bells, and gongs, as required by those rules.

§ 96.20–5 [Canceled]

6. Section 96.20–5 *Motorboats operating on the high seas* is canceled.

7. Section 96.20–10 is amended to read as follows:

§ 96.20–10 Vessels operating on waters governed by the Inland, Great Lakes or Western Rivers Rules of the Road.

(a) All vessels, other than motorboats operating on waters governed by the Inland, Great Lakes or Western Rivers Rules of the Road (33 U.S.C. 154–232, 241–295, 301–355) shall be equipped with the navigation lights and shapes, whistles, foghorns, fog bells, and gongs as required by the Rules of the Road applicable to the waters on which the vessel is being navigated.

(b) All motorboats operating on waters governed by the Inland, Great Lakes or Western Rivers Rules of the Road shall be equipped with the following:

(1) Navigation lights as set forth in the Motorboat Act of April 25, 1940, as amended (46 U.S.C. 526–526u), or, in lieu thereof, the lights required by the International Rules of the Road.

(2) An efficient whistle or other sound producing mechanical device as set forth in Table 96.20–10(b)(2).

TABLE 96.20–10(b)(2)

Class of motorboat	Type of device
A (less than 16 feet in length).	None required by law.
1 (16 feet and over, and less than 26 feet in length).	Mouth, hand, or power operated, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
2 (26 feet and over, and less than 40 feet in length).	Hand or power operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.
3 (40 feet and over, and not over 65 feet in length).	Power operated, capable of producing a blast of 2 seconds or more duration, and audible for a distance of at least 1 mile.

(3) An efficient fog bell, except that motorboats of less than 26 feet in length need not carry such a bell.

Subpart 96.23—Foghorns [Canceled]

8. Subpart 96.23, consisting of §§ 96.23–1 and 96.23–5, is canceled.

§ 96.23–1 [Canceled]

9. Section 96.23–1 *Vessels other than motorboats* is canceled.

§ 96.23–5 [Canceled]

10. Section 96.23–5 *Motorboats* is canceled.

Subpart 96.25—Fog Sound Signal Devices [Canceled]

11. Subpart 96.25, consisting of §§ 96.25–1 to 96.25–10, inclusive, is canceled.

§ 96.25–1 [Canceled]

12. Section 96.25–1 *Vessels other than motorboats* is canceled.

§ 96.25–5 [Canceled]

13. Section 96.25–5 *Motorboats operating on the high seas* is canceled.

§ 96.25–10 [Canceled]

14. Section 96.25–10 *Motorboats operating on the navigable waters of the United States* is canceled.

Subpart 96.27—Sounding Equipment

15. Section 96.27–1(a) is amended to read as follows:

§ 96.27–1 When required.

(a) All mechanically propelled vessels of 500 gross tons and over in ocean or coastwise service and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service and certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, shall be fitted with an efficient mechanical or electronic deep-sea sounding apparatus and a deep-sea hand lead. All other mechanically propelled vessels of 1,500 gross tons and over in Great Lakes service shall carry a deep-sea hand lead.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

PART 97—OPERATIONS

Subpart 97.05—Notice to Mariners and Aids to Navigation

1. Section 97.05–1 is amended to read as follows:

§ 97.05–1 Duty of officers.

(a) Licensed deck officers are required to acquaint themselves with the latest information published by the Coast Guard and the U.S. Navy regarding aids to navigation. Neglect to do so is evidence of neglect of duty. It is desirable that vessels other than motorboats shall have available in the pilothouse for convenient reference at all times a file of the applicable Notice to Mariners.

(b) Weekly Notices to Mariners (Great Lakes Edition), published by the Commander, 9th Coast Guard District, contain announcements and information on changes in aids to navigation and other marine information affecting the safety of navigation on the Great Lakes. These notices may be obtained free of charge, by making application to Commander, 9th Coast Guard District.

(c) Weekly Notices to Mariners (Part I, Atlantic and Mediterranean) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, and 8th Coast Guard Districts and the Greater Antilles Section. Foreign marine information in the Atlantic and Mediterranean area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the United States Consulates where they may be inspected.

(d) Weekly Notices to Mariners (Part II, Pacific and Indian Oceans) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information in the Pacific and Indian Oceans area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

Subpart 97.12—Cargo Stowage

§ 97.12–5 [Amended]

2. Section 97.12–5 *Manual* is amended by changing the date of the manual from "1959" to "1966", and by revising footnote 1 with this date to read "Copies of this manual are on file at Coast Guard Headquarters and with the various Coast Guard District Commanders for reference purposes."

Subpart 97.36—Display of Plans

3. Section 97.36–1(a) is amended to read as follows:

§ 97.36–1 When required.

(a) Barges with sleeping accommodations for more than six persons and all self-propelled vessels shall have permanently exhibited for the guidance of the officer in charge of the vessel, general arrangement plans showing for each deck the various fire-retardant bulkheads together with particulars of the fire detecting, manual alarm and fire extinguishing systems, fire doors, means of ingress to the different compartments, and the ventilating systems including the positions of the dampers, the location of the remote means of stopping the fans, and the identification of the fans serving each section. If cargo compartments are "specially suitable for vehicles," they shall be so indicated on the plan.

Subpart 97.37—Markings for Fire and Emergency Equipment, Etc.

§ 97.37–40 [Amended]

4. Section 97.37–40 *Liferafts, lifefloats and buoyant apparatus* is amended in paragraph (b) by changing the phrase from "rigid type liferaft, lifeboat and buoyant apparatus" to "rigid type liferaft, lifefloat, and buoyant apparatus".

5. Subpart 97.37 is amended by inserting after § 97.37–47 a new section reading as follows:

§ 97.37–50 Ventilation alarm failure.

(a) The alarm required by § 92.15–10(d)(4) of this subchapter, which indicates the loss of required ventilation in spaces specially suitable for vehicles, shall be marked with a conspicuous sign in at least ¼-inch letters "VENTILATION FAILURE IN VEHICULAR SPACE."

§ 97.37–90 [Amended]

6. Section 97.37–90 *Vessels contracted for prior to November 19, 1952*, is amended by revising in paragraph (a)(1) the reference from "§§ 97.37–5 through 97.37–47" to "§§ 97.37–5 through 97.37–50."

7. Part 97 is amended by adding after § 97.75–1 a new Subpart 97.80, consisting of § 97.80–1, reading as follows:

Subpart 97.80—Operation of Vehicles in Enclosed Locations

§ 97.80–1 Special operating conditions.

(a) The operation of self-propelled vehicles in enclosed locations (other than power-operated industrial trucks when subject to Subpart 97.70 of this part) shall be permitted only when the other conditions in this section have been met.

(b) Spaces exposed to carbon monoxide or other hazardous vapors from the exhausts of self-propelled vehicles shall have adequate ventilation. The concentration of carbon monoxide shall be kept below 100 parts per million in the holds and intermediate decks where persons are working.

(c) When necessary, portable blowers of adequate size shall be utilized and so located as to prevent concentrations of carbon monoxide which may be harmful to personnel.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395. 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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)

PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

Subpart 98.01—Application

1. Section 98.01–5 is amended by adding a new paragraph (d) reading as follows:

§ 98.01–5 Effective date.

* * * * *

(d) The provisions of Subpart 98.18 of this part regarding phosphoric acid in bulk shall be in effect on and after January 1, 1967.

2. Part 98 is amended by inserting after § 98.15–50 a new Subpart 98.18, consisting of §§ 98.18–1 to 98.18–50, inclusive, reading as follows:

Subpart 98.18—Phosphoric Acid in Bulk.

Sec.
98.18-1 General.
98.18-5 How acid may be carried.
98.18-10 Gravity type cargo tanks.
98.18-15 Pressure-vessel type cargo tanks.
98.18-20 Installation.
98.18-25 Openings in tanks.
98.18-30 Cargo piping.
98.18-35 Outage.
98.18-40 Tank linings.
98.18-45 General requirements.
98.18-50 Tests and inspections.

AUTHORITY: The provisions of this Subpart 98.18 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply R.S. 4417a, as amended, 4488, as amended, sec. 3, 63 Stat. 675; 46 U.S.C. 391a, 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-38, Oct. 26, 1959, 24 F.R. 8857, unless otherwise noted.

§ 98.18-1 General.

(a) The term "phosphoric acid" as used in this subpart shall include, in addition to phosphoric acid, aqueous solutions of phosphoric acid, and super phosphoric acid.

(b) Phosphoric acid may be carried in bulk in cargo barges, tank barges, or cargo vessels in accordance with the provisions of this subpart.

(c) Any vessel carrying phosphoric acid in bulk shall be inspected and certificated in accordance with the provisions of this subchapter or Subchapter D (Tank Vessels) of this chapter, as applicable.

§ 98.18-5 How acid may be carried.

(a) Phosphoric acid may be carried in either gravity or pressure type cargo tanks. The tanks shall be rubber-lined, or lined or clad with other suitable material acceptable to the Commandant, or shall be fabricated of a phosphoric acid resistant stainless steel, such as Type 316.

(b) The Commandant may permit the transportation of phosphoric acid in tanks fabricated of materials other than as specified in paragraph (a) of this section if it is shown to his satisfaction that the proposed method or design provides a degree of safety consistent with the minimum requirements of this subpart.

§ 98.18-10 Gravity type cargo tanks.

(a) Gravity type cargo tanks shall be designed and tested to meet the rules of the American Bureau of Shipping for a head of water at least 8 feet above the tank top or the highest level the lading may rise, whichever is the greater. The plate thickness of any part of the tank shall not be less than ⅜ inch. The vessel's shell plating shall not be used as any part of the boundaries of these cargo tanks.

(b) Each gravity type tank shall be vented to atmosphere. A vent shall be fitted having a cross-sectional area of not less than that of the filling line unless an ullage opening is provided having a cross-sectional area at least equal to that of the filling line. The minimum size of a cargo tank vent shall not be less than 2½ inches. The outlet end of the vent shall terminate above the weather deck, clear of all obstructions and away from any source of flame. The vent shall terminate in a gooseneck bend or a corrosion-resistant pressure-vacuum relief valve. No shutoff valve or frangible disc shall be fitted in the vent lines.

(c) Pressure shall not be used to discharge cargo from gravity type cargo tanks.

§ 98.18-15 Pressure-vessel type cargo tanks.

(a) Pressure-vessel type cargo tanks shall be independent of the vessel's structure and shall be designed for the maximum pressure to which they may be subjected when loading, storing, or discharging the cargo, but in no case shall the design pressure be less than 30 pounds per square inch.

(b) Pressure-vessel type cargo tanks shall be designed as Class II or Class III unfired arc-welded cylindrical pressure vessels, inspected and tested as required by Subchapter F (Marine Engineering) of this chapter.

(c) When pressure is used to discharge the cargo, the tank shall be fitted with a vent led to atmosphere. The vent shall have a rupture disk designed to burst at a pressure not exceeding the design pressure of the tank. An auxiliary vent to relieve the pressure or vacuum in the tank during filling or discharge of the cargo may be led from the vent line between the tank and the rupture disk. A shutoff valve may be fitted in the auxiliary vent.

(d) Except as otherwise specified in this section, the vent shall conform to the requirements of § 98.18-10(b).

§ 98.18-20 Installation.

(a) Adequate clearance shall be provided for the inspection and maintenance of the tanks, or such tanks shall be made movable.

§ 98.18-25 Openings in tanks.

(a) Openings in tanks are prohibited below deck, except for access openings used for inspection and maintenance of tanks, or unless otherwise specifically approved by the Commandant. Openings shall be fitted with bolted cover plates and acid-resistant gaskets.

§ 98.18-30 Cargo piping.

(a) Where special arrangements are approved by the Commandant to permit a pump suction to be led from the bottom of the tank such bottom suctions shall be fitted with a shutoff valve as close to the tank opening as practicable and operable from the weather deck.

(b) Cargo piping, including valves, fittings, and flanges where exposed to the acid, shall be rubber-lined, or lined, coated or clad with other corrosion resistant material, or shall be fabricated of a phosphoric acid resistant stainless steel, such as Type 316. Vent piping, including flanges and fittings, shall be similarly protected at least to the height of the frangible disc if such is installed.

§ 98.18-35 Outage.

(a) Sufficient outage shall be provided to prevent the tanks from being liquid full at any time, but in no case shall the outage be less than 1 percent.

§ 98.18-40 Tank linings.

(a) Before a lining is applied the interior surfaces of cargo tanks shall be made smooth, welds chipped or ground smooth, and the surfaces thoroughly cleaned. All interior surfaces of the tanks shall be maintained free from scale, oxidation, moisture and all foreign matter during the lining process.

(b) The rubber or other approved lining material shall be resistive to attack by phosphoric acid; homogeneous, nonporous, and imperforate when applied; and not less elastic than the metal of the tank proper. It shall be of substantially uniform thickness, not less than ¼ inch for rubber lining. The lining shall be directly bonded to the tank plating, or attached by other satisfactory means acceptable to the Commandant.

(c) Rubber lining shall be scarfed at the joints to overlap at least 1½ inches, and the faying surfaces shall be beveled to an angle of approximately 45 degrees with vulcanizing being done in place.

§ 98.18-45 General requirements.

(a) All enclosed compartments containing phosphoric acid cargo tanks and all machinery spaces containing cargo pumps for handling phosphoric acid shall be fitted with effective means of ventilation.

(b) Cargo pumps where exposed to acid shall be made of corrosion-resistant material, or shall be suitably protected against corrosive attack.

(c) When air pressure is used to transfer the cargo an oil and water separator shall be fitted in compressed air lines to the tank.

(d) The use of naked lights and artificial lights, other than electric lights or portable battery lights, is prohibited during the filling and discharging operations. Smoking is prohibited and the master or officer in charge of the vessel shall post "No Smoking" signs during filling and discharging operations.

(e) During cargo transfer operations, a water hose shall be connected ready for immediate use and any leakage or spillage of acid shall be immediately washed away.

(f) Tanks approved for the transportation of phosphoric acid shall not be used for the transportation of any other commodity, except upon authorization by the Commandant (MMT).

(g) Phosphoric acid adulterated by other chemicals, inhibitors, oils, solvents, etc., shall not be transported in bulk cargo tanks except upon authorization by the Commandant (MMT).

(h) A vessel during transfer of cargo shall display a red flag by day or a red light by night, except when at anchor the day signal only shall be shown. Such signals when displayed shall be so placed as to be visible on all sides.

§ 98.18–50 Tests and inspections.

(a) Each gravity type cargo tank shall be tested before being placed into service as prescribed in § 98.18–10(a).

(b) Each cargo tank shall be subjected to an internal examination at least once in every 4 years. Where the lining of the cargo tank has deteriorated in service or is not in place, the marine inspector may require such tank to be subjected to the prescribed hydrostatic test if deemed necessary to determine the condition of the tanks.

Subpart 98.35—Portable Tanks for Combustible Liquids

§ 98.35–1 [Amended]

3. Section 98.35–1 *Scope* is amended by changing a phrase in second sentence of paragraph (a) from "portable tank" to "portable tanks".

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply R.S. 4417a, as amended, 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 110—GENERAL PROVISIONS

Subpart 110.10—Reference Specifications, Standards, and Codes

1. Section 110.10–1 is amended by adding subparagraph (18) to paragraph (e) and paragraph (h), reading as follows:

§ 110.10–1 General.

* * * * *

(e) * * *

(18) Standards for Industrial Control Equipment for Use in Hazardous Locations, Subject 698.

* * * * *

(h) Recommended practices in effect on the date the vessel is contracted for, issued by Instrument Society of America, 530 William Penn Place, Pittsburgh, Pa. 15219:

(1) Recommended Practice, Intrinsically Safe and Non-Incendive Electrical Instruments (RP 12.2).

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 110.15—Definition of Terms Used in This Subchapter

§ 110.15–85 [Amended]

2. Section 110.15–85 *Generation and distribution terms* is amended by changing in paragraph (e) the word from "produced" to "provided."

3. Section 110.15–100 is amended by adding a new paragraph (i) reading as follows:

§ 110.15–100 Instrument and meter terms.

* * * * *

(i) *Intrinsically safe instrument and equipment or wiring.* The term "intrinsically safe" when used with instruments and equipment or wiring shall mean such instruments and equipment or wiring that is incapable of releasing sufficient electrical or thermal energy under normal or abnormal conditions to cause ignition of a specific hazardous atmospheric mixture in its most easily ignited concentration. Abnormal conditions will include accidental damage to any part of the instrument and equipment or wiring, insulation, failure of electrical components, and other faulty conditions.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 111—ELECTRICAL SYSTEM; GENERAL REQUIREMENTS

Subpart 111.05—General Requirements

1. Section 111.05–5(b)(4) is amended by revising subdivisions (i) and (ii) to read as follows:

§ 111.05–5 Plan approval.

* * * * *

(b) *Procedure for submittal of plans.* * * *

(i) Commander, 3d Coast Guard District (mmt), Governor's Island, New York, N.Y. 10004, for geographical area covered by 1st, 3d, and 5th Coast Guard Districts.

(ii) Commander, 8th Coast Guard District (mmt), Room 308, Customhouse, 423 Canal Street, New Orleans, La. 70130, for geographical area covered by 2d, 7th, and 8th Coast Guard Districts.

* * * * *

Subpart 111.25—Motors

§ 111.25–10 [Amended]

2. Section 111.25–10 *Temperature limitations* is amended by revising Table 111.25–10(a2) in paragraph (a) by inserting the value "100" in the 7th column, first line, under headings "Class H insulation," and "50° C. ambient temperature."

Subpart 111.35—Switchboards and Propulsion Controls

§ 111.35–1 [Amended]

3. Section 111.35–1 *General requirements* is amended by changing in the second sentence of paragraph (b) the phrase from "clear deck beams" to "clear overhead deck beams."

Subpart 111.45—Motor Circuits and Controllers

4. Section 111.45–1(e) is amended to read as follows:

§ 111.45–1 Motor controllers, general requirements.

* * * * *

(e) *Adjacent to motor and driven machinery.* Generally a controller shall be located adjacent to the motor and its driven machinery. Where it is desired to group motor controllers at a central location or where, for other reasons, it is not feasible to locate a controller adjacent to the motor and its driven machine, the installation shall comply with one of the conditions listed in this paragraph.

(1) The motor and controller disconnecting means required by § 111.45–30 shall be capable of being locked in the open circuit position. However, if the disconnecting means is not within sight of the controller location or is more than 50 feet distant from the controller, subparagraph (2) or (3) of this paragraph shall be complied with.

(2) A manually operable switch which will disconnect the motor from its source of supply shall be provided adjacent to the motor location. This switch shall be rated in accordance with the appropriate requirements of § 111.45–30.

(3) A maintaining type switch in the motor control circuit shall be provided adjacent to the motor which will prevent the motor from being energized.

* * * * *

§ 111.45–5 [Amended]

5. Section 111.45–5 *Motor overcurrent protection* is amended by changing the phrase at the end of subparagraph (b)(3) from "motor full-load line" to "motor full-load line current".

§ 111.45–30 [Amended]

6. Section 111.45–30 *Disconnecting means* is amended by changing in paragraph (e)(2)(ii) the phrase "no-voltage release" to "low voltage release".

Subpart 111.50—Distribution and Circuit Loads

§ 111.50–20 [Amended]

7. Section 111.50–20 *Circuit loads and demand factors* is amended by changing Table 111.50–20(a) in paragraph (a) to read as follows:

TABLE 111.50-20 (a)—*Demand loads*

Type of circuit	Demand load
Generator cables	125 percent of continuous generator rating.
Switchboard bus-tie, except ship's service to emergency switchboard bus-tie.	75 percent of generating capacity of the larger switchboard.
Emergency switchboard bus-tie.	125 percent of continuous rating of emergency generator.
Feeder supplying two or more motors.	125 percent of the rating of the largest motor plus 100 percent of the sum of the ratings of all other motors supplied and including 50 percent of the rating of the spare switches or circuit breakers on the distribution panel.[1]
Feeder supplying two or more cargo winch motors arranged for the "Burtoning" method of cargo handling.	125 percent of the rating of the largest motor plus 35 percent of the sum of the ratings of all other motors supplied.[1]
Feeder supplying two or more 'tween deck cargo winch motors, cargo elevator motors, or cargo cranes.	125 percent of the rating of the largest motor plus 50 percent of the sum of the ratings of all other motors supplied.
Feeder supplying lighting and power transformers.	100 percent of the rated primary line current of the transformer.
Secondary feeders between transformers and distribution point.	100 percent of the rated secondary line current of the transformer.
Galley equipment feeder.	100 percent of either the first 50 KW or one-half the connected load, whichever is the larger, plus 65 percent of the remaining connected load, plus 50 percent of the rating of the spare switches or circuit breakers on the distribution panel.
Lighting feeder	100 percent of the connected load plus the average active circuit load for the spare switches or circuit breakers on the distribution panels.
Grounded neutral of a dual voltage feeder.	100 percent of the capacity of the ungrounded conductors when grounded neutral is not protected by a circuit breaker overcurrent trip, or not less than 50 percent of the capacity of the ungrounded conductors when the grounded neutral is protected by a circuit breaker overcurrent trip.

[1] Where a large number of motors are supplied from one feeder and the character of the load is such that not all motors will be operated simultaneously, a smaller demand load may be approved.

* * * * *

Subpart 111.55—Overcurrent Protection

8. Section 111.55–1 is amended by adding paragraph (k) at the end thereof reading as follows:

§ 111.55–1 Installation of overcurrent devices.

* * * * *

(k) *Transformer feeder circuits.* The conductors of transformer primary and secondary feeder circuits shall be provided with short circuit protection and shall be protected by overcurrent devices located at the source of supply to the primary, rated or set at 100 percent of the smaller of the primary and secondary feeder conductors (taking into account the transformer ratio as necessary). The rating or setting of the overcurrent devices shall not exceed 115 percent of the rated primary current of the transformer.

9. Section 111.55–15(b) is amended to read as follows:

§ 111.55–15 Construction and use of overcurrent devices.

* * * * *

(b) *Plug fuses and fuseholders of Type S.* Plug fuses and fuseholders of Type S may be employed for applications at not over 125 volts; 0 to 15 amperes, 16 to 20 amperes, and 21 to 30 amperes.

* * * * *

Subpart 111.60—Wiring Methods and Materials

10. Section 111.60–10 is amended by revising paragraph (b)(8) to read as follows:

§ 111.60–10 Wire and cable installation.

* * * * *

(b) * * *

(8) *Feeder and branch circuit cables.* Cable of every description shall be located with a view to avoiding, as far as practicable, spaces where excessive heat and gases may be encountered, as well as spaces where they may be exposed to damage, such as exposed sides of deckhouses. Electrical conductors shall not enter oil tanks except as permitted by § 111.65–3 and § 38.15–15 of Subchapter D (Tank Vessels) of this chapter. Conductors shall avoid cofferdams adjacent to and extending below the tops of oil tanks except as permitted by §§ 111.60–40, 111.65–3, and 111.70–10.

* * * * *

11. Section 111.60–35(a)(3) is amended to read as follows:

§ 111.60–35 Lighting fixtures.

(a) *General requirements.* * * *

(3) Fixture globes shall be protected by guards except in living quarters, wheelhouse, gyro room, radio room, galley, and similar spaces where not subject to mechanical damage. The lamps of incandescent lighting fixtures located in propulsion machinery spaces, boiler spaces, and other spaces where flammable liquids are piped under pressure shall be protected by globes, or by similar means, that will prevent a liquid from impinging directly on the lamp bulb when sprayed on the fixture from any direction.

* * * * *

12. Section 111.60–40 is amended to read as follows:

§ 111.60–40 Wiring methods and materials for hazardous locations.

(a) *General.* (1) The provisions of this section apply to locations in which equipment and wiring are subjected to the conditions indicated by the classifications covered by subparagraphs (8) through (10) of this paragraph. It is necessary that each compartment or area containing electrical equipment be considered individually in order to determine its hazard classification. Except as modified by this section, all other applicable rules contained in this subchapter shall apply to electrical equipment and wiring installed in hazardous locations.

(2) The term "explosionproof" as used in this section shall mean enclosed in a case which is capable of withstanding an explosion of a specified gas or vapor which may occur within it, and of preventing the ignition of the specified gas or vapor surrounding the enclosure by sparks, flashes or explosions of the gas or vapor within.

(3)(i) The term "intrinsically safe" when used with instruments and equipment or wiring shall mean such instruments and equipment or wiring that is incapable of releasing sufficient electrical or thermal energy under normal or abnormal conditions to cause ignition of a specific hazardous atmospheric mixture in its most easily ignited concentration.

(ii) Intrinsically safe instruments and equipment or wiring may be installed in any hazardous area for which it has been approved by the Commandant. It may be used in lieu of explosionproof equipment. Detailed requirements are contained in § 111.65–3.

(4) Through the exercise of ingenuity in the layout of electrical installations for hazardous locations, it is frequently possible to locate much of the equipment in less hazardous or in nonhazardous areas and thus reduce the amount of special equipment required. The amount of electrical equipment or wiring in hazardous locations shall be minimized.

(5) The intent of this section is to require a form of construction of equipment, and of installation that will insure safe performance under conditions of proper use and maintenance. It is necessary, therefore, that more than ordinary care be exercised with regard to the installation and maintenance of equipment and wiring in hazardous areas.

(6) Explosionproof switches and switches controlling explosionproof equipment shall have a pole for each circuit conductor.

(7) The explosive characteristics of various atmospheric mixtures of hazardous gases, vapors, and dusts depend on the specific hazardous material involved. It is necessary, therefore, that equipment be designed not only for the class of location but also for the specific gas, vapor or dust that will be present. For the purpose of approval, the following atmospheric mixtures have been grouped on the basis of their explosive characteristics:

Group A, Atmospheres containing acetylene;

Group B, Atmospheres containing hydrogen, or gases or vapors of equivalent hazard, such as manufactured gas;

Group C, Atmospheres containing ethyl ether vapor;

Group D, Atmospheres containing gasoline, petroleum, naphtha, alcohols, acetone, lacquer solvent vapors, and natural gas;

Group E, Atmospheres containing metal dust;

Group F, Atmospheres containing carbon black, coal or coke dust; and

Group G, Atmospheres containing grain dust.

(8) Class I locations are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitible

mixtures. Class I locations shall include the following.

(i) Class I, Division 1, Locations: (*a*) in which hazardous concentrations of flammable gases or vapors exist continuously, intermittently, or periodically under normal operating conditions; (*b*) in which hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or (*c*) in which breakdown or faulty operation of equipment or processes which may release hazardous concentrations of flammable gases or vapors, might also cause simultaneous failure of electrical equipment. This classification would usually include locations such as cargo tanks, cargo pumprooms, cofferdam areas, and in some cases open deck areas, storage and mixing rooms for paint and allied products, storage rooms for oil, oil lamps and the like, battery rooms, and hospital operating rooms in which combustible anesthetics may be administered.

(ii) Class I, Division 2, Locations: (*a*) in which flammable volatile liquids or flammable gases are handled, processed or used, but in which the hazardous liquids, vapors, or gases will normally be confined within closed containers or closed systems from which they can escape only in case of abnormal operation of equipment; (*b*) in which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, but which might become hazardous through failure or abnormal operation of the ventilating equipment; or (*c*) which are adjacent to Class I, Division 1 locations, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided. This classification would usually include locations where flammable volatile liquids or flammable gases or vapors are used, but which in the judgment of the Commandant would become hazardous only in case of an accident or of some unusual operating conditions. The quantity of hazardous material that might escape in case of accident, the adequacy of ventilating equipment, and the total area involved shall receive consideration in determining the classification and extent of each hazardous area.

(iii) Special limitations and requirements for electrical installations in hazardous locations on tank vessels are contained in Subpart 111.70 of this part.

(9) Class II locations are those in which combustible dust is or may be in the air continuously, intermittently, or periodically under normal conditions, in quantities sufficient to produce explosive or ignitible mixtures.

(i) This classification would usually include the working areas handling bulk grain and similar products, coal pulverizing plants (except where the pulverizing equipment is essentially dusttight), and the like.

(10) Class III locations are those in which easily ignitible fibers or materials producing combustible flyings are handled or used.

(i) Easily ignitible fibers and combustible flyings will include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste, kapok, Spanish moss, excelsior, sawdust, and other materials of similar nature.

(ii) Class III locations will usually include areas where the above products are handled in bulk, and in carpenter shops and similar locations.

(11) Where it is specified in this section that equipment shall be approved for Class I or Class II locations, approval by an independent testing laboratory is required. This approval shall be based on the tests outlined in the Underwriters' Laboratories, Inc. Standards for Industrial Control Equipment for Use in Hazardous Locations, Subject 698. Equipment that bears the Underwriters' Laboratories, Inc. label is acceptable for the class of hazardous locations indicated on the label.

(b) *Electrical installations in Class I, Division 1, Groups A, B, C, and D hazardous locations*—(1) *Meters, instruments and relays.* Meters, instruments and relays, including kilowatt-hour meters, instrument transformers and resistors, rectifiers and thermionic tubes, shall be provided with explosionproof enclosures approved for Class I locations.

(2) *Switches, circuit breakers, motor controllers and fuses.* Switches, circuit breakers, motor controllers and fuses, including pushbuttons, relays and similar devices, shall be provided with enclosures, and the enclosures in each case together with the enclosed equipment, shall be approved as a complete assembly for use in Class I locations.

(3) *Control transformers and resistors.* Transformers, impedance coils and resistors used as, or in conjunction with, control equipment for motors, generators and appliances, together with any switching mechanism associated with them, shall be provided with explosionproof enclosures approved for Class I locations.

(4) *Motors and generators.* Motors, generators and other rotating electrical machinery shall be of enclosed explosionproof type approved for Class I locations.

(5) *Lighting fixtures.* Each lighting fixture shall be approved as a complete assembly for Class I locations, and shall be clearly marked to indicate the maximum wattage of lamps for which it is approved. Fixtures intended for portable use shall be specifically approved as a complete assembly for that use.

(i) *Mechanical injury.* Each fixture shall be protected against mechanical injury by a suitable guard. Pendent fixtures having rigid conduit stems longer than 12 inches shall have permanent and effective bracing against lateral displacement.

(ii) *Supports.* Boxes, box assemblies, or fittings used for the support of lighting fixtures shall be approved for the purpose and for Class I locations.

(6) *Appliances, fixed and portable.* Appliances, including electrically heated and motor-driven appliances, shall be approved for Class I locations.

(7) *Flexible cords.* A flexible cord may be used only for connections between a portable lamp or a portable appliance and the fixed portion of its supply circuit, and, where used, shall be of a type approved for extra hard usage; shall contain, in addition to the conductors of the circuit, a grounding conductor, shall be connected to terminals or to supply conductors in an approved manner, shall be supported by clamps or by other suitable means in such a manner that there will be no tension on the terminal connections, and shall be provided with suitable seals where the flexible cord enters boxes, fittings, or enclosures of the explosionproof type.

(i) Where flexible cords may be exposed to liquids having a deleterious effect on rubber, they shall be of a type approved for use under such conditions.

(8) *Receptacle and attachment plugs.* Receptacles and attachment plugs shall be of the polarized type providing for connection to the grounding conductor of the flexible cord and shall be approved for Class I locations.

(9) *Signal, alarm, remote-control and communication systems.* Signal, alarm, remote-control and communication systems, irrespective of voltage, shall be approved for Class I locations.

(10) *Wiring methods.* (i) Electric cables shall be leaded and armored, or impervious sheathed and armored, or mineral-insulated metal sheathed.

(ii) The cable entrance to each explosionproof device shall be sealed to prevent the passage of gases, vapors, or flame from within the explosionproof enclosure.

(iii) The seal fitting shall be located as close as practicable to, but in no case more than 18 inches from, the enclosure, and shall be connected thereto by means of a short length of rigid metal conduit with threaded explosionproof joints each having at least 5 full threads engaged. Type MI cables, however, shall enter enclosures directly through explosionproof fittings especially approved for Class I locations.

(iv) Except for type MI cables, all cable covering except the individual conductor insulation shall be removed in way of the seal fitting, and the seal fitting filled with a sealing compound.

(v) The sealing compound shall be approved for the purpose, shall not be effected by the surrounding atmosphere or liquids, and shall not have a melting point of less than 93 degrees C.

(vi) In the completed seal, the minimum thickness of the sealing compound shall be not less than the trade size of the conduit, and in no case less than $\frac{5}{8}$ inch.

(vii) Splices and taps shall not be located in the seal fitting, nor shall other fittings in which splices or taps are made be filled with compound.

(c) *Electrical installations in Class I, Division 2, Groups A, B, C, and D hazardous locations*—(1) *Equipment with sliding contacts or contacts for making or breaking current, relays, switches, circuit breakers, motor controllers, and fuses.*

All switching and current interrupting mechanisms shall be provided with explosionproof enclosures approved for Class I locations, unless provided with nonexplosionproof enclosures otherwise suited to the location where installed with features described in subparagraph (2) of this paragraph, and interruption of current occurs in a chamber hermetically sealed against the entrance of gases and vapors or the current interrupting contacts are oil immersed and the device is approved for the location.

(2) *Meters, instruments, transformers, resistors, thermionic tubes, solenoids, and impedance coils.* Equipment which does not incorporate sliding or make and break contacts shall be provided with explosionproof enclosures approved for Class I locations, unless provided with nonexplosionproof enclosures otherwise suited to the location where installed with vents adequate to permit prompt escape of any gases or vapors. The maximum operating temperature of any exposed surface shall not exceed 80 percent of the ignition temperature in degrees centigrade of the gas or vapor involved.

(3) *Motors and generators.* Motors, generators and other rotating electrical machinery in which are employed sliding contacts, centrifugal or other types of switching mechanism (including motor overcurrent devices), or integral resistance devices, either while starting or while running, shall be of enclosed explosionproof type approved for Class I locations. Nonexplosionproof enclosed motors such as squirrel cage induction motors without brushes, switching mechanisms, etc., are permitted.

(4) *Lighting fixtures.* Each lighting fixture shall either be approved for Class I locations or shall be provided with globes and guards and, under normal operating conditions, the lamps shall not reach surface temperatures exceeding eighty percent (80%) of the ignition temperature in degrees Centigrade of the gas or vapor involved. Pendent fixtures shall be in accordance with paragraph (b)(5)(i) of this section.

(5) *Appliances, fixed and portable.* Motors, switches, circuit breakers and fuses shall conform to subparagraphs (1) through (3) of this paragraph. Electrically heated appliances shall be approved for Class I locations.

(6) *Flexible cords.* Flexible cords shall conform to paragraph (b)(7) of this section.

(7) *Receptacles and attachment plugs.* Receptacles and attachment plugs shall conform to paragraph (b)(8) of this section.

(8) *Wiring methods.* Explosionproof enclosures and equipment shall conform to subparagraph (b)(10) of this paragraph. Nonexplosionproof equipment and enclosures shall conform to § 111.60–15.

(d) *Electrical installations in Class II hazardous locations—(1) Switches, circuit breakers, motor controllers, and fuses.* Switches, circuit breakers, motor controllers and fuses, including pushbuttons, relays and similar devices, which are intended to interrupt current in the normal performance of the function for which they are installed, or which are installed where dusts of an electrically conducting nature may be present, shall be provided with dusttight enclosures approved for Class II locations.

(i) Disconnecting and isolating switches containing no fuses and not intended to interrupt current, and which are not installed where dust may be of an electrically conducting nature, shall be provided with tight metal enclosures which shall be equipped with close-fitting covers, or with other effective means to prevent the escape of sparks or burning material, and shall have no openings (such as holes for attachment screws) through which, after installation, sparks or burning material might escape, or through which exterior accumulations of dust or adjacent combustible material might be ignited.

(2) *Control transformers and resistors.* Transformers, impedance coils and resistors used as, or in conjunction with, control equipment for motors, generators and appliances, and any overcurrent devices or switching mechanisms associated with them, shall have dusttight enclosures approved for Class II locations.

(3) *Motors and generators.* Motors, generators and other rotating-electrical machinery shall be totally enclosed not ventilated, totally enclosed pipe-ventilated, or totally enclosed fan-cooled, and shall be approved for Class II locations.

(4) *Appliances, fixed and portable.* Appliances, fixed and portable, including electrically heated and motor-driven appliances, shall be approved for Class II locations.

(5) *Lighting fixtures.* Each lighting fixture, fixed or portable, shall be approved for Class II locations, and shall be clearly marked to indicate the maximum wattage of the lamp for which it is approved. Each fixture shall be protected against mechanical injury by a suitable guard. Pendent fixtures having rigid conduit stems longer than 12 inches shall have permanent and effective bracing against lateral displacement. Boxes, box assemblies, or fittings used for the support of lighting fixtures shall be approved for the purpose and for Class II locations.

(6) *Receptacles and attachment plugs.* Receptacles and attachment plugs shall be polarized type providing for connection to the grounding conductor of the flexible cord, and shall be approved for Class II locations.

(7) *Signal, alarm, remote-control, and communication systems.* (i) Switches, circuit breakers, relays, contactors, and fuses which may interrupt other than voice currents, and current-breaking contacts for bells, horns, howlers, sirens and other devices in which sparks or arcs may be produced shall be provided with dusttight enclosures approved for Class II locations.

(ii) Resistors, transformers, and choke coils which may carry other than voice currents, and rectifiers, thermionic tubes, and other heat generating equipment or apparatus shall be provided with dusttight enclosures approved for Class II locations.

(8) *Wiring methods—(i) Fittings and boxes.* Fittings and boxes shall be provided with threaded bosses for terminal tubes, shall have close fitting covers, and shall have no openings (such as holes for attaching screws) through which sparks or burning material might escape. Fittings or boxes in which taps, joints or terminal connections are made, or which are used in locations where dusts are of an electrically conducting nature, shall be approved for Class II locations.

(ii) *Electric cables.* Electric cables shall be leaded and armored, impervious sheathed and armored, or mineral-insulated metal sheathed. Cable entrances shall be made dusttight by terminal tubes or, in case of Type MI cable, by fittings designed for that purpose.

(iii) *Flexible connections.* Where necessary to employ flexible connections, dusttight flexible connectors, flexible metal conduit, or flexible cord approved for extra hard usage and provided with bushed fittings shall be used, except that where dusts are of an electrically conducting nature, flexible metal conduit shall not be used, and flexible cords shall be provided with dust seals at both ends. Where flexible cords are subject to oil or other corrosive conditions, the conductors shall be of a type approved for the condition. An additional conductor for grounding shall be provided in the flexible cord.

(e) *Electrical installations in Class III hazardous locations—(1) Switches, circuit breakers, motor controllers, and fuses.* Switches, circuit breakers, motor controllers, and fuses, including pushbuttons, relays, and similar devices, shall be provided with tight metal enclosures which shall be equipped with close fitting covers, or with other effective means to prevent escape of sparks or burning material, and shall have no openings (such as holes for attachment screws) through which, after installation, sparks or burning material might escape, or through which exterior accumulations of fibers or flyings or adjacent combustible material might be ignited.

(2) *Control transformers and resistors.* Transformers, impedance coils and resistors used as, or in conjunction with, control equipment for motors, generators and appliances, shall conform to paragraph (d)(2) of this section.

(3) *Motors and generators.* Motors, generators, and other rotating electrical machinery shall be totally enclosed not ventilated, totally enclosed pipe-ventilated, or totally enclosed fan-cooled.

(4) *Appliances, fixed and portable.* Appliances, fixed and portable, shall conform to the requirements of this subparagraph.

(i) *Heaters.* Electrically heated appliances shall be provided with dusttight enclosures, and shall be approved for Class III locations.

(ii) *Motors.* Motors of motor-driven appliances shall conform to subparagraph (3) of this paragraph. Appliances which may be readily moved from one location to another shall conform to

requirements for the most hazardous location.

(iii) *Switches, circuit breakers, motor controllers and fuses.* Switches, circuit breakers, motor controllers and fuses shall conform to the requirements of paragraph (d)(1) of this section.

(5) *Lighting fixtures.* Lighting fixtures shall conform to the requirements of this subparagraph.

(i) *Construction.* Each fixture shall be of dusttight type so designed that in the event of burnout of lamp or lampholder, no spark or hot metal can escape from the fixture. Unless each fixture is so constructed that it will not accept a lamp of larger wattage than that for which it is designed, it shall be clearly marked to indicate the maximum wattage of lamp that should be used.

(ii) *Mechanical injury.* A fixture which may be exposed to mechanical injury shall be protected by a suitable guard.

(iii) *Supports.* Boxes, box assemblies, or fittings used for the support of lighting fixtures shall be of a type approved for the purpose.

(iv) *Portable lamps.* Portable lamps shall be dusttight and shall be protected with substantial guards. Lampholders shall be of unswitched type with no exposed metal parts. Unless the portable lamp is so constructed that it will not accept a lamp of larger wattage than that for which it is designed, it shall be clearly marked to indicate the maximum wattage of lamp that should be used.

(6) *Receptacles and attachment plugs.* Receptacles and attachment plugs shall conform to the requirements of paragraph (d)(6) of this section.

(7) *Signal, alarm, remote-control and communication systems.* Signal, alarm, remote-control and communication systems shall conform to the requirements of paragraph (d)(7) of this section.

(8) *Wiring methods.*—(i) *Fittings and boxes.* Fittings and boxes in which taps, joints, or terminal connections are made shall be provided with close fitting covers, or other effective means to prevent the escape of sparks or burning material, and shall have no openings (such as holes for attaching screws) through which, after installation, sparks or burning material might escape, or through which exterior accumulations of fibers or flyings or adjacent combustible materials might be ignited.

(ii) *Electric cables.* Electric cables shall conform to the requirements of paragraph (d)(8)(ii) of this section.

(iii) *Flexible connections.* Flexible connections shall conform to the requirements of paragraph (d)(8)(iii) of this section.

Subpart 111.65—Special Requirements for Certain Locations and Systems

13. Subpart 111.65 is amended by inserting after § 111.65–1 a new § 111.65–3 reading as follows:

§ 111.65–3 Special requirements for intrinsically safe systems.

(a) *Application.* (1) Intrinsically safe systems may be installed in any hazardous area as permitted by § 111.60–40(a)(3)(ii).

(b) *General requirements.* (1) Intrinsically safe systems shall be approved by the Commandant for each specific atmosphere.

(2) The recommended practice for Intrinsically Safe and Non-Incendive Electrical Instruments (RP 12.2) published by the Instrument Society of America is recognized as a guide for approval of intrinsically safe equipment by the Commandant.

(c) *Submittals required for approval.* (1) Detailed assembly drawings, list of material, wiring diagrams, and descriptions of operation. The hazardous atmosphere Class and Group as defined in § 111.60–40(a) shall be indicated.

(2) Detailed analysis of the maximum possible energy that may be released under normal and abnormal conditions.

(i) The term "normal condition" means that equipment operating at maximum available voltage and current.

(ii) The term "abnormal condition" means that equipment operating under conditions resulting from accidental damage to any part of the equipment or wiring, insulation or other failure of electrical components, application of overvoltage, adjustment and maintenance operations, and other similar conditions. The analysis of an "abnormal condition" of equipment will be considered to be not more than two independent faults in a combination.

(d) *Coast Guard evaluation and test procedure.* (1) The material submitted shall be evaluated for suitability and energy level. Subparagraph (3) of this paragraph contains data pertaining to energy level which will be used in evaluation of the material submitted.

(i) Where evaluation indicates the current and voltage levels are not more than that listed in Table 111.65–3(d)(1) for ignition of the specific atmospheric mixture of the gas group involved, the requirements for testing may be waived by the Commandant.

TABLE 111.65–3 (d)(1)—PERCENTAGE OF CURRENT AND VOLTAGE LEVELS FOR IGNITION OF SPECIFIC ATMOSPHERIC MIXTURES OF A GAS GROUP

	No normally operating contacts (percent)	Normally operating contacts (percent)
Normal conditions	25	25
Abnormal conditions	50	25

(ii) Where evaluation indicates the current and voltage levels are more than that listed in Table 111.65–3(d)(1) for ignition of the specific atmospheric mixture of the gas group involved, or in any case where the complexity of the circuit is such that circuit analysis is not acceptable, the Commandant will require the equipment to be tested by an approved laboratory.

(2) For purposes of evaluation, energy that may be released from a capacitive and inductive circuit can be calculated by the following methods:

(i) Capacitors; the maximum energy, "W," available from capacitors is the total stored energy as determined by the following formula:

$$W = \tfrac{1}{2} CV^2 \qquad (1)$$

where:

C is capacitance in farads.
V is the maximum instantaneous voltage on the capacitor in volts.
W is energy in joules.

(ii) Inductors; the maximum energy available from an inductor when the current is interrupted is the total stored energy, "W," as determined by the following formula:

$$W = \tfrac{1}{2} LI^2 \qquad (2)$$

where:

W is energy in joules.
L is the inductance in henries.
I is the maximum instantaneous value of the interrupted current in amperes.

(3) Gases are grouped according to their ignitibility as specified in § 111.60–40(a)(7). The energy required for igniting the most easily ignited mixture of a typical member of each group of gases under conditions more severe than are likely to be encountered in a practical installation have been determined by experiment. Figures 111.65–3(d)(3)(i) through 111.65–3(d)(3)(iii) are plots of the lowest level of current as a function of inductance for ignition of the specific gas group involved. Figures 111.65–3(d)(3)(iv) through 111.65–3(d)(3)(vi) are plots of the lowest level of capacitor voltage as a function of capacitance for ignition of the specific gas group involved. These plots may be used for determining acceptable current and voltage levels for use in connection with intrinsically safe calculations.

Inductance vs. Current, C Group

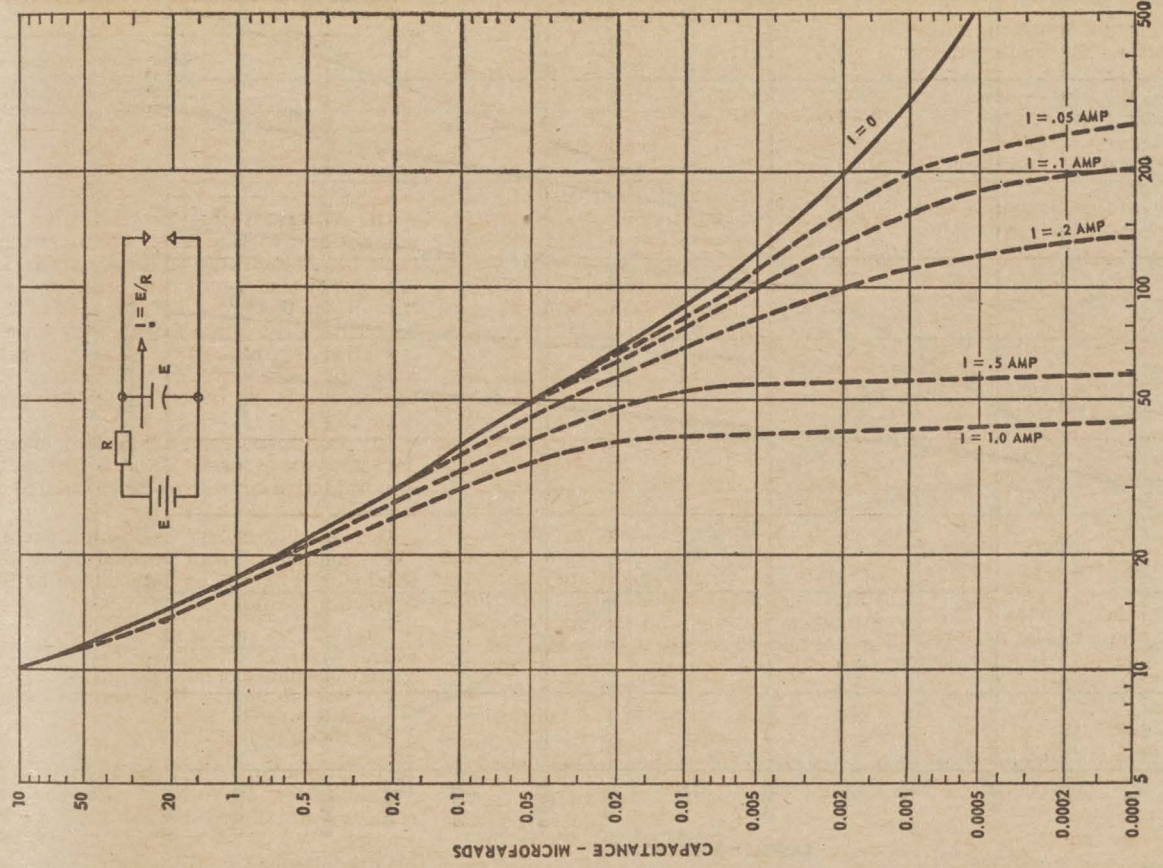


FIGURE 111.65-3(d) (3) (ii)

Inductance vs. Current, B Group

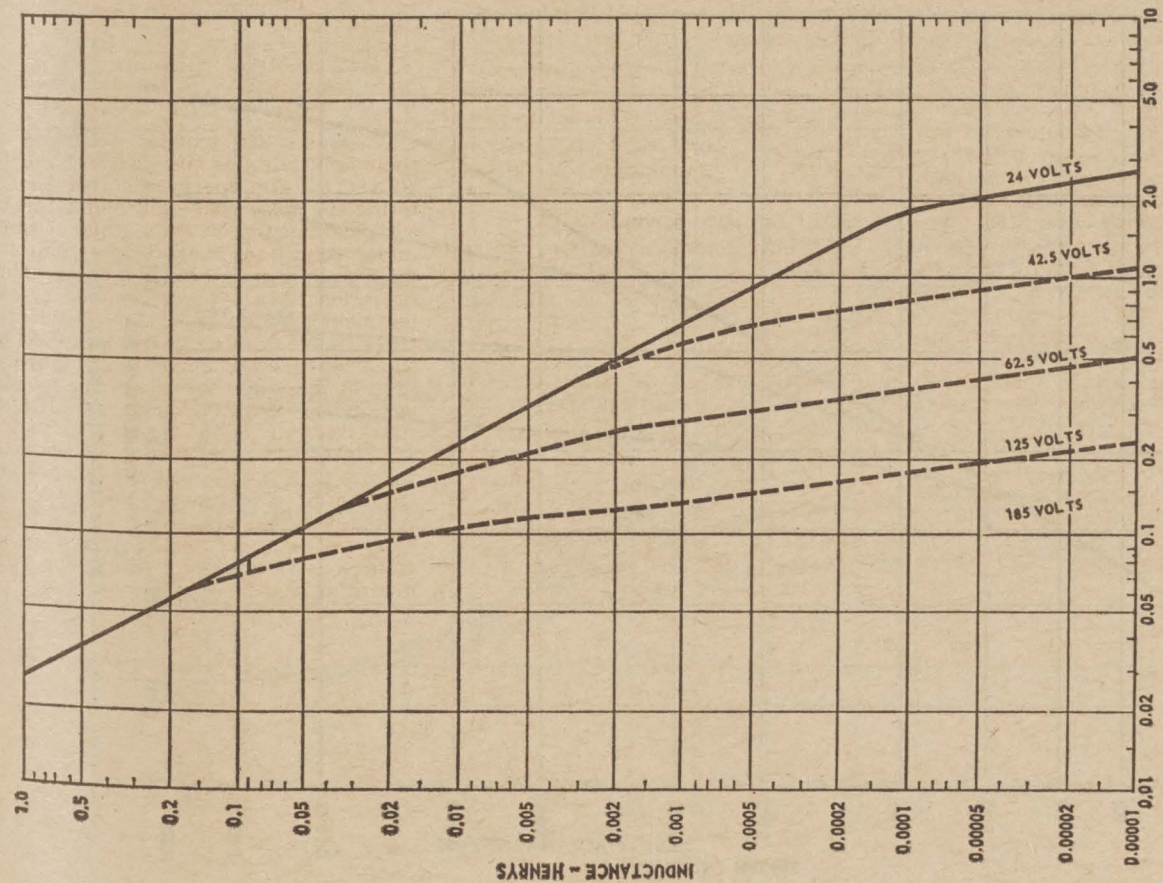


FIGURE 111.65-3(d) (3) (i)

Capacitance vs. Current, B Group

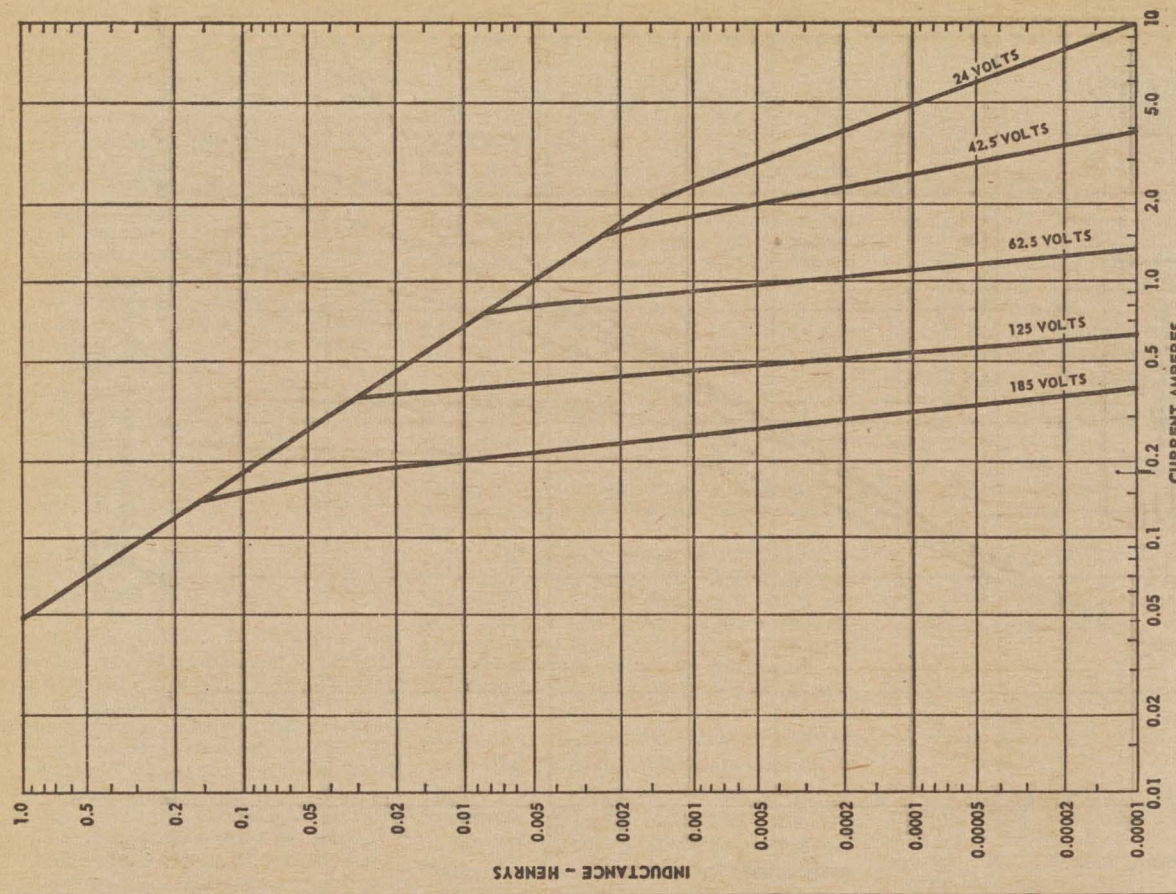


FIGURE 111.65-3(d) (3) (iv)

Inductance vs. Voltage, D Group

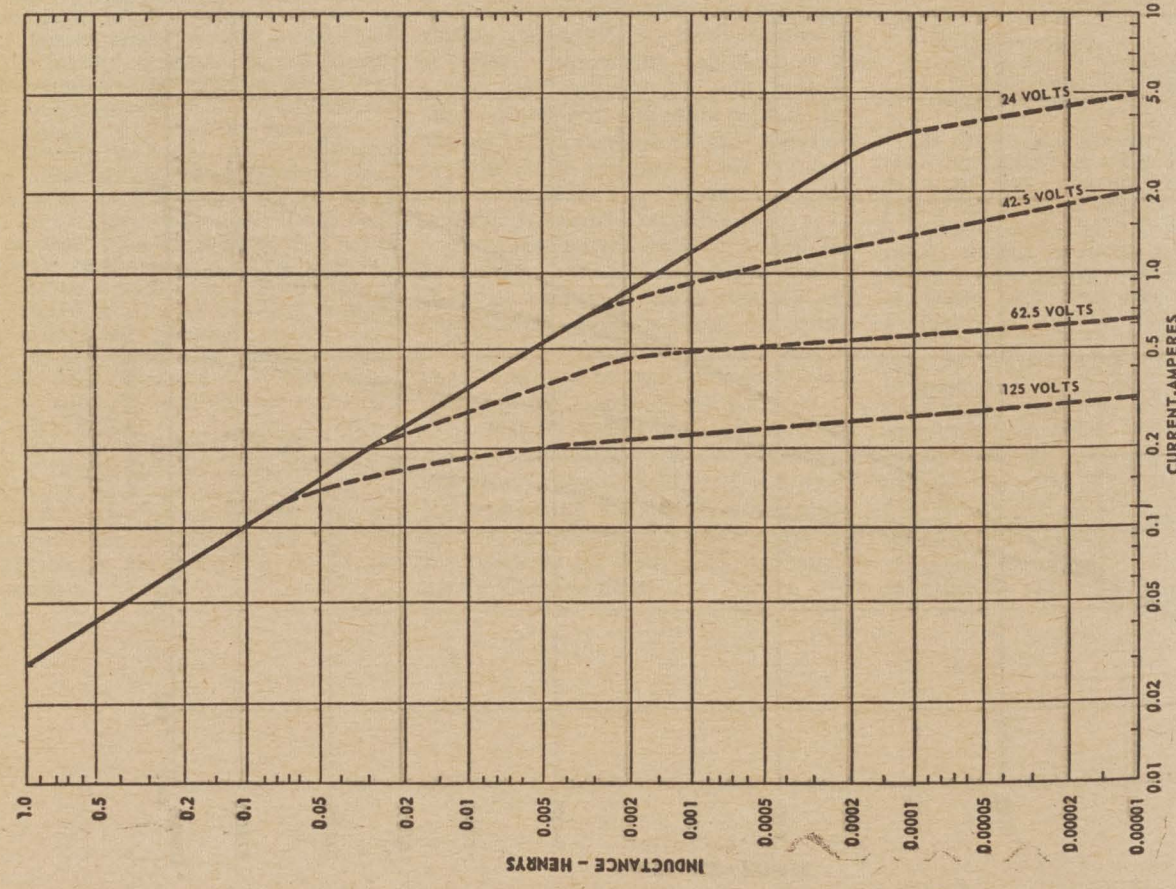


FIGURE 111.65-3(d) (3) (iii)

Capacitance vs. Voltage, D Group

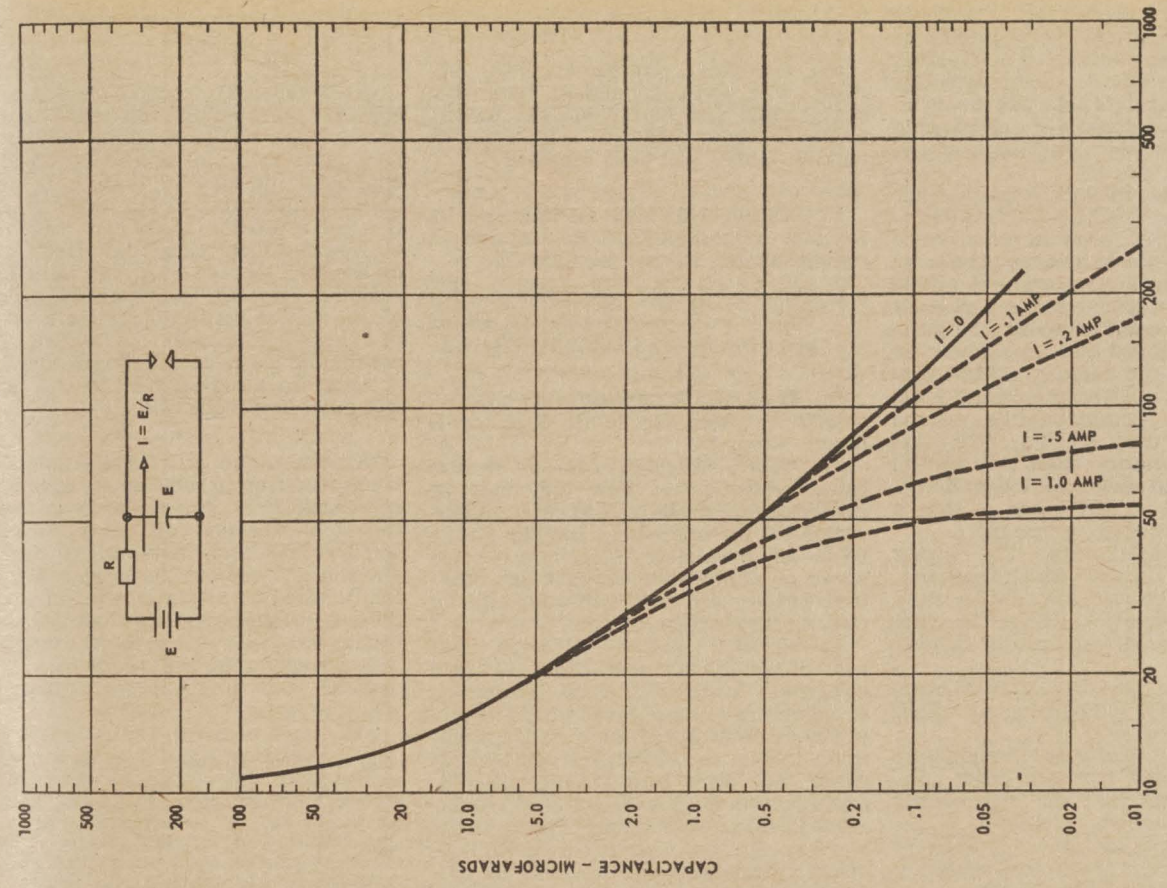


FIGURE 111.65-3(d) (3) (vi)

Capacitance vs. Voltage, C Group

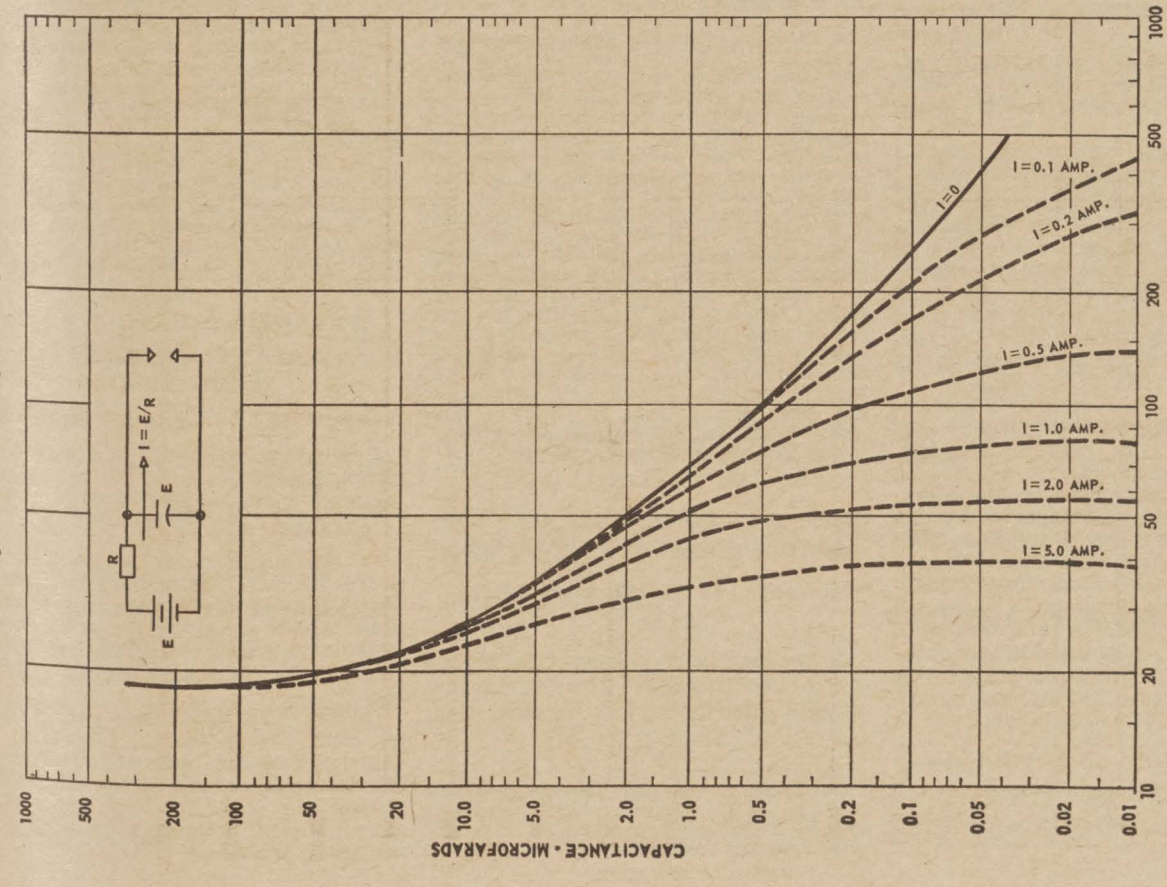


FIGURE 111.65-3(d) (3) (v)

(e) *Testing requirements.* (1) Tests conducted for purposes of compliance with subparagraph (d)(1) of this section shall experimentally determine whether or not the most ignitible gas involved can be ignited as a result of any possible function, malfunction, or failure of the component concerned.

(2) Independent laboratories that are acceptable to the Commandant shall perform the required tests in accordance with a testing procedure approved by the Commandant. The original and 3 copies of the laboratory test report shall be submitted to the Commandant (without cost to the Coast Guard) directly by the laboratory, and one copy will be forwarded to the manufacturer when he is advised of the Commandant's actions taken under this section. The independent laboratory shall inform the Commandant in advance when designated tests will be performed so that a marine inspector may be present.

(f) *Wiring installation.* The wiring installation for the intrinsically safe section of each approved installation shall comply with Subpart 111.60 of this part except where exempted by this subpart and:

(1) The cable insulation shall be compatible with the liquid or vapor to which it may be exposed; and,

(2) The intrinsically safe conductors shall be separated from all other conductors to insure that the intrinsically safe circuit is not compromised by becoming energized by other conductors through damage or failure of insulation or by induction from other sources.

14. Section 111.65–10 is amended to read as follows:

§ 111.65–10 Special requirements for locations where gasoline or other highly volatile motor fuel is carried in vehicles.

(a) *Application.* The provisions of this section are applicable to spaces which are "specially suitable for vehicles" as defined in § 70.10–44 in Subchapter H (Passenger Vessels) and § 90.10–38 in Subchapter I (Cargo and Miscellaneous Vessels) of this chapter. Electrical requirements for spaces other than those "specially suitable for vehicles" are contained in § 146.27–30 of Subchapter N (Dangerous Cargoes) of this chapter.

(b) *General requirements.* Electrical equipment which tends to produce arcs or sparks, such as cutouts, switches, receptacles, lampholders, generators, motors, or other equipment having make-or-break or sliding contacts, when installed within 18 inches of the deck, shall be of a type approved for Class I, Group D locations, in accordance with § 111.60–40(b). Electrical equipment installed at or over 18 inches above the deck shall be of the totally enclosed type or dripproof protected equipment provided with suitable guards or screens to prevent escape of sparks or hot metal particles.

Subpart 111.70—Special Requirements for Tank Vessels

15. Section 111.70–5(h) is amended to read as follows:

§ 111.70–5 Definitions.

* * * * *

(h) *Liquefied flammable gas—TB/ALL.* The term "liquefied flammable gas" means any flammable gas having a Reid[1] vapor pressure exceeding 40 pounds, which has been liquefied.

* * * * *

16. Section 111.70–10 is amended by revising subparagraphs (3) and (4) in paragraph (c) to read as follows:

§ 111.70–10 Special requirements for tank vessels contracted for on or after November 19, 1955—TB/ALL.

* * * * *

(c) *Installation requirements on tank vessels handling Grade A, B, C or D liquid cargo.* * * *

(3) *Cable.* Through runs of electric cable, regardless of how they may be protected, are prohibited in cargo pumprooms, except where permitted by § 111.-65–3. In any enclosed space immediately above or adjacent to cargo tanks other than cargo pumprooms, through runs of electric cable are permitted.

(4) *Weather decks.* Motors, their control equipment, and other electrical equipment and installations located on or above the weather decks within 10 feet of the cargo tank openings, cargo pumproom doors or ventilation outlets, or cargo tank vent terminations shall be explosionproof. Explosionproof equipment installed in locations exposed to the weather shall be waterproof or shall be enclosed in watertight housings, or protected against the entrance of water by other approved means.

(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. 17, 54 Stat. 166, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. 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 113—COMMUNICATION AND ALARM SYSTEMS AND EQUIPMENT

Subpart 113.25—General Alarm Systems

1. Section 113.25–10 is amended by revising subdivision (ii) in subparagraph (3) and subparagraph (5) in paragraph (a) to read as follows:

§ 113.25–10 General requirements.

(a) *Power supply.* * * *

(3) * * *

(ii) Duplicate storage batteries so connected, in combination with a manual two-position transfer switch (having no OFF position), that one battery will be charged while the other battery is available for furnishing power to the system. Control, indicator, and alarm loads may be supplied from these batteries. Each of the two storage batteries shall have sufficient capacity to supply the general alarm system continuously for a period of at least 4 hours and to supply all other connected loads at maximum expected demand for a period of at least 8 hours without being recharged;

* * * * *

(5) When the general alarm system is supplied from an emergency or interior communication switchboard, or when the duplicate general alarm batteries supply other loads as permitted by subdivision (3)(ii) of this paragraph, the fused switch or circuit breaker supplying the general alarm system shall have provisions for locking to prevent unauthorized operation of the switch or circuit breaker and unauthorized tampering with the fuses.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER P—MANNING OF VESSELS

PART 157—MANNING REQUIREMENTS

Subpart 157.30—Special Provisions

1. Section 157.30–10 is amended to read as follows:

§ 157.30–10 Officers for uninspected vessels.

(a) For the purpose of this section and R.S. 4438a, as amended (46 U.S.C. 224a), the definitions of the following expressions, which are the same as those set forth in Article 2 of the Officers' Competency Certificates Convention, 1936, are:

(1) "Master" means any person having command or charge of a vessel.

(2) "Navigating officer in charge of the watch" means any person, other than a pilot, who is for the time being actually in charge of the navigation or maneuvering of a vessel.

---

[1] American Society for Testing Materials Standard D–323 (most recent revision), Method of Test for Vapor Pressure of Petroleum Products (Reid Method).

(3) "Chief engineer" means any person permanently responsible for the mechanical propulsion of a vessel.

(4) "Engineer officer in charge of the watch" means any person who is for the time being actually in charge of the running of a vessel's engines.

(b) Every vessel, however propelled, 200 gross tons or over and navigating the high seas and subject to the provisions of R.S. 4438a, as amended (46 U.S.C. 224a), shall have officers licensed by the Coast Guard. No person shall be engaged to perform or shall perform on board any such vessel the duties of master, chief engineer, navigating officer in charge of the watch, or engineer officer in charge of the watch unless he holds a valid license issued by the Coast Guard attesting to his qualifications to perform such duties.

(c) The phrase "* * * no person shall be engaged to perform, or shall perform on board any vessel to which this section applies, the duties of master, mate, chief engineer, or assistant engineer, unless he holds a license to perform such duties * * *" in subsection (4) of R.S. 4438a, as amended (46 U.S.C. 224a), shall be construed to mean that an uninspected vessel shall be manned as provided in this paragraph.

(1) If an uninspected vessel engages on a voyage of 12 hours or less, such vessel shall have a master and chief engineer in charge of the watch continuously. If desired, a mate may serve as navigating officer in charge of the watch as a relief for the master. If desired, an assistant engineer may serve as the engineer officer in charge of the watch as a relief for the chief engineer.

(2) If an uninspected vessel engages on a voyage of over 12 hours duration, such vessel shall have a master, mate, chief engineer, and assistant engineer and such officers shall be in charge of their respective watches continuously, except as permitted otherwise by this subparagraph. An uninspected vessel which is equipped with full pilothouse control of the propulsion machinery, thus eliminating the necessity for a continuous engineroom watch, will not be deemed to be in violation of R.S. 4438a, as amended (46 U.S.C. 224a), when manned with an appropriately licensed master and mate who shall be in charge of their respective watches continuously, and an appropriately licensed chief engineer.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4438a, as amended; 46 U.S.C. 224a; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER Q—SPECIFICATIONS

PART 160—LIFESAVING EQUIPMENT

Subpart 160.001—Life Preservers, General

1. Section 160.001–2 is amended to read as follows:

§ 160.001–2 General characteristics of life preservers.

(a) A life preserver shall be of such construction, material and workmanship that it can perform its intended function in all weathers and at all temperatures which may be expected in the normal usage of such life preserver. No more metal or other such nonbuoyant materials shall be used than is reasonably necessary in the construction of a life preserver.

(b) A life preserver shall be capable of supporting in fresh water for 48 hours a minimum of 16.5 pounds.

(c) Life preservers the buoyancy of which depends upon air compartments, inflation, or loose granulated material are prohibited.

(d) A life preserver shall be simple in design, reversible, and capable of being quickly adjusted for secure fit to the body of a wearer of the size for which it is intended.

(e) A life preserver shall support the wearer in the water in an upright or slightly backward position, and shall provide support to the head so that the face of an unconscious or exhausted person is held above the water.

(f) A life preserver shall be capable of turning the wearer, upon entering the water, to a safe flotation position as described in paragraph (e) of this section.

(g) A life preserver shall not be appreciably deteriorated or rendered unable to perform its intended function by common oils or oil products.

(h) A life preserver shall be of a highly visible color, such as Indian Orange, International Orange, or Scarlet Munsell Red.

(i) A life preserver shall be of such construction, materials, and workmanship as to be at least equivalent to a standard type life preserver described in detail by other subparts in this part.

(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, 4488, as amended, 4491, as amended, 4492, as amended, sec. 10, 35 Stat. 428, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 3, 54 Stat. 164, as amended, 166, as amended, 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 490, 395, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

Subpart 160.012—Lights, Water: Self-Igniting (Calcium Carbide-Calcium Phosphide Type), for Merchant Vessels

2. Section 160.012–5(a) is amended to read as follows:

§ 160.012–5 Marking.

(a) The cylinder shall be legibly marked by embossing at its top end the words "TOP—ATTACH THIS END TO SHIP" and the year of manufacture. The cylinder shall be legibly marked by embossing the cylindrical shell with the brand name of the light, the words "SELF-IGNITING WATER LIGHT", the name and address of the manufacturer, and the Coast Guard approval number assigned to the device. The bottom of the water light shall be marked "BOTTOM—ATTACH THIS END TO RING LIFE BUOY".

* * * * *

3. Section 160.012–6 is amended by adding a paragraph (b) reading as follows:

§ 160.012–6 Packing.

* * * * *

(b) Instructions for securing the water light to the vessel and to the ring life buoy shall be included in the shipping container. This instruction shall show how to attach the device so that its weight is not supported by the top ring, and still allow its proper operation.

4. Section 160.012–7(b) is amended to read as follows:

§ 160.012–7 Procedure for approval.

* * * * *

(b) *Manufacturer's plans and specifications.* In order to obtain approval of self-igniting water lights, submit detailed plans and specifications including a complete bill of material, assembly drawing, parts drawings descriptive of the arrangement and construction of the device, and instructions for installation, to the Commander of the Coast Guard District in which the factory is located. Each drawing shall have an identifying drawing number, date, and an identification of the device; and the general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers and alteration numbers. At the time of selection of the preapproval sample, the manufacturer shall furnish to the inspector four copies of all plans and specifications, corrected as may be required, for forwarding to the Commandant.

* * * * *

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, section 3, 68 Stat. 675; 46 U.S.C. 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857)

Subpart 160.051—Inflatable Liferafts

§ 160.051–3 [Amended]

5. Section 160.051–3 is amended by changing the phrase in the first sentence of paragraph (a) from "inflatable liferaft container" to "inflatable liferaft and container".

§ 160.051–9 [Amended]

6. Section 160.051–9 *Procedure for approval* is amended by revising the reference in the last sentence of paragraph (b) from "§ 160.051–5(e) (1) through (11)" to "§ 160.051–5(e) (1) through (12)".

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416; Treasury Dept. Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER R—NAUTICAL SCHOOLS

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

Subpart 167.15—Inspections

1. Subpart 167.15 is amended by inserting after § 167.15–25 a new § 167.15–30 reading as follows:

§ 167.15–30 Drydocking.

(a) Except for extensions as authorized by the Commandant, all vessels shall be drydocked or hauled out and made available for examination, and shall be examined by a marine inspector within the periods set forth in this paragraph, depending upon the service.

(1) Each vessel shall be drydocked or hauled out at intervals not to exceed 24 months if it is in salt water a total of more than 12 months in the 24-month period since it was last drydocked or hauled out.

(2) Each vessel shall be drydocked or hauled out at intervals not to exceed 36 months if it is in salt water less than 12 months in the first 24-month period since it was last drydocked or hauled out.

(3) Each vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates exclusively in fresh water.

(b) The master, owner, or agent shall notify the Officer in Charge, Marine Inspection, at any time a vessel is to be placed on drydock or hauled out in order that an examination of the underwater portion of the vessel may be made if deemed necessary.

2. Section 167.15–50 is amended to read as follows:

§ 167.15–50 Tail shaft examination.

The outboard shaft or shafts on every nautical school ship shall be drawn for examination once at least in every 4 years: *Provided*, That, if the circumstances warrant it, the Coast Guard District Commander may extend this time to the next regular drydocking period, not to exceed 4 months.

Subpart 167.65—Special Operating Requirements

3. Section 167.65–45 is amended to read as follows:

§ 167.65–45 Notice to mariners; aids to navigation.

(a) Officers are required to acquaint themselves with the latest information published by the Coast Guard and the U.S. Navy regarding aids to navigation, and neglect to do so is evidence of neglect of duty. It is desirable that nautical school ships navigating oceans and coastwise and Great Lakes waters shall have available in the pilothouse for convenient reference at all times a file of the applicable Notice to Mariners.

(b) Weekly Notices to Mariners (Great Lakes Edition), published by the Commander, 9th Coast Guard District, contain announcements and information on changes in aids to navigation and other marine information affecting the safety of navigation on the Great Lakes. These notices may be obtained free of charge, by making application to Commander, 9th Coast Guard District.

(c) Weekly Notices to Mariners (Part I, Atlantic and Mediterranean) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, and 8th Coast Guard Districts and the Greater Antilles Section. Foreign marine information in the Atlantic and Mediterranean area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) Weekly Notices to Mariners (Part II, Pacific and Indian Oceans) are prepared jointly by the U.S. Coast Guard, the U.S. Coast and Geodetic Survey and the U.S. Naval Oceanographic Office. They include changes in aids to navigation in assembled form for the 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information in the Pacific and Indian Oceans area is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Branch Oceanographic Offices and U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(e) All nautical school ships shall have charts of the waters on which they operate available for convenient reference at all times.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4450, as amended, 4453, as amended, 4488, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 403; 46 U.S.C. 391, 392, 404, 411, 239, 222, 481, 363, 367, 390b, 50 U.S.C. 198, 33 U.S.C. 1007; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, Nov. 26, 1954, 19 F.R. 8026; 167–20, June 18, 1956, 21 F.R. 4894; CGFR 56–28, July 24, 1956, 21 F.R. 5659; 167–38, Oct. 26, 1959, 24 F.R. 8857; 167–46, Nov. 6, 1961, 26 F.R. 10609)

SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

PART 176—INSPECTION AND CERTIFICATION

Subpart 176.25—Materiel Inspections

1. Table 176.25–25(a)(2) in § 176.25–25(a)(2) is amended by canceling obsolete material regarding "vaporizing liquid" so this table reads as follows:

§ 176.25–25 Fire extinguishing equipment—S.

(a) * * *

(2) * * *

TABLE 176.25–25(a)(2)

Type unit	Test
Soda acid	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge.
Foam	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge.
Pump tank (water or antifreeze).	Discharge. Clean hose and inside of extinguisher thoroughly. Recharge with clean water or antifreeze.
Cartridge operated (water, antifreeze or loaded stream).	Examine pressure cartridge and replace if end is punctured or if cartridge is otherwise determined to have leaked or to be in unsuitable condition. Remove liquid, clean hose and inside of extinguisher thoroughly. Recharge with clean water, solution, or antifreeze. Insert charged cartridge.
Carbon dioxide	Weigh cylinders. Recharge if weight loss exceeds 10 percent of weight of charge. Inspect hose and nozzle to be sure they are clear.
Dry chemical (cartridge-operated type).	Examine pressure cartridge and replace if end is punctured or if cartridge is otherwise determined to have leaked or to be in unsuitable condition. Inspect hose and nozzle to see if they are clear. Insert charged cartridge. Be sure dry chemical is free-flowing (not caked) and chamber contains full charge.
Dry chemical (stored pressure type).	See that pressure gage is in operating range. If not, or if seal is broken, weigh or otherwise determine that full charge of dry chemical is in extinguisher. Recharge if pressure is low or if dry chemical is needed.

* * * * *

(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, 4472, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 451, 170, 481, 489; Treasury Dept. 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 181—FIRE PROTECTION EQUIPMENT

Subpart 181.01—Application and Intent

1. Section 181.01–5(a) is amended to read as follows:

§ 181.01–5 Intent.

(a) The intent of this part is to insure that each vessel is provided with safe, readily available and sufficient fire-fighting equipment of the type necessary to extinguish any fires which are likely to be encountered in normal operation. Due consideration will be given to hazards caused by the vessel's type of fuel, construction material, equipment, cargo, etc.

Subpart 181.30—Portable Fire Extinguishers

2. Section 181.30–1 is amended by revising Table 181.30–1(a) in paragraph (a) and by revising paragraph (c) to read as follows:

§ 181.30–1 Required number, type and location.

(a) * * *

TABLE 181.30-1(a)

Space protected	Total number extinguishers required	Type extinguishers permitted		
		Medium	Minimum size	Coast Guard classification
Wheelhouse or steering station	1	Foam Carbon dioxide Dry chemical	1¼ gallons 4 pounds 2 pounds	B-I.
Propulsion machinery space (gasoline or other fuel having a flashpoint of 110° F. or lower).	1	Foam Carbon dioxide Dry chemical	1¼ gallons 4 pounds 2 pounds	B-I.
Propulsion machinery space (diesel oil or other fuel having a flashpoint over 110° F.).	2 (none required if fixed CO_2 system is installed).	Foam Carbon dioxide Dry chemical	2½ gallons 15 pounds 10 pounds	B-II.
Vehicular spaces	1 for each 5 vehicles or fraction thereof.	Foam Carbon dioxide Dry chemical	2½ gallons 15 pounds 10 pounds	B-II.[1]
Accommodations and galley	1	Foam Carbon dioxide Dry chemical	2½ gallons 15 pounds 10 pounds	B-II.[1]

[1] Two B-I hand portable fire extinguishers may be substituted for one B-II.

* * * * * * *

(c) Vaporizing liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids are not approved and are not permitted on any vessel.

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481; Treasury Dept. 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 182—MACHINERY INSTALLATION

Subpart 182.15—Machinery Using Gasoline as Fuel

1. Section 182.15-25(a) is amended by revising Table 182.15-25(a)(1) to read as follows:

§ 182.15-25 Gasoline fuel tanks.

(a) *Materials and construction.* * * *

TABLE 182.15-25(a)(1)

Material	ASTM specification (latest edition)	Thickness in inches and gage number [1] vs. tank capacities for—		
		1 to 80 gallon tanks	More than 80 and not more than 150 gallon tanks	Over 150 gallon tanks
Nickel-copper	B127, hot rolled sheet or plate	0.037 (USSG 20) [2]	0.050 (USSG 18)	0.107 (USSG 12)
Copper-nickel	B122, alloy No. 5	.045 (AWG 17)	.057 (AWG 15)	.128 (AWG 8)
Copper	B152, type ETP	.057 (AWG 15)	.081 (AWG 12)	.182 (AWG 5)
Copper-silicon	B97, alloys A, B, and C	.051 (AWG 16)	.064 (AWG 14)	.144 (AWG 7)
Steel or iron [3]		.0747 (MSG 14)	.1046 (MSG 12)	.1793 (MSG 7)

[1] The gage numbers used in this table may be found in many standard engineering reference books. The letters "USSG" stand for "U.S. Standard Gage," which was established by the act of March 3, 1892 (15 U.S.C. 206), for sheet and plate iron and steel. The letters "AWG" stand for "American Wire Gage" (or Brown and Sharpe Gage) for nonferrous sheet thicknesses. The letters "MSG" stand for "Manufacturers' Standard Gage" for sheet steel thicknesses.

[2] Nickel-copper not less than 0.031 inch (USSG 22) may be used for tanks up to 30-gallon capacity.

[3] Fuel tanks constructed of iron or steel, which is less than 3/16-inch thick, shall be galvanized inside and outside by the hot dip process.

* * * * *

Subpart 182.20—Machinery Using Diesel Fuel

2. Section 182.20-25(a) is amended by revising Table 182.20-25(a)(1) to read as follows:

§ 182.20-25 Independent diesel fuel tanks.

(a) *Material and construction.* * * *

TABLE 182.20-25(a)(1)

Material	ASTM specification (latest edition)	Thickness in inches and gage number [1] vs. tank capacities for—		
		1 to 80 gallon tanks	More than 80 and not more than 150 gallon tanks	Over 150 gallon tanks
Nickel-copper	B127, hot rolled sheet or plate	0.037 (USSG 20) [2]	0.050 (USSG 18)	0.107 (USSG 12)
Steel or iron		0.0747 (MSG 14)	0.1046 (MSG 12)	0.1793 (MSG 7)

[1] The gage numbers used in this table may be found in many standard engineering reference books. The letters "USSG" stand for "U.S. Standard Gage," which was established by the act of March 3, 1892 (15 U.S.C. 206), for sheet and plate iron and steel. The letters "MSG" stand for "Manufacturers' Standard Gage" for sheet steel thicknesses.

[2] Nickel-copper not less than 0.031 inch (USSG 22) may be used for tanks up to 30-gallon capacity.

* * * * * * *

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481. Treasury Dept. 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 185—OPERATIONS

Subpart 185.30—Markings Required

Section 185.30–1(a) is amended to read as follows:

§ 185.30–1 Hull markings.

(a) Certain markings on the hull are required by the Customs Regulations. Details of the application of the requirement as well as details of the required markings will be found in those regulations. Documented vessels should have the following markings (block letters and numerals):

(1) The name of the vessel—on both bows and the stern, not less than 4 inches high.

(2) Hailing port—on the stern, not less than 4 inches high.

(3) Draft marks—on the stem and stern of all vessels 50 gross tons and over, 6 inches high.

(4) Official number—on the vessel's main beam, not less than 3 inches high.

(5) Net tonnage—on the vessel's main beam, not less than 3 inches high.

* * * * *

(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. 4178, as amended, 4495, as amended, sec. 3, 72 Stat. 1754; 46 U.S.C. 46, 493, 527a; Treasury Dept. 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 187.05—General Requirements

Section 187.05–5(a) is amended to read as follows:

§ 187.05–5 Sea service as member of Armed Forces of the United States and on vessels owned by the United States as qualifying experience.

(a) Sea service as member of the Armed Forces of the United States will be accepted as qualifying experience for an original or extension of route of license. The applicant shall submit an official transcript of sea service as verification of the service claimed when he submits an application. Such service will be subject to evaluation by the Officer in Charge, Marine Inspection, to determine its equivalence to the sea service required on passenger motorboats, and to determine the appropriate class and limit of license for which the applicant is eligible.

* * * * *

(Secs. 7 and 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 526f, 526p, 390b; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–20, June 18, 1956, 21 F.R. 4894)

Subpart 187.10—Original License

§ 187.10–10 [Amended]

2. Section 187.10–10 *Written application* is amended by revising in paragraph (a) the reference to a Coast Guard Form from "CG–866, License Application" to "CG–866, License and Renewal Application".

Subpart 187.15—Renewal of Licenses

§ 187.15–1 [Amended]

3. Section 187.15–1 *Requirements for renewal of license* is amended by changing the reference in paragraph (b) from "CG–3479, Application for renewal of license," to "CG–866, License and Renewal Application".

§ 187.15–5 [Amended]

4. Section 187.15–5 *Application for renewal* is amended by revising in paragraph (a)(1) the reference from "CG–3479" to "CG–866, License and Renewal Application".

(Secs. 7 and 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 526f, 526p, 390b; Treasury Dept. Orders 120, July 31, 1950, 15 F.R. 6521; 167–20, June 18, 1956, 21 F.R. 4894)

Dated: November 30, 1966.

[SEAL] P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

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